

CHAPTER 605: BUSINESS REGULATIONS

ARTICLE 1: BUSINESS LICENSES GENERALLY

SECTION 605.010: LICENSE REQUIRED

It shall be unlawful for any person, firm, or corporation to engage in any business of occupation in the City of Seligman without having first applied for and obtained a license to conduct such business or occupation from the City Clerk and without paying the license fee therefor, all as provided for in this Chapter.

SECTION 605.020: LICENSE APPLICATION AND ISSUANCE

All applications for the licenses required herein shall be made to the City Clerk on appropriate forms provided for that purpose by the City. All licenses issued by the City Clerk shall be in such form as is provided by the Board of Aldermen; provided however, that such license shall bear the signature of the Mayor of the City of Seligman or the City Clerk; the date of issuance thereof and the date of expiration, the name and nature of such business, as well as any additional information that may be required by the Board of Aldermen.

SECTION 605.030: LICENSE FEES

The license fee shall be ten dollars (\$10.00) for each business within the City of Seligman.

SECTION 605.040: LICENSE NOT TRANSFERABLE

No license issued under the provisions of this Chapter shall be assignable or transferable, but shall apply only to the person to whom same is issued. In the event any licensee, as provided for herein, shall move his/her place of business from one (1) location to another location within the City, said licensee shall submit a statement of the fact of such change to the City Clerk, who may transfer such license as to location only. In no event, however, shall such license be transferred from one (1) person to another or from the kind of business or occupation originally licensed to another type of business or occupation.

SECTION 605.050: TERM OF LICENSE

The term of the licenses issued pursuant to the provisions of this Chapter shall be from January first (1st) to December thirty first (31st) of each year. In the event any licensee hereunder shall commence business on or after July first (1st), the City Clerk shall issue such license at the rate of one-half (1/2) of the license fee for such six (6) month period of July first (1st) to December thirty first (31st), or fraction thereof.

SECTION 605.060: RENEWAL APPLICATIONS

All applications for renewal of a license provided for herein shall be filed no later than December first (1st) of each year.

SECTION 605.070: DISPLAY OF LICENSE

Each license issued by the City under the provisions of this Chapter shall be carefully preserved and shall be displayed in a conspicuous place in the place of business authorized to be conducted by said license. If there is no place of business said license shall be carried on the licensee's person.

SECTION 605.080: EXCEPTED BUSINESSES AND OCCUPATIONS

The provisions of this Chapter shall under no circumstances be construed to require a license or a license fee for any business, occupation, pursuit of profession for which the City may be prohibited by law from licensing or requiring a fee for said license.

SECTION 605.090: REVOCATION OF LICENSE —GROUNDS

Any license issued by the City pursuant to the provisions of this Chapter may be revoked by the Board of Aldermen for any of the following reasons, as well as for any other reasons specified in this Chapter:

1. Any failure to comply with or any violation of any provisions of this Chapter, or any other ordinance of the City regulating the business, occupation or activity licensed, or the Statutes of the State of Missouri by any licensee.
2. Violation of the terms and conditions upon which the license was issued.
3. Failure of the licensee to pay any tax or obligation due to the City.
4. Any misrepresentation or false statement in the application for a license required herein.
5. Failure to display the license required herein.

Revocation of any license shall be in addition to any other penalty or penalties, which may be imposed pursuant to these provisions.

SECTION 605.100: REVOCATION OF LICENSE-PROCEDURE

In any case in which a complaint has been made to the Board of Aldermen, or in which the Board of Aldermen have on their own determined that cause may exist for the revocation of a license under the provisions of this Chapter, the following procedures shall be followed :

1. The Board of Aldermen shall set a date for a hearing to consider the question of revocation.
2. At least ten (10) days prior to said hearing, written notice shall be mailed to the licensee, by registered mail, return receipt requested, to his/her last known address as shown in the records of the City Clerk, advising the licensee of the time, date and place of hearing and of the reason for considering the revocation of his/her license.
3. During the pendency of this hearing before the Board of Aldermen, the licensee shall be permitted to continue the operation of his/her business.
4. At the hearing set by the Board of Aldermen, the Board of Aldermen shall hear all relevant and material evidence justifying the retention of the license.
5. The licensee may be present in person and/or by his/her attorney and may present evidence.
6. After hearing the evidence presented, the Board of Aldermen shall vote on the issue of whether the subject license shall be revoked.
7. The affirmative vote of a majority of the Board of Aldermen shall be necessary to revoke any license.

