

DRAFT

8-15-14

COUNCIL OF THE TOWN OF RIVERDALE PARK

Introduced By:

Date Introduced:

Public Hearing Held:

Amendments Adopted:

Date Adopted:

Date Effective:

An Ordinance concerning

GENERAL BUSINESS LICENSING

FOR the purpose of amending the Town's general business licensing ordinance to exempt from its applicability certain activities that are subject to certain other Town licenses; to alter certain license application requirements; to alter requirements for payment of certain license fees; providing for the severability of the provisions of this ordinance; and generally related to amendments to the Town's general business licensing ordinance.

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BY repealing and reenacting, with amendments
Chapter 42 – LICENSES
Sections 42-1, 42-4(7), (8) and (11), and 42-6(b)(1) and (2)
Code of the Town of Riverdale Park
(January 2008 Revision, as amended by Ordinance 2013-OR-06)

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SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK, That Sections 42-1, 42-4(7), (8) and (11), and 42-6(b)(1) and (2) of the Code of the Town of Riverdale Park (January 2008 Revision, as amended by Ordinance 2013-OR-06), Article 42 –LICENSES, are hereby repealed and reenacted, with amendments, to read as follows:

Chapter 42 – LICENSES

§ 42-1. Scope.

(A) This chapter applies to the operation of a trade or business in the Town of Riverdale Park.

(B) For purposes of this chapter a trade or business includes commercial trades or businesses, not-for profit enterprises, religious institutions and enterprises affiliated with religious institutions.

(C) FOR PURPOSES OF THIS CHAPTER AN INDIVIDUAL OR ENTITY THAT OWNS AND OPERATES SINGLE-FAMILY DWELLINGS OR DWELLING UNITS FOR RENT AND FOR WHICH LICENSES HAVE BEEN ISSUED UNDER CHAPTER 55 OF THIS CODE IS NOT ENGAGED IN THE OPERATION OF A TRADE OR BUSINESS WITH RESPECT TO SUCH RENTALS.

§ 42-4. Application.

Any person seeking a license, or the renewal of a license, under this chapter shall file with the Town Administrator a written application, under penalty of perjury, in a form prescribed by the Town Administrator. An application for the renewal of an existing license shall be filed not later than the May 1 before the license is scheduled to expire, unless otherwise authorized by the Town Administrator. An application that is filed later than the May 15 before the license is scheduled to expire, or such later date as authorized by the Town Administrator, shall be treated as a new application. The application for an initial license or the renewal of a license shall include or be accompanied by the following TO THE EXTENT REASONABLY AVAILABLE, and such other information and documentation as the Town Administrator reasonably may require:

* * *

(7) A copy of the current fire inspection and occupancy limitation certificates for the use of the premises for the trade or business IF ANOTHER REGULATORY

62 AUTHORITY REQUIRES A FIRE INSPECTION AND OCCUPANCY LIMITATION
63 CERTIFICATE.

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65 (8) A copy of the current use and occupancy permit for the premises that shows
66 that the trade or business is authorized at the premises IF ANOTHER REGULATORY
67 AUTHORITY REQUIRES A USE AND OCCUPANCY CERTIFICATE.

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71 (11) A statement by the applicant and the owner of the premises that the filing of
72 the application and the acceptance of the license issued by the Town constitutes consent
73 to and authority for Town Code Enforcement Officers and police officers, and other
74 regulatory officials, to enter the premises OF THE BUSINESS without prior notice during
75 REGULAR business hours BEFORE APPROVAL OF THE LICENSE for the LIMITED
76 purpose of DETERMINING WHETHER REPRESENTATIONS CONTAINED IN THE
77 APPLICATION ARE ACCURATE, AND, AFTER A LICENSE HAS BEEN ISSUED,
78 investigating, BASED UPON PROBABLE CAUSE, ~~the information provided in the~~
79 ~~application and for inspecting the operation of the trade or business and investigating~~
80 ~~potential~~ violations of this chapter and the license. WHERE ENTRY TO A PREMISES IS
81 REFUSED, TOWN CODE ENFORCEMENT OFFICERS AND POLICE OFFICERS, AND
82 OTHER REGULATORY OFFICIALS, SHALL OBTAIN A WARRANT TO AUTHORIZE
83 ENTRY UNLESS OTHER LAWFUL GROUNDS EXIST TO ENTER THE PREMISES
84 WITHOUT A WARRANT.

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88 § 42-6. License fees.

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90 (b) The amount of the annual license fee is \$150, except that for the following
91 types of trades or business the amount of the annual license fee is the amount specified:

92 (1) For the operation of an apartment house the amount of the annual
93 license fee is \$100 multiplied by the number of apartment units, EXCEPT THAT THERE IS
94 NO LICENSE FEE IF A LICENSE IS ISSUED AND LICENSING FEE IS PAID UNDER
95 CHAPTER 56 OF THIS CODE.

96 (2) For the operation of a rooming house or boarding house the amount of
97 the annual license fee is \$20 multiplied by the number of rooming units, EXCEPT THAT
98 THERE IS NO LICENSE FEE IF A LICENSE IS ISSUED AND LICENSING FEES ARE
99 PAID UNDER CHAPTER 55 OF THIS CODE.

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102 **SECTION 2: AND BE IT FURTHER ENACTED** that if any provision of this
 103 Ordinance, or the application thereof to any person or circumstance, is held invalid for any
 104 reason, such invalidity shall not affect the other provisions or any other application of this
 105 Ordinance which can be given effect without the invalid provisions or application, and to this
 106 end, all the provisions of this Ordinance are hereby declared to be severable.

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 108 **SECTION 3: AND BE IT FURTHER ENACTED** that this Ordinance shall become
 109 effective twenty (20) days after its passage by the Council.

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112 **ATTEST:**

**COUNCIL OF THE TOWN OF
 RIVERDALE PARK**

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115 _____
 116 Town Administrator

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 116 Vernon Archer, Mayor

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EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

125 ~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from
 126 the law.

127 * * * indicates omissions from existing law where no changes are made by this
 128 Ordinance