

ORDINANCE NO. 2009-12

**AN ORDINANCE TO PROVIDE RULES AND PROCEDURE
FOR OBTAINING AND ENFORCING OCCUPATIONAL
LICENSES**

Section 1. License Required

A license shall be required of any person, firm, individual or corporation who shall engage in, carry on, or follow any trade, business, profession, vocation or calling, within the corporate limits of the city of Clinton.

Section 2. Liability

Any person, partnership, corporation or other entity shall be subject to the requirements of this chapter if by himself or through an agent, employee or partner, he holds himself forth as being engaged in a business or occupation; or solicits patronage therefore, actively or passively; or performs or attempts to perform any part of such business or occupation in the city.

Section 3. Each Business

Any person, partnership, corporation or other entity having more than one place of business within the city shall obtain a license for each place of business. For the purpose of construing this chapter, more than one place of business shall mean any business operations conducted within two (2) or more separate buildings or upon two (2) or more separate tracts of real estate.

Section 4. Application

Applications for all licenses required by this chapter shall be made in writing to the City Clerk. Each application shall state the name of the applicant, the location to be used, if any, the time covered and the fee to be paid; and each application shall contain a copy of state sales tax permit, health department permit if applicable, and any such additional information as may be needed for the proper guidance of the city officials in issuing the license applied for. Each license issued shall bear the signature of the City Clerk. All applications required hereunder shall be kept and filed by the City Clerk.

Section 5. Fees

All fees and charges for licenses shall be paid at the time application therefore is made to the City Clerk. All license fees shall become part of the city general fund.

Section 6. Terms of License

All licenses shall be for an indefinite term or for such terms as may be set in the future by appropriate city ordinance.

Section 7. Zoning Regulations

No license shall be issued for the conduct of any business, if the premises and building to be used for the purpose do not fully comply with the requirements of the city. No such license shall be issued for the conduct of any business or performance of any act, which would involve a violation of the zoning ordinances of the city.

Section 8. Change of Location

The location of any licensed business or occupation, or of any permitted act, may be changed, provided, ten (10) days notice thereof given to the City Clerk, in the absence of any provision to the contrary; provided, that the building, zoning, and other ordinances of the city are complied with.

Section 9. Transferring

A license issued under this chapter shall not be transferable.

Section 10. Nuisance

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact; nor in violation of any ordinance of this city or state law.

Section 11. Inspection

Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance, are reasonably necessary to secure compliance with any ordinance provision or to detect violation thereof, it shall be the duty of the license, or the person in charge of the premises to be inspected, to admit thereto, for the purpose of making the inspection, any officer or employee of the city who is authorized or directed to make such inspections at any reasonable time admission is requested.

Section 12. Posting

It shall be the duty of any person conducting a licensed business in the city to keep his license posted in a prominent place on the premises used for such business at all times. The holder of a license shall show the license to any officer or agent of the city upon request.

Section 13. Penalty

Any person engaged in business without first having procured a license therefore as provided herein, and paid the requisite fee therefore as provided herein, shall be deemed guilty of a misdemeanor and shall, upon conviction, pay a penalty of twice the amount of such license fee due plus the cost of collection and a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), and

each day of operation of such business without payment and procurement of said license shall constitute a separate and distinct offense.

Section 14. Schedule

Any person, partnership, corporation, limited liability company and any other business entity who shall engage in, carry on or operate a trade, business, profession or vocation of any kind within the corporate limits of the City of Clinton shall pay an initial license fee of Fifty Dollars (\$50.00) and for each year thereafter, pay an annual renewal fee of Twenty-Five Dollars (\$25.00). The Clinton City Council may designate a portion of the monies derived from license fees to be used to promote the City of Clinton to attract new businesses. Each person shall procure said occupational license and pay the fee required within thirty (30) days of the date of January 1st, 2010 or in the event of a person entering into business after the first of each year, said person shall procure the license and pay the fees required within thirty (30) days from the date that business is commenced.

