

TITLE XI: BUSINESS REGULATIONS

Chapter

110. FEES, LICENSES, PERMITS, AND FRANCHISES

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Section

General Provisions

- 110.01 Authority to license
- 110.02 Registration with Clerk-Treasurer
- 110.03 Approval of the Town Council
- 110.04 Duration of license; display required
- 110.05 Issuance, revocation, or suspension

Specific Fees and Licensing Procedures

- 110.15 Carnival and circus permits
- 110.16 Restaurant, club, and eating establishment regulations
- 110.17 Pool halls, bowling alleys, and the like
- 110.18 Peddlers, itinerant merchants, and solicitor's regulations
- 110.19 Franchise agreements

GENERAL PROVISIONS

§ 110.01 AUTHORITY TO LICENSE.

The town has the authority to impose a license fee that is reasonably related to the administrative cost of exercising the regulating powers.
(`86 Code, § 4-1)

§ 110.02 REGISTRATION WITH CLERK-TREASURER.

(A) All persons shall register with the Town Clerk-Treasurer before engaging in activity which requires a permit or license.

(B) All completed applications for a permit or license required by this chapter shall be referred by the Town Clerk-Treasurer to the Town Council.
(`86 Code, § 4-2)

§ 110.03 APPROVAL OF THE TOWN COUNCIL.

After examination, the Town Council shall grant a permit or license at the next regular meeting, unless good cause be shown why the permit or license should not be granted.
(`86 Code, § 4-3)

§ 110.04 DURATION OF LICENSE; DISPLAY REQUIRED.

(A) All licenses issued under this chapter, unless specified otherwise on the license, shall be issued for the duration of the calendar year for which they were issued, and shall expire on December 31.

(B) Every person who is issued a license under the provisions of this chapter shall display the permit on the premises where the licensed activity is being conducted. If there are no premises, the individual shall carry the license while engaged in the activity for which he or she has been licensed, and shall exhibit it to any town official or citizen upon request.
(`86 Code, § 4-4)

§ 110.05 ISSUANCE, REVOCATION, OR SUSPENSION.

(A) The Clerk-Treasurer shall issue licenses upon payment of the license fees, compliance with the applicable provisions of this chapter, and Town Council approval.

(B) Licenses issued by the town may be revoked or suspended if the person holding the license has violated the terms or conditions of the license or the law under which it was issued, or has conducted the business in such a manner as to constitute a threat to the public health, safety, or general welfare of the town's citizens.
(`86 Code, § 4-5)

SPECIFIC FEES AND LICENSING PROCEDURES

§ 110.15 CARNIVAL AND CIRCUS PERMITS.

(A) It shall be unlawful to conduct or operate any circus or carnival which is open to the public and to which an admittance fee is charged without first obtaining a permit from the Clerk-Treasurer's office.

(B) Each applicant for a permit shall file a completed application within 30 days prior to the proposed carnival or circus, unless the time period is waived by the Town Council.

(C) The applicant shall furnish:

- (1) Legal name of applicant and position;
- (2) Present address and telephone number of applicant;
- (3) Name and address of traveling company or organization sponsoring the carnival or circus;
- (4) Proposed location of carnival or circus;
- (5) Proposed dates of the carnival or circus;
- (6) Number and types of sideshows, concessions, and rides to be included;
- (7) Reference of other cities and towns recently visited by the carnival or circus; and
- (8) Written permission from the owner of the land for the proposed site and the current zoning of the site.

(D) The Clerk-Treasurer shall forward a copy of the completed application to the Town Marshal for a background check of the applicant and for recommendations for crowd and noise control, restroom facilities, security, hours of operation, and other related public safety matters. The Clerk-Treasurer shall forward a copy of the completed application to the Volunteer Fire Chief for a check of ingress and egress to the proposed site for emergency vehicles, recommendations as to fire lanes, parking, first aid stations, and other public safety matters.

(E) The completed application shall be sent to the Town Council, who shall review the same and the reports from the Town Marshal and Volunteer Fire Chief. If approved, the applicant shall file a hold harmless agreement with the town agreeing to hold the town harmless from all damages, liabilities, or injuries which may result from the carnival or circus. The Council may further require proof of liability insurance from the applicant in amounts set by the Council.

(F) For each circus, the fee is \$10 per day, and for any other shows or exhibitions at any time, in any booth or tent, or in any temporary or movable shelter where the price of admission charged is \$.25 or over, the sum of \$3 per day shall be charged. When the price of admission is over \$.10 and under \$.25, \$1.50 shall be charged. Where \$.10 or less is charged for admission, \$1 per day shall be charged. (^ 86 Code, § 4-10) (Ord. 20, passed - -1900) Penalty, see § 10.99

§ 110.16 RESTAURANT, CLUB, AND EATING ESTABLISHMENT REGULATIONS.

Any person desiring to operate a restaurant, club, or similar eating establishment shall be required to comply with all regulations of the County Health Department and County Building Department. (`86 Code, § 4-12)

§ 110.17 POOL HALLS, BOWLING ALLEYS, AND THE LIKE.

Any person desiring to operate a pool hall, bowling alley, billiard hall, or other related businesses shall comply with all county regulations and ordinances governing the same. (`86 Code, § 4-13)

§ 110.18 PEDDLERS, ITINERANT MERCHANTS, AND SOLICITOR'S REGULATIONS.

(A) It shall be unlawful for any peddler, itinerant, merchant, or solicitor to sell or offer for sale at some fixed place or by going from house to house within the town, any goods, wares, merchandise, or any other article of value, except produce and provisions, wherein the produce and provisions are owned and not including groceries, unless the person has first registered with the Town Clerk-Treasurer. (`86 Code, § 4-21)

(B) All persons desiring to solicit business as described in division (A) shall provide the following information to the Town Clerk-Treasurer in order to comply with the registration requirements:

- (1) Name and address of prospective peddler, itinerant, merchant or solicitor;
- (2) Social Security number;
- (3) Company or agency he or she represents or is affiliated with;
- (4) Type of merchandise to be sold; and
- (5) Times and duration of proposed business solicitation.

(C) There shall be no fee for the registration described in this section. (`86 Code, § 4-22) Penalty, see § 10.99

§ 110.19 FRANCHISE AGREEMENTS.

(A) The Town Council may enter into written franchise agreements for companies to serve the town.

(B) The agreements shall be binding on the parties as to rental amounts, safety requirements, inspections, indemnification, bond requirements, and other related areas.

(C) The agreements, in order to be approved, must be passed by an appropriate ordinance of the Town Council, and shall be kept on file and open for public inspection during regular business hours in the office of the Clerk-Treasurer.

(`86 Code, § 4-36)

