

CODIFIED ORDINANCES OF LITCHFIELD

PART EIGHT – BUSINESS REGULATION AND TAXATION CODE

TITLE TWO – Business Regulation

Chap. 804.	Licensing in General.
Chap. 808.	Cable Television Contracts.
Chap. 810.	Cable Television Rate Regulations.
Chap. 856.	Peddlers and Solicitors.
Chap. 858.	Garage Sales.
Chap. 860.	Precious Metal and Gem Dealers.
Chap. 868.	Special Events.
Chap. 872.	Transient Merchants.

CHAPTER 804

Licensing in General

804.01	Application of chapter.	804.11	Suspension or revocation of licenses.
804.02	License required.	804.12	Cause defined.
804.03	State licensed businesses.	804.13	License renewal applications.
804.04	License application.	804.14	Exhibition of licenses.
804.05	License year.	804.15	Exhibition of licenses on vehicles and machines.
804.06	Where certification required.	804.16	Displaying invalid licenses.
804.07	Health Officer's certificate.	804.17	Transferability of licenses; misuse.
804.08	Chief of Police's certificate.	804.18	Automatic revocation of licenses.
804.09	Late renewal fees.	804.99	Penalty.
804.10	Right to issuance of licenses.		

CROSS REFERENCES

- Licenses generally - see CHTR. Sec. 4.6
- Effective licenses - see CHTR. Sec. 12.4
- Coordinated collection of State license fees - see M.C.L.A. Sec. 205.1
- Liability insurance for municipalities - see M.C.L.A. Sec. 691.1409

804.01 APPLICATION OF CHAPTER.

This chapter shall govern the licensing of the various trades, businesses and professions regulated in this Title Two of Part Eight – the Business Regulation and Taxation Code, except to the extent that the same is governed by other provisions in this Title Two.

804.02 LICENSE REQUIRED.

No person shall engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which any license is required by any provision of this Business Regulation and Taxation Code without first obtaining a license therefor from the City in the manner provided for in this chapter. Any person duly licensed on the effective date of this chapter shall be deemed licensed hereunder for the balance of the current license year.

(1957 Code, Ch. 7000, § 1)

804.03 STATE LICENSED BUSINESSES.

The fact that a license or permit has been granted to any person by the State of Michigan to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall not exempt such person from the necessity of securing a license or permit from the City if such license or permit is required by this Business Regulation and Taxation Code.

(1957 Code, Ch. 7000, § 2)

804.04 LICENSE APPLICATION.

Unless otherwise provided in this Business Regulation and Taxation Code, every person required to obtain a license from the City to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall make application for said license to the City Clerk upon forms provided by the Clerk and shall state under oath or affirmation such facts as may be required for, or applicable to, the granting of such license.

(1957 Code, Ch. 7000, § 3)

804.05 LICENSE YEAR.

The license year shall begin January 1 of each year and shall terminate at 12:00 midnight on December 31 of that year. Original licenses shall be issued for the balance of the license year at the full license fee. License applications for license renewals shall be accepted and licenses shall be issued for a period of 15 days prior to the annual expiration date. In all cases where the provisions of this Business Regulation and Taxation Code permit the issuance of licenses for periods of less than one year, the effective date of such licenses shall commence with the date of issuance thereof.

(1957 Code, Ch. 7000, § 4)

804.06 WHERE CERTIFICATION REQUIRED.

No license shall be granted where the certification of any officer of the City is required prior to the issuance thereof until such certification is made.

(1957 Code, Ch. 7000, §5)

804.07 HEALTH OFFICER'S CERTIFICATE.

In all cases where the certification of the County Health Officer is required prior to the issuance of any license by the City Clerk, such certification shall be based upon an actual inspection and a finding that the person making application and the premises in which he or she proposes to conduct or is conducting the trade, profession, business or privilege comply with all the sanitary requirements of the State of Michigan and of the City.

(1957 Code, Ch. 7000, §6)

804.08 CHIEF OF POLICE'S CERTIFICATE.

In all cases where the certification of the Chief of Police is required prior to the issuance of any license by the City Clerk, such certification shall be based upon a finding that the person making application for such license is of good moral character.

