

Title 5BUSINESS LICENSES AND REGULATIONSChapters:

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Chapter 5.04BUSINESS LICENSES GENERALLYSections:

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5.04.010 License required. Within the corporate limits of the city, it is unlawful for any person, firm or corporation to engage in any trade, occupation, or profession, or to sell or offer for sale any articles of goods, wares, or merchandise named in this chapter or any section thereof without first having procured a license to do so and pay the required tax thereof. (Ord. dated 3/9/96 §1)

5.04.020 Application. A. Every person desiring to obtain a city license for any of the businesses enumerated in this chapter shall apply for a certificate therefore to the city clerk, and the person to whom the license certificate shall be issued shall pay to the city clerk the required license tax. The possession of the duly issued license shall be prima facie evidence of the fact that the license tax has been duly paid.

B. Notwithstanding any provision contained in this chapter, any applicant for the city license under the provisions of this chapter for any occupation, profession, or business, shall provide evidence for any certification,

license, or permit required by federal, state, or county for the conduct of said occupation, profession, or business prior to issue of any license by the city.

C. All applicants for city license occupying buildings classified, as "Assembly" under the Kentucky Building Code shall submit evidence of a temporary certificate of occupancy issued by the Kentucky Department of Building and Housing Requirement, prior to obtaining such license. If a permanent Certificate of Occupancy is not issued prior to the renewal date of such license, the city shall not issue a renewal city license. (Editorially amended during 1996 codification; Ord. Dated 3/9/1996 ~2)

5.04.030 Term of license—Payment of tax.

A All licenses granted and issued under this chapter shall be due by July 1<sup>st</sup> of each year, and all licenses issued under this chapter shall expire June 30<sup>th</sup> of each year succeeding the date said license is issued, except as hereinafter specified. Except in the case of occupations, trades and professions, as to which provision is made, license shall be issued and license tax paid for a pro rata portion of a year if the applicant was not in business on July 1<sup>st</sup> of that year; provided however, that no license fees or tax shall be pro rated for less than ten dollars (\$10.00).

B. All licenses required by this chapter shall be issued by the city clerk, and all fees required shall be payable to said officer. (Ord. Dated 3/9/1996 ~3)

5.04.040 Delinquent payment of tax. Any and all license fees or taxes due to be paid July 1<sup>st</sup> and not paid by that time shall be assessed a penalty of ten percent of the fee or tax required for that particular business, occupation, or profession, for each month delinquent, but not to exceed a total of fifty (50) percent of the fees or taxes required for the particular business, occupation, or profession. The penalty, together with regular tax or fee shall be paid before license is issued. If a license fee is not paid by August 15th of current fiscal year billing period, operation of the business will be discontinued until such time as payment is made in full for delinquent business license(s). (Ord. Date 3/9/1996 ~5; Ord. 404 Series 2008; Ord. 412 Series 2009)

5.04.050 Disposition of funds. All revenue received from payment of license fees and penalties by this chapter shall be paid into and become part of the general fund of the city to be used for the general operating expenses or any special interest beneficial to the city. (Ord. Dated 3/9/1996 ~5)

5.04.060 License fee schedule. Each person, firm or corporation owning, operating, conducting or engaging in any of the following occupations, businesses, trades, or

professions, whether such occupation, business, trade or profession be operated or conducted separately or in connection with another occupation or business shall pay the amount of license tax set; said amount designating a full year's license unless otherwise specified.

BUSINESSLICENSE  
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| Agent, any representative or solicitor, not otherwise herein specifically provided for, taking or soliciting orders, or making sales,<br>per year | \$ 50.00 |
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## Alcoholic Beverages

## (1) Beer Retailers and Distributors.

For the purpose of this schedule, "beer" shall be construed to include within its meaning only beer, lager beer, ale, stout, or similar fermented malt liquor, or fruit juice containing not less than 3.2% of alcohol by weight. This license shall be issued only by the board of commissioners. All ordinances now in force regarding the regulation of establishments granted a license under this subsection, and the revocation of that license, shall remain in full force and effect, and reference is made to those ordinances to have the same effect as if the regulations were embodied herein.

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| (a) Beer retailer, selling beer as herein defined for consumption on or off the premises of the seller. | 82.50 |
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| (b) Beer distributor, including anyone, whether distributor, jobber, broker, agent, or other person who distributes malt beverages for the purpose of being sold at retail. | 195.00 |
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## (2) Whiskey, selling whiskey or other spirituous, vinous, or intoxicating liquors.

