

Licensing and Business Regulations

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SECTION 9-101 LICENSE FEE LEVIED ON CERTAIN OCCUPATIONS

- A. A license fee may be levied on every person engaging in, exercising, or pursuing businesses, professions, trades, occupations, or privileges in this city as determined by the city council, for an annual fee as set by the city council by ordinance, motion or resolution.
- B. Before issuing a license to a peddler or solicitor, the city clerk may require of the applicant any reasonable information which he deems desirable to protect the public interest as set out in Section 9-201 et seq. of this code.
- C. In order to receive a license under this chapter, every person, firm or corporation regulated pursuant to this section is required to possess a valid and current state sales tax permit if such person, firm or corporation is a vendor subject to collection of sales taxes under the sales tax code of the city and state. A copy of this permit shall be provided by the applicant for a license to the city clerk prior to issuance of the city license.

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SECTION 9-102 PAYMENT OF LICENSE FEE; ISSUANCE OF LICENSE; EXPIRATION DATE

- A. It is unlawful for any person to engage in, exercise, or pursue any business, profession, trade, occupation, or privilege for which a license tax is levied by Section 9-101 of this code or by any other ordinance or ordinance provision without paying the license tax, and securing and possessing a valid license therefor. Upon making proper application to the city clerk, the payment of the license tax and fulfillment of any other condition which may be prescribed by law or ordinance, the city clerk shall issue a license therefor. Such license taxes shall be credited to the general fund of the city.
- B. Annual licenses shall expire on the thirtieth day of April of each year; however the council by resolution or motion may provide for quarterly payments. When an annual license is issued after May 1 for the remainder of the year to a person just beginning to engage in, exercise, or pursue a business, profession, trade, occupation, or privilege, the tax collected shall be a fractional part of the annual tax equal to the fraction of the year remaining, with a minimum as set by the city council.

SECTION 9-103 SEPARATE LICENSES REQUIRED. FEE FOR MORE THAN ONE BUSINESS

- A. Every person who engages in, exercises, or pursues a business, profession, trade, occupation, or privilege for which a license is required, at or from more than one place in the city, or who engages in, exercises, or pursues more than one such business, profession, trade, occupation, or privilege, shall pay the fee, and secure a separate license, for each such place or for each such business, profession, trade, occupation, or privilege.
- B. Businesses housed or located on separate premises shall be considered as separate businesses for the purpose of levying this tax.

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SECTION 9-104 LICENSE TO BE DISPLAYED

Every holder of a license to engage in, exercise, or pursue a business, profession, trade, occupation, or privilege, shall conspicuously display the license at all times in some part of his place of business or activity where a person who has entered the place may readily see it; or, if he has no particular place of business or activity, shall carry the license and shall display it to any person who requests to see it. In lieu of the manner of displaying such licenses provided above, when licenses are required for coin-operated music or amusement devices, vending machines, and similar devices and equipment, the license may be placed on or attached to such device or equipment in such position and manner that it will be clearly visible, and shall be so placed or attached if the license so states on its face. It is unlawful to fail or refuse to display the license as required in this section.

SECTION 9-105 LICENSE MAY BE REVOKED

Any license issued by the city to any person to engage in, exercise, or pursue any business, profession, trade, occupation, or privilege, may be revoked by the city council after adequate opportunity for a hearing, for either of the following reasons:

1. The licensee is engaging in, exercising, or pursuing the business, profession, trade, occupation, or privilege in such a manner that he has created or is creating a public nuisance as defined by state law or local ordinance; or
2. Serious or repeated violation of the law or ordinances.

SECTION 9-106 TRANSFER OF LICENSE PROHIBITED

The assignment or transfer of licenses shall not be permitted in this city.

SECTION 9-107 DUPLICATE LICENSE

Whenever any license to engage in, exercise, or pursue a business, profession, trade, occupation, or privilege, has been lost or destroyed without any wrongful act or connivance by the holder, the city clerk, on application, shall issue a duplicate license for the unexpired time. Before the duplicate is issued, the holder shall make and file with the city clerk an affidavit that the license has not been transferred, that it has been lost or destroyed without any wrongful act or connivance by the holder, and that, if believed lost, he has made diligent search for it and has been unable to find it. The fee for every duplicate license issued, payable to the city clerk, shall be set by the city council.