(1957 Code, Ch. 7000, §7)

804.09 LATE RENEWAL FEES.

All fees for the renewal of any license which are not paid at the time said fees shall be due shall be paid as "late fees" with an additional twenty-five percent of the license fee required for such license for the first fifteen days that such license fee remains unpaid, and thereafter the license fee shall be that required for such license, plus fifty percent of such fee.

(1957 Code, Ch. 7000, §8)

804.10 RIGHT TO ISSUANCE OF LICENSES.

If the application for any license is approved by the proper officers of the City, as provided in this Business Regulation and Taxation Code, said license shall be granted and shall serve as a receipt for payment of the fee prescribed for such license.

(1957 Code, Ch. 7000, §9)

804.11 SUSPENSION OR REVOCATION OF LICENSES.

Any license issued by the City may be suspended by the City Manager for cause, and any permit issued by the City may be suspended or revoked by the issuing authority for cause. The licensee shall have the right to a hearing before the Council on any such action of the Manager, provided a written request therefor is filed with the City Clerk within five days after receipt of said notice of such suspension. The Council may confirm such suspension or revoke or reinstate any such license. The action taken by the Council shall be final. Upon suspension or revocation of any license or permit, the fee therefor shall not be refunded.

(1957 Code, Ch. 7000, §10)

804.12 CAUSE DEFINED.

The term "cause", as used in Section 804.11, shall include the doing or omitting of any act, or permitting any condition to exist, in connection with any trade, profession, business or privilege for which a license or permit is granted under the provisions of this Business Regulation and Taxation Code, or upon any premises or facilities used in connection therewith, which act, omission or condition is:

- (a) Contrary to the health, morals, safety or welfare of the public;
- (b) Unlawful, irregular or fraudulent in nature;
- (c) Unauthorized or beyond the scope of the license or permit granted; or
- (d) Prohibited by the provisions of this Business Regulation and Taxation Code or any duly established rule or regulation of the City applicable to the trade, profession, business or privilege for which the license or permit has been granted.

(1957 Code, Ch. 7000, §11)

804.13 LICENSE RENEWAL APPLICATIONS.

Unless otherwise provided in this Business Regulation and Taxation Code, an application for renewal of a license shall be considered in the same manner as an original application.

(1957 Code, Ch. 7000, §12)

804.14 EXHIBITION OF LICENSES.

No licensee shall fail to carry any license issued in accordance with the provisions of this Business Regulation and Taxation Code upon his or her person at all times when engaged in the operation, conduct or carrying on of any trade, profession, business or privilege for which the license was granted, except that where such trade, profession, business or privilege is operated, conducted or carried on at a fixed place or establishment, said license shall be exhibited at all times in some conspicuous place in such place of business. Every licensee shall produce his or her license for examination when applying for a renewal thereof or when requested to do so by any City police officer or by any person representing the issuing authority.

(1957 Code, Ch. 7000, §13)

804.15 EXHIBITION OF LICENSES ON VEHICLES AND MACHINES.

No licensee shall fail to display conspicuously on each vehicle or mechanical device or machine required to be licensed by this Business Regulation and Taxation Code such tags or stickers as are furnished by the City Clerk.

(1957 Code, Ch. 7000, §14)

804.16 DISPLAYING INVALID LICENSES.

No person shall display any expired license or any license for which a duplicate has been issued. (1957 Code, Ch. 7000, §15)

804.17 TRANSFERABILITY OF LICENSES; MISUSE.

No license or permit issued under the provisions of this Business Regulation and Taxation Code shall be transferable unless specifically authorized by the provisions of this Business Regulation and Taxation Code. No licensee or permittee shall, unless specifically authorized by the provisions of this Business Regulation and Taxation Code, transfer or attempt to transfer his or her license or permit to another, nor shall he or she make any improper use of the same.

(1957 Code, Ch. 7000, §16)

804.18 AUTOMATIC REVOCATION OF LICENSES.

In addition to the penalty provided for in Section 804.99, any attempt by a licensee or permittee to transfer his or her license or permit to another, unless specifically authorized by the provisions of this Business Regulation and Taxation Code, or to use the same improperly, shall be void and shall result in the automatic revocation of such license or permit.

(1957 Code, Ch. 7000, §17)

804.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 of the Administration Code for the general Code penalty if no specific penalty is provided.)