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| (a) Retail. | 220.00 |
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(This license shall be issued only by the board of commissioners, after each person, firm or corporation has in their possession a state license and complied with all the provisions

Of the state statutes. All ordinances now in force regarding the regulation of establishments granted a license under this subsection, and the revocation of the license shall remain in full force and effect and reference is made to these ordinances to have the same effect as if the regulations were embodied herein.)

Apartment/house Rental,

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| One unit only        | no charge |
| Two to three units   | 50.00     |
| Each additional unit | 10.00     |

Automobiles

- (1) Automobile dealer, selling automobiles and trucks or conducting an automobile sales agency for new or used cars at a regular fixed place business in the city. 75.00
- (2) Automobile garage or automobile service station, including storage storage, the sale of gasoline, oil and grease and all branches of the business except the privilege of selling automobiles. 50.00
- (3) Automobile laundry where automobiles are washed, cleaned, or polished, where the automobile laundry is not operated by a person, firm or corporation operating an automobile garage or automobile service station. 50.00
- (4) Automobile, motorcycle, and truck parts hardware, and accessories in an established place of business. 50.00
- (5) Automobile repair and storage garage. 50.00
- (6) Automobile body repair shop. 50.00

Appliances, sale of major appliances 50.00

Auctioneers.

Note: When an auctioneer is also a real estate agent, and/or an insurance agent or all three, a staggered fee shall apply. Charges are as follows:

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| First profession  | 75.00 |
| Second profession | 38.00 |
| Third profession  | 19.00 |

(Ord. Dated 3/9/1996 ~6;Ord. 404 Series 2008; Ord. 412 Series 2009)

B

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| Bands/Music, any establishment who features live band.                                                                                                                                                                                                | 50.00 |
| Barbershop                                                                                                                                                                                                                                            | 50.00 |
| Beauty Shop                                                                                                                                                                                                                                           | 50.00 |
| Bed and Breakfast                                                                                                                                                                                                                                     | 50.00 |
| Beer see Alcohol                                                                                                                                                                                                                                      | 50.00 |
| Billiards, for conducting operating a billiard, pool, or pigeon hole table                                                                                                                                                                            | 50.00 |
| Business Machines (vending machines) All persons, firms, or corporations engaged in the business of supplying vending machines, business or jukebox, renting or leasing any type of coin operated machine which provides entertainment. (per machine) | 50.00 |

C

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|-----------------------------------------------------------------|-------|
| Cabinet Shop, manufacturers and sale of cabinets and furniture. | 50.00 |
| Craft Shop                                                      | 50.00 |

Contractors

- (1) Building including the construction of buildings, streets, parking Lots, curbs, and gutters. License fee will cover any sub-contractor Working for contractor. 100.00
- (2) Excavation 75.00
- (3) Exterminators 50.00
- (4) Special contractors including electric, plumbing, heating and air Conditioning, carpet and flooring, (sales and installation), siding, Roofing, aluminum, storm doors, windows, signs, painting, home Repair, and professional carpet and home cleaning. 50.00

(Ord. Dated 3/9/1996 ~6;Ord. 404 Series 2008; Ord. 412 Series 2009)

D

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| Dance Hall, for operating a public dance hall. If dance hall periodically has live band, additional fee.                                                                   | 75.00<br>50.00 |
| Day Care, caring for four or more children                                                                                                                                 | 50.00          |
| Drug Stores, sale at retail of medicines, notions, soft drinks, candies, Nuts, pens, small electrical equipment, cosmetics, magazines, Stationary, watches, costumes, etc. | 100.00         |

F

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| Finance/Bank/Loan Company, to conduct or engage in the loan agency Business of lending on the deferred payment or installment plan. | 50.00        |
| Florist                                                                                                                             | 50.00        |
| <u>Fortune Tellers</u>                                                                                                              | <u>75.00</u> |

G

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| Garbage Hauler                                                                                                                                                      | 100.00 |
| Gasoline                                                                                                                                                            |        |
| (1) To engage in selling gas and oil at retail.                                                                                                                     | 50.00  |
| (2) For trucks or vehicle operated refineries, dealers, jobbers or any Other delivery or pick up, gasoline, oils, propane gas, diesel fuel And greases to the city. | 75.00  |
| General License Fee, any business that does not fit into any listed category.                                                                                       | 50.00  |
| Gift Shop                                                                                                                                                           | 50.00  |

(Ord. Dated 3/9/1996 ~6; Ord. 404 Series 2008; Ord. 412 Series 2009)

H

Hardware, selling hardware at retail. 50.00

Home Occupations: Professional offices, studios, and personal services maintained or conducted within a dwelling. Neither the selling of any merchandise nor processing of any product shall qualify as a home occupation. Home occupation includes only those which meet the following performance:

(1) Home occupations shall be incidental to the principle residential use, occupying no more than twenty-five (25) percent of the total floor area of a dwelling.