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SECTION 9-108 SHOOTING GALLERIES

Every shooting gallery constructed, established, set up or operated hereafter shall be constructed, established, set up and operated in accordance with the standards, specifications and requirements of state law, Sections 701 to 708 of Title 63 of the Oklahoma Statutes. No shooting gallery shall be operated until a license has been secured therefor in accordance with this chapter. Any violation of any provision of this section or of any provision of state law shall be deemed an offense against the city, and shall be punishable as such.

SECTION 9-109 FEES FOR FORTUNE TELLING PROHIBITED

It is unlawful for any person pretending or professing to tell fortunes by the use of any subtle craft, means, or device whatsoever, either by palmistry, clairvoyance, or otherwise plying his or her trade, art or profession, to make any charge therefor either directly or indirectly or to receive any gift, donation or subscription by any means whatsoever for the same.

SECTION 9-110 SHORT WEIGHTS AND MEASURES PROHIBITED

It is unlawful for any person, firm or corporation to sell or offer for sale, any food, fuel, clothing or any other commodity which does not weigh or measure fully as much, according to standard weights or measures of the state as the weight or measure for which it is sold or offered for sale.)

SECTION 9-111 RECORDS OF SELLERS REQUIRED BY SECOND HAND AND USED GOODS STORES

- A. All owners of second hand and used goods stores shall be required to keep a record of all sellers to those stores and buyers from those stores of their names and addresses and a complete description of all goods in which the fair market value is more than Twenty-five Dollars (\$25.00).
- B. All records required in Subsection A shall be kept for a period of ninety (90) days and be made available to the city police department upon request during the owner's normal business hours.
- C. All goods bought by second hand and used good stores having a fair market value of more than Twenty-five Dollars (\$25.00) shall be held for forty-eight (48) hours before they may be made available to the public.

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SECTION 9-112 PENALTY

Any person who engages in any business, profession, trade, or occupation, or exercises any privilege, for which a license is required by this chapter, without a valid license as thereby required, or who shall violate any provision of this chapter, shall be guilty of an offense, and upon conviction, shall be fined as provided in Section 1-108 of this code. Violation of this chapter shall also be grounds for revocation or suspension of license granted.

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CHAPTER 2

ITINERANT VENDORS

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SECTION 9-201 DEFINITIONS

For the purpose of this chapter, the following terms shall have the meanings respectively ascribed to them in this section:

1. "Itinerant vendor" means and includes all persons, firms or corporations, as well as their agents and employees who engage in the temporary or transient business in the city of selling or offering for sale any goods or merchandise, or exhibiting the same for sale or exhibiting the same for the purpose of taking orders for the sale thereof and who for the purpose of carrying on such business or conducting such exhibits thereof either hire, rent, lease or occupy any room or space in any building, structure, other enclosure, vacant lot or any other property whatever in the city in, through, or from which any goods or merchandise may be sold, offered for sale, exhibited for sale or exhibited for the purpose of taking orders for the sale thereof;
2. "Temporary" as used in Paragraph #1 hereof means any such business transacted or conducted in the city for which definite arrangements have not been made for the hire, rental or lease of premises for at least one hundred (100) days, in or upon which such business is to be operated or conducted; and
3. "Transient" as used in Paragraph 1 as used hereof means any such business of any such itinerant vendor as may be operated or conducted by persons, firms or corporations, or by their agents or employees who reside away from the city or who have fixed places of business in places other than the city or who move stocks of goods or merchandise or samples thereof into the city with the purpose or intention of removing them, or the unsold portion thereof, away from the city before the expiration of one hundred (100) days.

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The term "itinerant vendor" shall not include or be construed to include anyone engaged in interstate commerce nor anyone upon which the provisions of this chapter would impose a direct and unlawful burden on interstate commerce.

