

## ORDINANCE # 4 - 2023

### AN ORDINANCE AMENDING CHAPTER 215 ENTITLED "LICENSING OF OCCUPATIONS"

**Be it ordained** by the City Council of the City of Geneva, NY that Chapter 215 entitled "Licensing of Occupations" of the City of Geneva Municipal Code be amended as follows:

1. Article I, section 215-6 (A) is hereby amended to read:

"Such application shall be accompanied by a cash deposit or payment bond with sufficient sureties in the sum of \$7,500, which must be approved by the City Attorney, and conditioned for the faithful observation of the laws of the State of New York and this chapter and all other applicable local laws, ordinances, rules and regulations of the city."

2. Article I, section 215-7 is hereby amended to read:

"Upon the filing of the application, bond and information as provided in the previous sections, the City Clerk may upon his approval of such application and payment to the City Clerk of the license fee hereinafter provided, issue to the applicant a license to engage in the business of auctioneering. No license shall be refused except for a specific reason and for the protection of the public safety, good order and morals. All licenses shall be numbered in the order in which they are issued and shall state clearly the dates of issuance and expiration of the license, the fee paid and the name and address of the licensee. No applicant to whom a license has been refused shall make further application until a period of at least three months has elapsed since the last previous rejection, unless he can show that the reason for such rejection no longer exists."

3. Article I, section 215-8 is hereby amended to read:

"The fee for this license shall be determined by the Geneva City Council during budget discussions. No license shall be used by any other person other than the original licensee, and any holder of such license who permits it to be used by another person and any person who uses such license granted to another person shall be guilty of a violation of this article."

4. Article II, section 215-14 thru 23 entitled "Barbers" is hereby repealed

5. Article III, section 215-24 thru 31 entitled "Hairdressing and Cosmetology" is hereby repealed

6. Article IV, section 215-32 thru 37 is hereby renumbered to Article II, section 215-14 thru 19.

- a. New section 215-14 titled "Licenses Required" being amended to read:

"No person shall carry on or engage in any of the trades, occupations or businesses hereinafter specified within the city without first procuring a license from the City Clerk."

- b. New section 215-16 (A) (1) titled "Trades, occupations and businesses specified" is being amended to read:

"Before a license shall be issued under this subsection, the licensee shall file with the City Clerk a bond in the penal sum of \$500 with surety or sureties to be approved by the City Attorney conditioned for the faithful observance of all applicable ordinances of the city"
  - c. New section 215-16 (A)(2) titled "Trades, occupations and businesses specified" is being amended to read:

"The fee for the aforesaid license shall be determined by the Geneva City Council during budget discussions."
  - d. New section 215-16 (A)(3) titled "Trades, occupations and businesses specified" is hereby repealed
  - e. New section 215-16 (B) is being amended to read:

"Junk Dealers. In considering any application for a license under this subsection, the City Clerk shall consider the general welfare of the city and the proposed location within the city where the licensee intends to carry on the business of junk dealer, and the City Clerk may refuse to grant such license in any case where he or she deems the issuance of such license would be contrary to public interests and the general welfare. The fee for the aforementioned license shall be determined by the Geneva City Council during budget discussions."
7. Article V, section 215-38 thru 40 is hereby renumbered to Article III, section 215-20 thru 22, section 41 is hereby repealed, and section 42 and 43 are renumbered to 23 and 24.
- a. New section 315-21 titled "License Required" is hereby amended to read:

"License. It shall be unlawful for any person, associate, partnership or corporation to engage in business as a scrap processor unless such scrap processor shall have complied with the provisions of this article and obtained a license to do so from the City Clerk. Each license shall expire on June 30 of the year next ensuing.
  - b. New section 315-22 titled "License application" is hereby amended to read:

"Application for a license hereunder shall be made in writing to the City Clerk, by the person to be licensed, on forms to be furnished by the City Clerk. The application shall contain such information as to name and address of the applicant and such other information as said City Clerk may reasonably require. The fee for said license shall be determined by the Geneva City Council during budget discussions."
  - c. New section 315-23 (B) entitled "Records" is hereby amended to read:

“Such records shall be available for inspection by local, county or state law enforcement officials or other officials having jurisdiction.”

d. New section 315-24 (A) entitled "Penalties for offenses" is hereby amended to read:

“Each violation of this article by a scrap processor shall be a violation subject to a fine of not more than \$1000, unless such violation shall be willful, in which event it shall be a misdemeanor except, however, the scrap processor shall not be liable for any violation of this article by a seller, his agent, or a purported seller or agent.

This ordinance shall take effect immediately and in accordance with law.

ADOPTED BY THE GENEVA CITY COUNCIL ON May 3, 2023.

ATTEST:

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Mayor

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City Clerk