

[Draft]
City of Cascade Business License Ordinance

Title 4
Chapter 7 Business Licenses

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4-7-1 Purpose

The purpose of this chapter is to maintain an accurate listing of the trades, businesses, and professions located in the city in order to:

- (A) Further the health, safety, and welfare of the citizens of Cascade, so that the city, especially the first responders, have knowledge of the materials and activities present within such businesses in the event of emergencies.

4-7-2: Definitions

In construing the provisions of this chapter, the following definitions shall apply:

APPLICANT: A person who applies for a license to engage in or operate a regulated business within the City.

BUSINESS OR OCCUPATION: All activities, trades, and pursuits conducted or engaged in for profit, including home based operations where suppliers, vendors, customers, clients, and/or members of the general public visit or frequent the premises where the business or occupation is conducted.

PREMISES: All real property and structures where any business or occupation is conducted.

4-7-3: License Required.

- (A) A business license shall be required for each premises located within the city in which any person is engaged in any business or occupation. Any person conducting such a business or engaged in such an occupation shall apply for the required business license by filling out an application.
- (B) A license shall be required for each branch establishment and/or separate location of a business. Unless otherwise provided in this Title, no license fee or any part thereof may be refunded even though the licensee does not operate for the period or any portion of the period for which the license was issued.
- (C) No person shall engage in any business or occupation within the boundaries of the city without first having obtained a business license as required by this chapter.
- (D) All business licenses required under this chapter shall be displayed on the business premises in a location clearly visible to the general public.
- (E) The application of any vendor engaged in the sale of any food or product for human consumption shall obtain certification from the Central Health District prior to issuance of a vendor's permit.
- (F) The application of any vendor engaged in the sale of any product or the performance of a service that requires county or state licensing must obtain necessary certifications prior to the issuance of a business license.

4-7-4: Standards; Approval and Issuance of License.

- (A) The City Clerk shall prepare license forms for licenses issued under this Title. The Clerk shall account for all licenses signed by the Mayor, countersign the licenses, and deliver the licenses to licensees.

4-7-5: License Fee; Renewal; Term of License

- (A) A nonrefundable business license fee for the administrative costs of processing applications shall be paid by each applicant at the time of making application for any business license in an amount set by City resolution
- (B) All business licenses required hereunder shall be renewed annually on the date of the initial issuance of the license for each year in which the business or occupation subject to this chapter remains in operation.
- (C) All business licenses required hereunder shall be renewed annually for each year in which the business or occupation remains in operation. If a business allows their license to lapse, then they shall pay a reinstatement fee equal to that of a new business license.

- (D) Any agency of the United States government and political subdivisions of the state of Idaho, including counties, school districts, sewer districts, fire districts, and other special districts shall be exempt from payment of the license fee required by this section, but shall be required to obtain a license and annual renewals of said license, and shall be subject to all other provisions of this chapter.

4-7-6: License Transfers:

If an existing business transfers ownership, the business license may be transferred when updated contact information is received. If the transfer of ownership results in change in business operations a new license is required.

4-7-7: Revocation of License:

In addition to any other penalty provided by this chapter or by law, any license issued in accordance with this article may be denied, revoked or suspended for any of the following reasons:

- (A) Failure To Comply: The licensee or applicant, or any of his partners, affiliates or employees fails to comply with any of the minimum standards, requirements, policies, or procedures set forth in this article or the pertinent license chapter or article;
- (B) Fraud Or Misrepresentation: The licensee obtained his license by fraud or misrepresentation;
- (C) Failure To Take Corrective Action: The licensee fails to take corrective action within the time frame specified in a notice of violation;
- (D) Contrary Use: The license is being or has been exercised contrary to the terms or conditions of the license;
- (E) Failure To Pay Fee: The licensee or applicant fails to pay any applicable fee imposed pursuant to this article or the pertinent license chapter or article;
- (F) Operation Detrimental: The licensee is operating the regulated business in such a manner as to be detrimental to the public health, safety and welfare.

4-7-8: Enforcement

- (A) Any person, business, firm, company or corporation who shall violate any of the provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine as established per resolution, or by imprisonment in the County jail for a period not to exceed thirty (30) days or both such fine and imprisonment. Each day a violation continues shall be a separate offense punishable as herein above provided. (Ord. 575, 11-22-1999)