

Chapter 1

**GENERAL LICENSES**

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**Sec. 1-1. License Required.**

It shall be unlawful for any person to carry on, engage in or prosecute any trade, business or profession within the City prior to obtaining a license required by this Chapter.

**Sec. 1-2. Application for License.**

Every person required by any law to obtain a license to engage in any trade, business or profession shall, except as herein otherwise provided for the procuring of permits and licenses for conducting of circuses or merry-go-rounds, apply to the City for an order to pay the sum required for such license, who, upon the payment thereof, shall execute to such person a receipt which shall set forth the kind of business for which such license is required and thereupon said person shall file such receipt with the City which shall then grant to such person a license therefor.

Any person desiring to procure a license for the purpose of conducting circuses or merry-go-rounds, within the corporate limits, shall make application in writing to the City which shall have the right to grant or reject such license, but on granting such license shall have the power to designate the place within the City where such circus or merry-go-round shall exhibit or carry on its place of amusement or entertainment and in case said person shall fail or refuse to comply with the orders of the City, such license shall at once be revoked, and all money theretofore received from such licensee shall be retained by the City and no refund shall be made.

**Sec. 1-3. Contents of License.**

In every license required to be taken out, the license shall set forth the purpose, trade, business or profession for which such license is granted, the name and address of the person taking out the same, and said license shall not authorize the carrying on of said business in any other place unless the place licensed shall be closed and in such case the City shall be notified of the change and shall note the same in the register of licenses.

**Sec. 1-4. Exception.**

The fees listed herein shall not apply to those entertainments given by companies composed of residents of the City nor to scientific nor literary lectures or entertainments.

**Sec. 1-5. Type of Business Requiring License.**

The following types of business require obtaining a license:

- A. Circuses, First Class: Circuses shall be classified as follows: every circus capable of seating or entertaining two thousand (2,000) people or more at any one time shall be classed as first class.
- B. Circuses, Second Class: Circuses capable of seating not to exceed two thousand (2,000) people at any one time, shall be classed as second class.
- C. Tent Shows Classed as Circuses: Every tent, space or area where feats of horsemanship or acrobatic sports are exhibited shall be classed as a circus under this Chapter.
- D. Merry-Go-Rounds or Mechanical Rides: The proprietor, agent or manager having charge or running or conducting, within the corporate limits of the City, any amusement known as a merry-go-round or any other mechanical ride shall pay a license fee as set forth in this Chapter.
- E. Amusement and Other Concessions: The proprietor or agent running any exhibit, place of amusement, entertainment or any other concession not heretofore enumerated, within the

City, shall pay a license fee as set forth in this Chapter.

**Sec. 1-6. License Fees.**

A license fee, as established by resolution duly adopted by the Council from time to time, shall be paid to the City at the time application is made.

**Sec. 1-7. Appeals.**

- A. Any person aggrieved by the action of denial, suspension or revocation of the license by the Clerk shall have the right of appeal to the Council.
- B. Such appeal shall be taken by filing with the Clerk written notice thereof within ten (10) business days after the denial or the entry of the order of suspension or revocation. The notice of appeal shall specify an address at which the person appealing may be given notice of hearing on the appeal.
- C. At the appeal hearing before the Council, the applicant or person appealing shall be entitled to appear in person and offer evidence pertinent to the denial, suspension or revocation or may appear through legal counsel. City staff shall likewise be entitled to appear at the hearing and offer evidence in support of the denial, order of suspension or revocation. Failure by applicant, person appealing, or their representative to appear before Council at the time scheduled to hear such an appeal shall result in the automatic denial of such appeal.
- D. The Council shall determine whether the denial, suspension or revocation shall be sustained and shall make a final reasoned statement in writing within fifteen (15) business days following the close of the hearing.

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