SECTION 9-202 LICENSE REQUIRED

It is unlawful for any itinerant vendor to sell, offer for sale, exhibit for sale, or exhibit for the purpose of taking orders for the sale thereof, any goods or merchandises the city without first obtaining a license as herein provided for. The city clerk shall issue to any itinerant vendor a license authorizing such itinerant vendor to sell, exhibit for sale, offer for sale, or exhibit for the purpose of taking orders for the sale thereof in the city his goods or merchandise only after such itinerant vendor shall have fully complied with all provisions of this chapter and shall have paid the license fees hereinafter provided, which sum shall be compensation to the city for the services herein required of it and to enable the city to partially defray the expenses of enforcing the provisions of this chapter.

SECTION 9-203 APPLICATION

The itinerant vendor shall make application to the city clerk of the city at least ten (10) days prior to the date of his contemplated sale or exhibit to be held in the city which application shall be in the form of an affidavit, stating the full name and address of the itinerant vendor, the location of his or its principal office and place of business, the names and addresses of its officers if it be a corporation, and the partnership name and the names and addresses of all partners if such itinerant vendor be a firm. The application thereof must be accompanied by:

1. A statement showing the kind and character of goods to be sold, or merchandise to be sold, offered for sale or exhibited;
2. A certified copy of the charter if the itinerant vendor be a corporation, incorporated under the laws of this state;
3. A certified copy of its permit or authority to do business in the state if the itinerant vendor be a corporation, incorporated under the laws of some state other than Oklahoma;

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4. A bond in the sum of not less than Five Hundred Dollars (\$500.00), executed by the itinerant vendor as principal, with some surety company authorized to do business in the state as surety, which bond shall be payable to the city for the use and benefit of any person or persons entitled thereto and conditioned that the principal and surety will pay all damages to person, or persons, caused by or arising from, or growing out of the wrongful or illegal conduct of the itinerant vendor while conducting the sale or exhibit in the city. The bond shall remain in full force and effect for the entire duration of the license permit as provided herein, and two (2) years thereafter.

SECTION 9-204 LICENSE FEE

The license fee for itinerant vendor shall be as set by the council by motion or resolution.

SECTION 9-205 TRANSFER

The license permit provided for herein shall not be transferable nor give authority to more than one person to conduct a business as an itinerant vendor, but any persons having obtained such license may have the assistance of one or more persons in conducting the business.

SECTION 9-206 GOING UPON PRIVATE RESIDENCES

- A. In the exercise of the authority conferred upon the city by state law, the practice of going to, in or upon the premises of any private residence in the city by door-to-door salespersons, solicitors, peddlers and order takers, without the express consent, request or invitation of the owner or the occupant of such private residence, for the purpose of soliciting orders for the purchase or for the sale of goods, wares, or publications or merchandise of any description, or the purpose of peddling, or hawking the same, or for the purpose of soliciting subscriptions thereto, is hereby prohibited.
- B. This section shall not apply to sales persons, solicitors, peddlers or order takers representing sales of local nonprofit or charitable organizations.
- C. Any violation of the provisions of this section shall be punishable as misdemeanor against the city. Any person convicted of violating any provisions of this section shall be fined as provided in Section 1-108 of this code.

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CHAPTER 3

AMUSEMENT DEVICES

Section 9-301	Fee required for certain amusement devices
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SECTION 9-301 FEE REQUIRED FOR CERTAIN AMUSEMENT DEVICES

No person, either as principal or agent, shall own, operate, lease or permit to be operated on the business premises of such person, firm or corporation any form of coin operated machine or other device intended for the use of or used by persons patronizing such business for such persons' amusement, entertainment or edification, including but not limited to the following:

1. Bowling machines;
2. Music playing machines commonly called juke boxes;
3. Pinball and associated similar machines; or
4. Shuffleboards;

without first paying in advance to the city clerk the license fees or tax hereinafter prescribed and procuring a license therefor.

SECTION 9-302 ANNUAL LICENSE: DISPLAY

- A. The license fee prescribed by this chapter shall be annual unless otherwise specified on the face of the license and shall expire on the last day of April of the year for which it is issued. All licenses that are issued for a period shorter than one year shall expire on the day specified on the fact of the license.
- B. No license shall be issued until the amount prescribed therefor has been paid in full to the City Clerk.
- C. All licenses procured under the provisions of this chapter shall be prominently displayed on or in the immediate vicinity and in clear view of the machine for which it was purchased.