PASSED: August 13, 2009



Roger Rorie, Mayor

ATTEST:

Merl Eoff
Merl Eoff, Recorder/Treasurer

APPROVED AS TO FORM:
Joe Marshall, City Attorney

VAN BUREN COUNTY
DEMOCRAT

PROOF OF PUBLICATION AND INVOICE FOR LEGAL ADVERTISING

Date: 9-30-2009

Bill to: City of Clinton
P.O. Box 970
Clinton AR 72031

REMIT PAYMENT TO:
Central Arkansas Newspapers
P.O. Box 428
North Little Rock, AR 72115

Refer to invoice # _____

AD COPY:

Published on following dates:

September

ad# 00013478

TOTAL CHARGES: \$ 157.78

see attached

PROOF OF PUBLICATION
STATE OF ARKANSAS
COUNTY OF VAN BUREN

I do solemnly swear that I am an employee of Stephens Media dba the Van Buren County Democrat, a weekly newspaper printed and published in said County, State of Arkansas: That I was an employee of Stephens Media at and during the publication of the annexed legal advertising in the case of:

City of Clinton
Ordinance # 2009-12

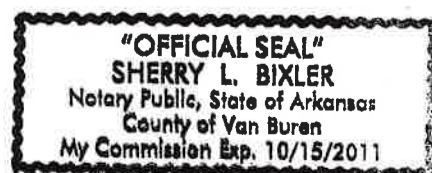
pending in the _____ Court, in said County and at the dates of the several publications of said advertisement stated above, and that during said periods and at said dates said newspaper was printed and has a bona fide circulation in said County, and had a bona fide circulation therein for the period of more than one month before the date of the first publication of said advertisement, and that said advertisement was published in the regular weekly issue of said newspaper as stated above.

Sherry O'Connell

Subscribed and sworn to before me this 30th day
of September 2009

Notary Public Sherry L. Bixler

My commission expires 10/15/2011



LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

ORDINANCE NO. 2009-12

AN ORDINANCE TO PROVIDE RULES AND PROCEDURE FOR OBTAINING AND ENFORCING OCCUPATIONAL LICENSES

Section 1. License Required

A license shall be required of any person, firm, individual or corporation who shall engage in, carry on, or follow any trade, business, profession, vocation or calling, within the corporate limits of the city of Clinton.

Section 2. Liability

Any person, partnership, corporation or other entity shall be subject to the requirements of this chapter if by himself or through an agent, employee or partner, he holds himself forth as being engaged in a business or occupation; or solicits patronage therefore, actively or passively; or performs or attempts to perform any part of such business or occupation in the city.

Section 3. Each Business

Any person, partnership, corporation or other entity having more than one place of business within the city shall obtain a license for each place of business. For the purpose of construing this chapter, more than one place of business shall mean any business operations conducted within two (2) or more separate buildings or upon two (2) or more separate tracts of real estate.

Section 4. Application

Applications for all licenses required by this chapter shall be made in writing to the City Clerk. Each application shall state the name of the applicant, the location to be used, if any,

LEGAL NOTICES

LEGAL NOTICES

the time covered and the fee to be paid; and each application shall contain a copy of state sales tax permit, health department permit if applicable, and any such additional information as may be needed for the proper guidance of the city officials in issuing the license applied for. Each license issued shall bear the signature of the City Clerk. All applications required hereunder shall be kept and filed by the City Clerk.

Section 5. Fees

All fees and charges for licenses shall be paid at the time application therefore is made to the City Clerk. All license fees shall become part of the city general fund.

Section 6. Terms of License

All licenses shall be for an indefinite term or for such terms as may be set in the future by appropriate city ordinance.

Section 7. Zoning Regulations

No license shall be issued for the conduct of any business, if the premises and building to be used for the purpose do not fully comply with the requirements of the city. No such license shall be issued for the conduct of any business or performance of any act, which would involve a violation of the zoning ordinances of the city.