SECTION 605.110: PENALTY AND DELINQUENCY

Any person, firm or corporation or co-partnership who shall violate any provision of the Chapter, or who shall exercise or attempt to exercise any of the occupations, trades, or avocations, or who shall carry on, or engage in, or attempt to carry on or engage in, any of the businesses for which a license is required in this Chapter in the City of Seligman, without first paying the tax herein levied, and obtaining a license therefor, shall, upon conviction, be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500.00). In addition to the above penalties, any person, firm, or corporation, or co-partnership, who is required to take out a license, or any such person whose license has expired, and notice has been given by the City Clerk, shall, if not paid within ten (10) days after such tax is due pursuant to said notice, pay a penalty ten dollars (\$10.00), and for every ten (10) days thereafter, ten dollars (\$10.00) shall be added as a penalty, until the party required to take out such license shall have complied with the provisions regulating licenses in this Article. This penalty shall be collected with the license by the City Clerk and paid to the City of Seligman.

SECTION 605.120: YARD SALES

A. Definition of Yard Sales. For the purposes of this Section the term “yard sale” shall mean the sale at wholesale or retail of new or used merchandise, clothing, furniture, appliances, utensils, kitchen ware, or other merchandise upon property located in any residential area of the City of Seligman, Missouri, without a current business license.

B. Yard sales as defined in Subsection (A) above shall not be maintained or held for more than three (3) consecutive days of any month upon any property in the City of Seligman, Missouri, and not more than two (2) such sales shall be held at the same location during any twelve (12) month period.

C. A permit shall be obtained from the City Collector of Revenue before any yard sale shall be held. The City shall, upon application to the Collector of Revenue, issue a permit to the applicant, provided that not more than two (2) permits for such a sale at the same location during any twelve (12) month term. There shall be no charge for any yard sale permits, but permit must be posted during sale.

D. All signs, posters, advertisements posted concerning the yard sale shall be removed within three (3) days of completion of said yard sale.

E. Any person, firm, or corporation violating the terms of this Section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than twenty-five dollars (\$25.00).

SECTION 605.130: PEDDLING OR SOLICITING

A. It shall be unlawful for any person to peddle, or solicit, for subscriptions to any magazine, newspaper, or publications, or for the sale of goods, wares and merchandise in the City of Seligman, Missouri, without first having obtained a license therefor.

B. The fee to be paid for such license for peddling or soliciting as provided in Subsection (A) hereof, shall be the sum of fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00).

SECTION 605.140: SWAP MEETS, OUTDOOR RUMMAGE SALES, BAZAARS OR OPEN AIR FLEA MARKETS (ANY PORTABLE VENDOR)

A. Must be on property zoned Commercial and must be on a minimum of 2 acres.

B. The site must have a public rest room or portable potty.

- C. Every booth must have 2 off road parking spots.
- D. The owner is responsible for all litter.
- E. Limited to March 1st to December 1st of each calendar year, unless indoors.
- F. Outdoor sales are limited to weekends only, starting no earlier than 5 am on Saturday and ending no later than 10 pm on Sunday. Everything must be removed no later than Monday at 10:30 am.
- G. The owner must have all relevant licenses and permits from state, county, and city.
- H. Vendors must comply with all sales tax regulations (see attached).
- I. Grass must be keep mowed per city ordinance.
- J. No overnight camping.
- K. Any person, firm, or corporation violating the terms of this Section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than two hundred and fifty dollars (\$250.00).