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- D. Licenses shall be signed by the city clerk who shall affix the corporate seal of the city thereto.

SECTION 9-303 RATE

The license fee imposed by this chapter shall be as set by the council by motion or resolution.

SECTION 9-304 PENALTY

Violation of any provision of this chapter shall void any and all licenses issued under the provisions of this chapter to the person in violation of the provisions and shall subject the perpetrator thereof to a fine as provided in Section 1-108 of this code. Each day any violation occurs shall constitute a separate offense.

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CHAPTER 4

TAXICABS

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SECTION 9-401 LICENSE REQUIRED

No person shall engage in the business of operating a motorcar, automobile, auto bus or other vehicle for the purpose of transporting passengers for hire upon, over and through the streets, avenues, thoroughfares or other public places within the city limits of the city without having first obtained a license to engage in such business from the city clerk of the city.

SECTION 9-402 APPLICATION FOR LICENSE

A permit to operate a taxi, motorcar, automobile, or motor bus business within the city or upon the streets and public ways shall be issued by the city clerk of the city to any person, firm or corporation of good moral character attested to by the affidavit of two (2) residents of the city who shall:

1. Tender a license fee for the first vehicle and for each additional vehicle per year, the license to terminate on the 30th day of June, next, thereafter:
2. Posting of a certificate from an insurance company licensed to do business within the State of Oklahoma not cancellable without ten (10) days notice to the city, indemnifying the city or any person to whom the applicant may become liable in amounts of:
 - a. Ten Thousand Dollars (\$10,000.00) for property damage;
 - b. Twenty Thousand Dollars (\$20,000.00) for personal injuries from each accident; and
 - c. Ten Thousand Dollars (\$10,000.00) for each person;

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3. A list of the motor vehicles to be used in the business, duly showing that they, and each of them, are covered by the insurance mentioned above in paragraph 2 of this section, and a list of operators of the vehicles, who are by him, them or it, to operate the motor vehicles. The license shall be revoked immediately upon termination of insurance, failing to keep the list of automotive equipment and drivers up-to-date in the office of the city clerk or for good cause shown. The permit shall be prominently displayed in the principal office of the business.

SECTION 9-403 DRIVING PERMITS: CURRENT DRIVING LICENSES REQUIRED, NO REVOCATION

Permits for the driving and operating of motor vehicles for hire within the city shall be issued to any person of good moral character attested to by the affidavit of two (2) residents of the city who has not had his motor vehicle operator's license or commercial chauffeur's license revoked by this state or any other state within three (3) years immediately prior to the date of the application and who has not been convicted of a felony, which information shall be attested to by the chief of police according to his best knowledge who shall:

1. Exhibit to the city clerk proof of his (or her) being the holder of a valid commercial chauffeur's license issued by this state; and
2. Submit to the city clerk a recent photograph not less than one inch by one inch and not larger than two (2) inches by four (4) inches in size for attachment to a permit for such driver. The permit shall be permanently and visibly displayed at all times in the taxi or motor vehicle operated by the driver for hire.

SECTION 9-404 APPEAL FROM DENIAL OF LICENSE

Issuance of revocation of or refusal to issue the foregoing licenses or permits, and each of them, by the city clerk may be appealed to the city council, by any citizen of the city or person aggrieved.

SECTION 9-405 NOTICE

Notice shall be given by the applicant for the license as set forth in this chapter by posting notices in five (5) public places in the city at least seventy-two (72) hours before such license may be issued. The notice shall be in substantially the following form:

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NOTICE

The City of Coweta to all interested parties: Take notice that on the _____ day of _____ 2__, an application for taxi license was presented to the city clerk by and that said application will be heard by the undersigned clerk on the ___ day of _____ 2 __. Take notice hereof and govern yourselves accordingly.

City Clerk

SECTION 9-406 INSPECTION

Every person obtaining a license hereunder shall, at least once in each calendar quarter, have each vehicle so used inspected for operational safety and furnish the city clerk proof of the safe condition of each vehicle. The chief of police of this city or any highway patrol officer of this state shall be deemed qualified to conduct the inspection.