(2) Home occupations shall result in no exterior evidence excepting a permitted sign that the dwelling is used for a nonresidential use.

(3) Home occupations shall not generate any atmospheric pollution, light flashes, glare, odors, noise, vibration, or truck or other heavy equipment traffic. 50.00

I

Insurance Agent, engaged in the business of soliciting, selling, and writing automobile, casualty, health, accident, and fire insurance. Each agent, not each agency. Note: See Auctioneer for further information. 75.00

J

Jewelry, selling jewelry, silverware, watches, clocks, cameras, and operating a watch repair department. 50.00

L

Laundromat 50.00

M

Massage Parlor 1,000.00

Mini Mart/Grocery Store 75.00

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| Mini-Warehouses                                                                          | 50.00 |
| Monuments, each dealer in monuments or tombstones, and each agent Soliciting their sale. | 50.00 |

N

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| Nursery, to engage in the sale of or the disposition of nursery products, Trees, evergreens. Shrubbery, and the like, whether raised or produced Within the corporate limits of the city or not, includes the privilege Of operating a florist shop. | 50.00 |
| Nursery, caring for four or more children.                                                                                                                                                                                                           | 50.00 |

P

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| Photography, gallery or photographer, maintaining a shop in the city.                                                 | 50.00        |
| Photographer, itinerant, per day.                                                                                     | 50.00        |
| Printing, to engage in the business of job printing when not operated in conjunction with publication of a newspaper. | 50.00        |
| Propane Gas, to operate bottled gas plant, heat installing.                                                           | 100.00       |
| <u>Psychics and Parapsychologic Practionioners</u>                                                                    | <u>75.00</u> |

R

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| Real Estate Agents, to conduct or engage in the business of buying, selling or offering for sale, real estate for others for compensation, each agent, not agency.<br>Note: See Auctioneer for further information. | 75.00 |
| Restaurant, operation a restaurant.                                                                                                                                                                                 | 50.00 |

(Ord. Dated 3/9/1996~6; Ord. 404 Series 2008; Ord. 412 Series 2009)



S

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| Seasonal Work, lawn maintenance (mowing, etc.)                                                                      | 25.00  |
| Sporting Goods, selling at retail hunting and fishing equipment, golfing equipment, and other known sporting items. | 50.00  |
| Supermarket                                                                                                         | 250.00 |

T

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| Tanning Salons                                                                     | 50.00        |
| <u>Tattoo and Body Artists</u>                                                     | <u>75.00</u> |
| Television Repair, to engage in television and small appliance repair.             | 50.00        |
| Temporary License, for temporary work within the city for a period up to ten days. | 10.00        |

U

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| Undertaker Establishments, to conduct or engage in the business of undertaking by embalming, or selling or furnishing burial outfits and caskets for the dead. | 65.00 |
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V

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| Vending Machine Operators, engaged in the business of supplying, renting, leasing any type of vending machine which provides either entertainment or merchandise. (per machine)                                                                                                                                                                                                                                                                        | 10.00 |
| Video, to engage in rental of movies.                                                                                                                                                                                                                                                                                                                                                                                                                  | 50.00 |
| Whiskey, see Alcohol                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |
| Wholesaler, operating from a vehicle, selling at wholesale to retail dealers or merchants in the city, bread, fruits, vegetables, soft drinks, or other articles or merchandise not otherwise provided for herein, and delivering the merchandise to the buyers at their places of business by means of a truck or other motor propelled vehicle owned or operated by the seller. (Ord. Dated 3/9/1996 ~6; Ord. 404 Series 2008; Ord. 412 Series 2009) | 50.00 |

5.04.070 Penalty. Except as otherwise specifically provided in this chapter, any person, firm or corporation violating the provisions of this chapter shall, upon conviction, be fined not less than three times the normal license fee that the person, firm or corporation continues the violation shall constitute a separate offense.

No license shall be issued to any business/entity until all state and/or county regulations are met as required by law. This refers to any business that is required to have permits/licenses from the state of Kentucky or Nelson County before operating said buiness. (Ord. Dated 3/9/96 ~7; Ord. 412 Series 2009