

ORDINANCE NO. 927

AN ORDINANCE AMENDING THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, ("CODE"), CHAPTER 4, ARTICLE 4.02 LICENSES.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDWARDSVILLE, KANSAS:

Section 1. Article 4.02 of the Code of the City of Edwardsville is hereby amended as follows:

ARTICLE 4.02 BUSINESS LICENSES

Sec. 4.02.001 License required

It shall be unlawful for any person, firm or corporation, either as principal or agent or employee, to conduct, pursue, carry on or operate any calling, trade, profession or occupation or render or furnish any service in the city without first obtaining an Business License and paying the license fee prescribed from the City Clerk or designee.

Sec. 4.02.002 Assignment or transfer; refund of fee

No license granted by the city shall be assignable or transferable, nor shall such license authorize any person to do business or act under it but the person named therein, nor at more than one place. There shall be no refunds except as specifically provided.

Sec. 4.02.003 License period

Unless otherwise provided, licenses shall commence and endure from date of issuance and will expire one year after issuance on the last day of the month preceding the date of issuance.

Sec. 4.02.004 Exemption of farmers

No producer or grower, or his or her agents or employees, selling in the city, farm or garden products or fruits grown by him or her in the state shall be required to pay any license fee or occupation tax imposed by any law of this city, and he or she, and his or her agents or employees, are hereby exempt from the payment of any such fees or taxes, or the securing of a license.

Sec. 4.02.005 Application and Fee schedule

- (a) An application for a Business License shall be filed yearly with the City Clerk or designee; and duly subscribed and sworn to by the applicant.

- (b) The license fee for the following businesses, trades, professions and occupations for rendering or furnishing of services conducted, carried on or operated within the city shall be as follows:
1. A business with a physical business location / address in Edwardsville fee is \$85.00
 2. A business without a physical business location / address in Edwardsville fee is \$100.00
- (c) Any business that is regulated by the County, State or Federal government must provide a copy of its County, State or Federal permit/license along with the Business License application.

Sec. 4.02.006 Payment of fee; expiration license

- (a) All license fees shall be due and payable before the commencement of a trade, occupation, business or profession or the rendering or furnishing of any service for which the same are required, except in the case of renewal of an annual license, where such license fee shall be due and payable on or before the 10th day following the expiration date.
- (b) No license shall be issued until the fee is paid.
- (c) A license issued for specific day(s) shall expire at midnight on the expiration date indicated on the Business License.

Sec. 4.02.007 Late Fees

Any business failing to renew a Business License required by the chapter shall be subject to a late fee of \$20.00 in addition to any penalties incurred per Section 4.02.014 of this code.

Sec. 4.02.008 Certain applications to be reviewed by governing body

All applications for licenses for a business, trade, occupation or profession involving weapons, explosives, alcohol, drugs, or firearms shall be brought before the governing body. The governing body, in reviewing the application, shall issue a license upon compliance by the applicant with the requirements of this code and other applicable ordinances, unless a finding is made that such business will be detrimental to the public health, welfare or safety. By way of enumeration, but not of limitation, it is noted that home occupations and fireworks stands also have specific sections and ordinances governing them. Upon approval of the governing body, the City Clerk, or designee shall issue such license.

Sec. 4.02.009 Contents

Unless otherwise provided, all licenses shall be dated on the date of their issue, and shall state the name of the licensee, the kind of business he or she desires to engage in, and the location

thereof, and time the license shall expire, and the person having such license shall be authorized to carry on the business therein named.

Sec. 4.02.010 Official Record

The City Clerk shall keep a record in which the name of each person licensed, his or her address, the date of the license, the purpose for which it is granted, the amount paid therefor, and the date of expiration.

Sec. 4.02.011 Display

All persons doing business in a permanent location are required to have their license conspicuously displayed in their place of business, and all persons to whom licenses are issued not having a permanent place of business are required to carry their licenses with them, and any licensee shall present the license for inspection when requested to do so by any citizen or officer of the city.

Sec. 4.02.012 Compliance with zoning regulations

The business, trade, occupation or profession shall be in compliance with all zoning ordinances for the location at which it is to be conducted.

Sec. 4.02.013 Compliance with other laws

Nothing in this article or the code of the city shall be construed to permit any licensee licensed under the provisions of this article to violate any law of the United States or the state, or any ordinance of the city.

Sec. 4.02.014 Penalty

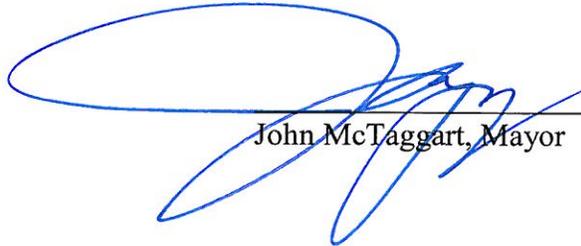
Failure to secure and pay for a required license within the period specified in section 4.02.006 of this code shall constitute a violation of this article and is punishable in accordance with section 1.01.009 of the Code of the City of Edwardsville.

Section 2. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and are hereby repealed.

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 14th DAY OF OCTOBER, 2013.




John McTaggart, Mayor

ATTEST:


Michelle Bounds, Finance Manager

APPROVED AS TO FORM:


David K. Duckers, City Attorney