SECTION 9-407 PENALTY

Any breach of the foregoing by failing to obtain the permits, operating without permits or failing to prominently and visibly display the same shall constitute a breach of the ordinances of this city and shall be punished by a fine as provided in Section 1-108 of this code. Each day of such operation without a permit, insurance or operator's license, or failure to display the permit shall constitute a separate breach and offense.

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CHAPTER 5

VEHICLE SALES

- Section 9-501 Vehicle sales without proper licenses prohibited, exceptions
- Section 9-502 Owners, lessees also responsible
- Section 9-503 Removal of vehicle, notice
- Section 9-504 Penalty

SECTION 9-501 VEHICLE SALES WITHOUT PROPER LICENSES PROHIBITED EXCEPTIONS

It is unlawful for any person to sell, offer for sale, or display for sale one or more used motor vehicles within the city without first obtaining a license therefor from the appropriate state authorities as set forth in Sections 581 et seq. of Title 47 of the Oklahoma Statutes, or amendments thereto. This section shall not apply to persons selling, offering or sale or displaying for sale vehicles on their own property, if the vehicles are licensed in their own name as owner.

SECTION 9-502 OWNERS, LESSEES ALSO RESPONSIBLE

It is unlawful for any owner of real property, lessee of real property, person having an interest in real property, to allow the sale or display for sale of one or more used vehicles within the city unless that property is zoned and licensed for such use. This section shall not apply to any person making such use of their own personal residence to sell or display for sale a vehicle licensed in their own name as owner.

SECTION 9-503 REMOVAL OF VEHICLE. NOTICE

Members of the police department or code enforcement officers are hereby authorized to remove any vehicle from any property to a garage or other place of safety once such vehicle has been parked on more than one occasion for the principal purpose of displaying such a vehicle for sale in violation of this chapter or the city zoning code. The city personnel shall be required to show that an official notice, warning, citation or warrant has been issued by the city for the vehicle involved prior to the incident for which the vehicle is towed or removed.

SECTION 9-504 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense, and upon conviction, shall be punished as provided in Section 1-108 of the city code.

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CHAPTER 6

POOL HALLS AND FAMILY RECREATION CENTERS

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Section 9-611	Suspension or revocation of license
Section 9-612	Other laws applicable
Section 9-613	Penalty

SECTION 9-601 DEFINITIONS

For the purpose of this chapter, the following terms shall be defined as follows:

1. "Family recreation center" means a room or place where persons of all ages are permitted to play or operate coin-operated amusement devices, including the playing of pool or billiards; and
2. "Pool hall" or "billiard hall" means a room or place where persons age eighteen (18) or older, or under age eighteen (18) if accompanied by a parent or legal guardian, are permitted to play or operate coin-operated amusement devices, including the playing of pool or billiards.

SECTION 9-602 RESTRICTIONS ON OPERATIONS

- A. It is unlawful for any person operating a pool hall, billiard hall or family recreation center with the city to:
1. Permit any intoxicated person to be on or about such place of business;
 2. Sell, barter, give away or permit the consumption of intoxicating beverages at such place of business; or

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3. Violate any ordinances of the city or laws of the state.
- B. It is unlawful for any pool hall or billiard hall to permit any person under the age of eighteen (18) to be in or about the place of business unless the minor is accompanied by a parent or legal guardian.
- C. It is unlawful for family recreation centers to be open for operation during hours other than specified as follows:
1. Monday, Tuesday, Wednesday and Thursday: 8:00 AM to 11:00 P.M.;
 2. Friday: 8:00 AM to 1:00 AM the following Saturday morning;
 3. Saturday: 8:00 AM to 1:00 AM the following Sunday morning; and
 4. Sunday: 12:00 Noon to 11:00 P.M.

In addition, on any day preceding a day on which Coweta public schools are not in session, closing hours are extended from 11:00 P.M. to 1:00 AM.

SECTION 9-603 LICENSE REQUIRED

It shall constitute a nuisance and be unlawful for any person to operate or manage within the corporate city limits a family recreation center or pool hall or billiard hall without first obtaining a license therefor provided hereunder.

SECTION 9-604 DISPLAY OF LICENSE

Every pool hall, billiard hall or family recreation center issued a license hereunder shall place and exhibit the same at all times while in force in a conspicuous place upon the premises licensed.