Section 8. Change of Location

The location of any licensed business or occupation, or of any permitted act, may be changed, provided, ten (10) days notice thereof given to the City Clerk, in the absence of any provision to the contrary; provided, that the building, zoning, and other ordinances of the city are complied with.

Section 9. Transferring

A license issued under this chapter shall not be transferable.

Section 10. Nuisance

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact; nor in violation of any ordinance of this city or state law.

Section 11. Inspection

Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance, are reasonably necessary to secure compliance with any ordinance provision or to detect violation thereof, it shall be the duty of the license, or the person in charge of the premises to be inspected, to admit thereto, for the purpose of making the inspection, any officer or employee of the city who is authorized or directed to make such inspections at any reasonable time admission is requested.

Section 12. Posting

It shall be the duty of any person conducting a licensed business in the city to keep his license posted in a prominent place on the premises used for such business at all times. The holder of a license shall show the license to any officer or agent of the city upon request.

Section 13. Penalty

Any person engaged in business without first having procured a license therefore as provided herein, and paid the requisite fee therefore as provided herein, shall be deemed guilty of a misdemeanor and shall, upon conviction, pay a penalty of twice the amount of such license fee due plus the cost of collection and a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), and each day of operation of such business without payment and procurement of said license shall constitute a separate and distinct offense.

Section 14. Schedule

Any person, partnership, corporation, limited liability company and any other business entity who shall engage in, carry on or operate a trade, business, profession or vocation of any kind within the corporate limits of the City of Clinton shall pay an initial license fee of Fifty Dollars (\$50.00) and for each year thereafter, pay an annual renewal fee of Twenty-Five Dollars (\$25.00). The Clinton City Council may designate a portion of the monies derived from license fees to be used to promote the City of Clinton to attract new businesses. Each person shall procure said occupational license and pay the fee required within thirty (30) days of the date of January 1st, 2010 or in the event of a person entering into business after the first of each year, said person shall procure the license and pay the fees required within thirty (30) days from the date that business is commenced.

PASSED: September 13th, 2009

Roger Rorie, Mayor

ATTEST: Merl Eoff, Recorder/Treasurer

APPROVED AS TO FORM: Joe Marshall, City Attorney

VAN BUREN COUNTY
DEMOCRAT

PROOF OF PUBLICATION AND INVOICE FOR LEGAL ADVERTISING

Date: 9/28/09

Bill to: City of Clinton
PO Box 970
Clinton, AR 72031

REMIT PAYMENT TO:
Central Arkansas Newspapers
P.O. Box 428
North Little Rock, AR 72115

Refer to invoice # 38289

AD COPY:

Published on following dates:

9/24/09

TOTAL CHARGES: \$ 157.78

see attached

PROOF OF PUBLICATION
STATE OF ARKANSAS
COUNTY OF VAN BUREN

I do solemnly swear that I am an employee of Stephens Media dba the Van Buren County Democrat, a weekly newspaper printed and published in said County, State of Arkansas: That I was an employee of Stephens Media at and during the publication of the annexed legal advertising in the case of:

Ordinance # 2009-12
Occupational Licenses

pending in the _____ Court, in said County and at the dates of the several publications of said advertisement stated above, and that during said periods and at said dates said newspaper was printed and has a bona fide circulation in said County, and had a bona fide circulation therein for the period of more than one month before the date of the first publication of said advertisement, and that said advertisement was published in the regular weekly issue of said newspaper as stated above.

Jania A. Smead

Subscribed and sworn to before me this 28th day

of September 20 09

Notary Public Monica Brons

My commission expires 11-20-15



ORDINANCE NO. 2009-12

AN ORDINANCE TO PROVIDE RULES AND PROCEDURE FOR OBTAINING AND ENFORCING OCCUPATIONAL LICENSES

Section 1. License Required

A license shall be required of any person, firm, individual or corporation who shall engage in, carry on, or follow any trade, business, profession, vocation or calling, within the corporate limits of the city of Clinton.

