

BUSINESS LICENSE ORDINANCE

AMENDMENT TO CHAPTER 8 ARTICLE II. LICENSING

Sec. 8-19 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business means any person, group, partnership, corporation, limited liability company or other organization which engages in the manufacture, production, fabrication, development of, or sales, whether retail or wholesale, of goods or products or provides a service for a fee and is required to have a sales tax license under state law.

Temporary vendor means any person, business entity, or organization of any kind offering goods or services at any location within the village on a short-term basis, periodic basis, or not full-time.

Good cause means any act, omission or the permitting of a condition to exist, with respect to the license in question.

Sec. 8-20 License and Registration.

No person, firm, corporation, or temporary vendor shall conduct, engage in, maintain, operate or carry on any business, occupation, activity or establishment, either by himself or itself, or through an agent, employee or partner, for which a license or permit is required by any ordinance of the Village, without having obtained a license or permit for such business, occupation, activity or establishment. Each business with a separate location shall be required to be licensed under this chapter.

Sec. 8-21 Registration Procedures.

The following procedures shall apply to the registration of all businesses and temporary vendors

- (A) Applications for licenses and permits shall be filed with the Village Clerk provided for that purpose, except as otherwise provided.
- (B) All businesses shall complete the registration form and pay any necessary fees by January 1 of each year, with the exception of the initial license year, at which time, all necessary forms and payments must be received before commencing business.
- (C) All temporary vendors shall register prior to commencing business for any period within a calendar year.
- (D) Registration forms are available at the Village Hall or located on the Village website.

Sec. 8-22 Fees.

Applicable fees shall be approved by the Village Council and added to the Village fee schedule. Fees shall not be prorated for any applications submitted after January 1.

Sec. 8-23 Approval.

The Village Council will review all applications and make a recommendation for the approval of license or refusal of license.

Sec. 8-24 Building and Premises

No license or permit shall be issued for any business, occupation, activity or establishment unless the building and premises to be used fully comply with all ordinances, codes, rules and regulations of the village and state statutes.

Sec. 8-25 Suspension Refusal and Revocation

- (A) Any license required by this code may be denied, suspended or the renewal thereof refused, by the Village Council for misrepresentation of any material face in the application for the license. Any license may be denied or suspended by the Village Council for any good cause. No license fee shall be redefined to any licensee in case of the denial, revocation or suspension of a license for good cause.
- (B) Good Cause for the revocation or suspension of a license may include:
 - (1) Contrary to the health, morals, safety, or welfare of the public;
 - (2) Unlawful or fraudulent in nature;
 - (3) A violation of this chapter or of the Village Zoning Ordinance
 - (4) Beyond the scope of the license issued; or
 - (5) A fact, circumstance, or condition which, had it existed or been known at the time the license was granted, would have been sufficient grounds for the refusal thereof.

Sec. 8-26 Appeal to the Village Council upon Refusal

An applicant for any license, who has been refused a license or the renewal of a license for any reason, may appeal the refusal by setting forth all the facts in a written petition and filing it with the Village Clerk within five days after the refusal. The Council shall grant an appeal hearing to the applicant, to take place at the next regularly scheduled Council meeting. The decision of the Village Council after the appeal shall be final.

Sec. 8-27 Posting, Destruction, Removal of License

- (A) All licensees and permittees shall keep the license or permit certificate posted at all times in a conspicuous place on the building or premises used for the business, occupation, activity or establishment for which such license or permit is issued.
- (B) No person shall destroy, obliterate, take, remove or carry away without the consent of the licensee or permittee any certificate which has been issued by the Village except when such certificate has expired or been revoked or suspended or the building or premises for which the license or permits is issued has been abandoned.
- (C) In the event that a license or permit is revoked or suspended, the certificate must be removed from the building or premises on which it is posted.

Sec. 8-28 License Expiration

- (A) Licenses shall expire on December 31 of each year.
- (B) Applications for renewal must be submitted to the Village Clerk by December 1 of each year to be considered for renewal by the Village Council before January 1 of the renewal year. A monthly late fee shall be added for any renewals not submitted by December 1.

Sec. 8-29 Licenses not Assignable or Transferable

No license or permit may be assigned, sold, loaned, transferred, used as collateral or otherwise encumbered. No person, firm or corporation shall use or display any license or permit certificate which has been improperly acquired. No person, firm or corporation shall alter, deface, forge or counterfeit any license or permit certificate issued by the Village.

Sec. 8-30 Penalties

- (A) Any person, firm or corporation convicted of violating any provisions of this chapter shall be deemed to be guilty of a misdemeanor and subject to fines and/or imprisonment.
- (B) Whenever a person, firm or corporation neglects or refuses to apply for and obtain any license or permit required by this chapter or any other village ordinance, or otherwise violates the provisions of this chapter, the village may cause appropriate legal action and proceedings, in law or equity, to be instituted and maintained to enforce the license or permit requirement.