SECTION 9-605 LICENSE APPLICATIONS

Applications for licenses to be issued hereunder shall be made upon the forms prepared and made available by the city clerk of the city and shall include the following information:

1. The name of the owner of the real estate and fixtures for which the license is to be issued;

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2. If the applicant is not the owner of such real estate and fixtures, a copy of the lease or other arrangement upon which such applicant holds possession thereof shall be attached to the application;
3. The full name, age, residence, present and previous employment record of the applicant and any managers or supervisory personnel, or if the applicant is an association, partnership or joint venture or corporation, such information concerning the operators, partners, principal backers, officers and directors and stockholders of twenty-five percent (25%) or more of the outstanding stock, if a corporation;
4. Applicants for family recreation centers and pool halls and billiard halls shall execute an agreement that the premises covered by the application may be inspected by any officers of the police department of the city at any time such premises are occupied. Failure or refusal to permit immediate inspection of the premises in the manner stated above with respect to the facility shall constitute grounds for suspension or revocation of a license issued hereunder; and
5. A fee as set by the council by motion or resolution shall be charged for each application submitted.

SECTION 9-606 INVESTIGATION AND INSPECTION

No license for family recreation center or pool hall or billiard hall shall be issued until it shall be found by inspection that such facility complies with and conforms to all sections of this and other ordinances, health and fire regulations of the city; and that the property is properly ventilated, adequately lighted and is a safe and proper place for which it is to be used.

SECTION 9-607 DENIAL OF LICENSE

- A. The city clerk or city manager of the city shall act upon the application for license within fifteen (15) days after the filing of the application.
- B. The license can be denied for the following reasons:
 1. Applicant is not an adult;
 2. Applicant has been convicted of a felony and has not received a full pardon for such felony conviction;

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3. Applicant has been convicted of a misdemeanor concerning contributing to the delinquency of a minor, causing a juvenile to come within the purview of the juvenile court, prostitution, gambling, larceny, embezzlement, drug possession, assault and battery, or any crime concerning this chapter or city code unless five (5) years has passed since the last conviction;
 4. The manner in which the applicant has proposed to operate the facility does not comply with all provisions of the ordinances of the city or statutes of the state; or
 5. A person named in the application holds a federal gambling tax stamp.
- C. If the license application is denied, applicant shall be notified within five (5) days after the denial thereof setting forth the reasons for the denial of the license.

SECTION 9-608 APPEAL FROM DENIAL OF LICENSE

Revocation of or refusal to issue the license set forth herein by the city clerk or city manager may be appealed to the city council. Notice of appeals stating the grounds therefor shall be filed with the city clerk within five (5) days after the receipt of the notice of denial. Within ten (10) days thereof, the denial shall be the subject of a public hearing after which the city council may affirm or reverse the denial of license.

SECTION 9-609 LICENSE FEE

- A. The license shall be issued to successful applicants by the city clerk or city manager upon payment of an annual fee as set by the council by motion or resolution.
- B. Upon the expiration of the term of a license issued hereunder and upon payment of the annual license fee, renewal license shall be issued by the clerk to all licensees whose licenses have not been revoked and who have otherwise during the past year complied with the provisions of this chapter, other provisions of the city code and state law.

SECTION 9-610 EXPIRATION OF LICENSE

Licenses issued hereunder shall expire on December 31st of each year. For the first issuance of the license, the annual fee shall be prorated on a quarterly basis. The full annual fee shall be collected regardless of the issuance date for the renewal of an existing license to the same licensee. Licenses hereunder shall not be transferable.