Section 2. Liability

Any person, partnership, corporation or other entity shall be subject to the requirements of this chapter if by himself or through an agent, employee or partner, he holds himself forth as being engaged in a business or occupation; or solicits patronage therefore, actively or passively; or performs or attempts to perform any part of such business or occupation in the city.

Section 3. Each Business

Any person, partnership, corporation or other entity having more than one place of business within the city shall obtain a license for each place of business. For the purpose of construing this chapter, more than one place of business shall mean any business operations conducted within two (2) or more separate buildings or upon two (2) or more separate tracts of real estate.

Section 4. Application

Applications for all licenses required by this chapter shall be made in writing to the City Clerk. Each application shall state the name of the applicant, the location to be used, if any,

the time covered and the fee to be paid; and each application shall contain a copy of state sales tax permit, health department permit if applicable, and any such additional information as may be needed for the proper guidance of the city officials in issuing the license applied for. Each license issued shall bear the signature of the City Clerk. All applications required hereunder shall be kept and filed by the City Clerk.

Section 5. Fees

All fees and charges for licenses shall be paid at the time application therefore is made to the City Clerk. All license fees shall become part of the city general fund.

Section 6. Terms of License

All licenses shall be for an indefinite term or for such terms as may be set in the future by appropriate city ordinance.

Section 7. Zoning Regulations

No license shall be issued for the conduct of any business, if the premises and building to be used for the purpose do not fully comply with the requirements of the city. No such license shall be issued for the conduct of any business or performance of any act, which would involve a violation of the zoning ordinances of the city.

Section 8. Change of Location

The location of any licensed business or occupation, or of any permitted act, may be changed, provided, ten (10) days notice thereof given to the City Clerk, in the absence of any provision to the contrary; provided, that the building, zoning, and other ordinances of the city are complied with.

Section 9. Transferring

A license issued under this chapter shall not be transferable.

Section 10. Nuisance

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact; nor in violation of any ordinance of this city or state law.

Section 11. Inspection

Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance, are reasonably necessary to secure compliance with any ordinance provision or to detect violation thereof, it shall be the duty of the license, or the person in charge of the premises to be inspected, to admit thereto, for the purpose of making the inspection, any officer or employee of the city who is authorized or directed to make such inspections at any reasonable time admission is requested.

Section 12. Posting

It shall be the duty of any person conducting a licensed business in the city to keep his license posted in a prominent place on the premises used for such business at all times. The holder of a license shall show the license to any officer or agent of the city upon request.

Section 13. Penalty

Any person engaged in business without first having procured a license therefore as provided herein, and paid the requisite fee therefore as provided herein, shall be deemed guilty of a misdemeanor and shall, upon conviction, pay a penalty of twice the amount of such license fee due plus the cost of collection and a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), and each day of operation of such business without payment and procurement of said license shall constitute a separate and distinct offense.

Section 14. Schedule

Any person, partnership, corporation, limited liability company and any other business entity who shall engage in, carry on or operate a trade, business, profession or vocation of any kind within the corporate limits of the City of Clinton shall pay an initial license fee of Fifty Dollars (\$50.00) and for each year thereafter, pay an annual renewal fee of Twenty-Five Dollars (\$25.00). The Clinton City Council may designate a portion of the monies derived from license fees to be used to promote the City of Clinton to attract new businesses. Each person shall procure said occupational license and pay the fee required within thirty (30) days of the date of January 1st, 2010 or in the event of a person entering into business after the first of each year, said person shall procure the license and pay the fees required within thirty (30) days from the date that business is commenced.

PASSED: September 13th, 2009

Roger Rorie, Mayor

ATTEST:
Merl Eoff, Recorder/Treasurer

APPROVED AS TO FORM:
Joe Marshall, City Attorney