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SECTION 9-611 SUSPENSION OR REVOCATION OF LICENSE

- A. The city council may suspend for not more than fifteen (15) days or revoke licenses issued hereunder if after public hearing as herein provided the council finds that the holder of the license has made a material misstatement in the application for license, or the renewal thereof, or has violated any of the provisions of the city ordinances regulating pool halls, billiard halls and family recreation centers or violated the city code.
- B. The chief of police shall investigate complaints concerning family recreation centers, pool halls and billiard halls and if he finds that a violation of the provisions hereof has been committed, he shall file a complaint with the city clerk or city manager setting forth the alleged acts constituting the violation. Upon the filing of such complaint, the city clerk or city manager shall fix a date for hearing of the complaint by the city council of the city and shall cause to be served upon the licensee a copy of the complaint and notice of the time and place of the hearing. The complaint and notice of hearing shall be served upon the co-partner, manager, operator or person shown in the license as having supervisory control over the premises, or if such person may not be found, by mailing the same by registered mail addressed to such person at the licensed premises. At the hearing thereon the complainant, the licensee or any interested person may be present and present such evidence as may be relevant and material. If at the conclusion of such hearing the council finds that the licensee has made a material misstatement in the application for license, or the application renewal thereof, or has violated any of the provisions of the ordinances of the city, the council shall suspend for not more than fifteen (15) days or revoke the license issued hereunder. Upon suspension or revocation, the licensee shall immediately cease operations, lock the doors to the licensed premises and bar the public therefrom.

SECTION 9-612 OTHER LAWS APPLICABLE

The provisions of this chapter shall not be construed to exempt any person operating a family recreation center or pool hall or billiard hall from compliance with any other applicable ordinances of the city not in conflict herewith, unless specifically excluded herein.

SECTION 9-613 PENALTY

Violation of any of the provisions of this chapter shall void any and all licenses issued under the provisions of this chapter to the person in violation of the provisions and shall subject the perpetrator thereof to punishment as provided in Section 1-108 of this code. Each day any violation occurs shall constitute a separate offense.

Licensing and Business Regulations

CHAPTER 7

GARAGE SALES

Section 9-701	Definitions
Section 9-702	Conduct of Sale Regulation
Section 9-703	Enforcement
Section 9-704	Penalty

SECTION 9-701 DEFINITION

For the purpose of this article, the term "garage" or "home sale" shall mean a sale of five or more items of used clothing, furniture, home appliances, and/or merchandise generally used in a home, which may have been used by the person offering the same for sale, and/or which is offered for sale within any residential or agricultural district as designated by the zoning code.

SECTION 9-702 CONDUCT OF SALE REGULATION

1. No garage or home sale may be conducted without first obtaining a valid permit to be issued by the City Clerk's office. A permit may be obtained in person or by phone without costs.
2. No merchandise shall be sold which belongs to anyone engaged in the business of selling such merchandise nor shall merchandise be sold by anyone after having bought the same for resale.
3. No person shall conduct or permit to be conducted more than one garage or home sales per quarter on premises belonging to him or her situated in a residential area.
4. A permit shall be issued for a period of time not to exceed three days in length, and merchandise shall be sold between 6 a.m. and 6 p.m. on those days.
5. Items offered for sale or used for display during the sale shall be removed from full sight of the public and moved inside. Such items shall be removed and out of sight by 6 p.m. on the day following the last day authorized by the permit.
6. No sign shall be exhibited more than one day prior to the sale and must be removed at the end of the last day of the sale. Only one sign shall be permitted for each lot where the garage/yard sale is being hold; provided, however, that one sign shall be permitted along each side of a lot abutting a public street up to a maximum of two signs per lot..

Licensing and Business Regulations

7. Two temporary off-site garage sale signs are permitted at the closest major intersections to the site of the garage sale; signs must comply with all other ordinances and zoning regulations

8. The permit issued by the city shall be on display and within public view at the location of the sale. Permits shall not be assignable or transferable to another person or location.

SECTION 9-703 ENFORCEMENT

It shall be the duty of the building official or designee to enforce this ordinance. If the building official or designee shall find that any provision of this article has been violated, the violator shall be given a written notification for such violation, said notice to indicate the nature of the violation and the action necessary to avoid issuance of a citation. Failure to comply with the written directive shall result in the issuance of a citation and imposition of a penalty.

SECTION 9-704 PENALTY

Upon failure to comply with the written warning notifying that a violation has or is occurring, any person who engages in a garage or home sale in violation of the provisions of this ordinance shall be guilty of an offense, and upon conviction, shall be fined as provided in Section 1-108 of this code. Conviction for violation of this ordinance within the past 12 months shall also be grounds for denial of a permit.