

## Chapter 605

### BUSINESS REGULATIONS

#### ARTICLE I

##### Generally

**Section 605.005. Merchant Defined.** [R.O. 2011 §605.005; CC 1979 §54.080]

The term "*merchant*", as used in this Chapter, shall include any and all persons who are now or who shall be hereafter engaged in the retail selling of any and all articles of merchandise.

**Section 605.010. License Required.**

It shall be unlawful for any person, firm or corporation to engage in any business or occupation in the City of Puxico without having first applied for and obtained a license to conduct such business or occupation from the City Clerk and without paying the license fee therefor, all as provided for in this Chapter.

**Section 605.020. License Application and Issuance.**

- A. All applications for the licenses required herein shall be made to the City Clerk on appropriate forms provided for that purpose by the City. All licenses issued by the City Clerk shall be in such form as is provided by the Board of Aldermen; provided however, that such license shall bear the signature of the Mayor of the Board of Aldermen and the City Clerk, the date of issuance thereof and the date of expiration, as well as any additional information that may be required by the Board of Aldermen.
- B. Each applicant for a business license under this Chapter shall submit a statement from the Missouri Department of Revenue pursuant to Section 144.083.4, RSMo., stating no tax is due, which statement is a prerequisite to the issuance or renewal of a City business license. The statement required by this Section shall be dated within ninety (90) days of submission of the business license application or renewal application.

**Section 605.025. Contents of License.** [R.O. 2011 §605.025; CC 1979 §54.050]

Every license shall specifically state the name of the person, persons, firms or corporations to whom it is issued, the amount of the license tax, and the date of the issuance and the term for which it is issued. No license shall authorize any holder thereof to carry on business at more than one (1) place at the same time.

**Section 605.030. License Tax.** [R.O. 2011 §605.030; CC 1979 §54.010]

- A. There is hereby levied a licenses tax on each and all of the following businesses and

occupations that are now or may be hereafter conducted or engaged within the City of Puxico, Missouri, in the amounts set out as follows:

<b>Business</b>	<b>Fee Per Year</b>
On any person, firm or corporation who shall carry on the business of selling insurance and for the purpose of this Article any person who solicits insurance business within the City limits of the City of Puxico; any person who takes application for insurance of any kind, within the City limits of Puxico, Missouri; any person who writes insurance policies within the City limits of the City of Puxico; any person who collects premiums on insurance policies within the City of Puxico, the general nature of which pertains to insurance business	\$20.00
Auto repair shop	\$15.00
Automobile agency or dealer	\$15.00
Bait shop	\$25.00
Bank	\$50.00
Barbershop	\$0.00
Beauty shop	\$10.00
Blacksmith, welding shop, or grist mill	\$25.00
Bookkeeping and tax service	\$35.00
Coin laundry	\$10.00
Concrete business	\$35.00
Contractors	\$25.00
Convenience store	\$30.00
Drug store	\$50.00
Electrical repair, sales and service shop	\$35.00
Farm equipment sales and service	\$30.00
Feed store	\$30.00
Floral shop	\$30.00
Funeral home and ambulance service	\$25.00
Furniture, appliances, dry goods sales	\$30.00
Grocery store	\$50.00
Hardware store	\$35.00
Ice cream stand	\$5.00
L.P. bulk and bottled gas	\$25.00
Lumber shed, hardware and plumbing supplier	\$35.00

Mercantile agent	\$25.00
Newspaper	\$10.00
Peddler of wares in a stationary location and any type of merchandise that was not actually grown or produced by the seller	\$10.00
Promoting and developing physical fitness or conducting exercise classes	\$10.00
Public garage	\$25.00
Real estate brokers or agents who maintain an office in the City	\$20.00
Restaurants	\$15.00
Carry-out only	\$10.00
Sandwich shop	\$10.00
Service station and minor repairs	\$25.00
Soft drink stand	\$5.00
Tavern	\$30.00
Tax service	\$0.00
Tire repair	\$25.00
Transfer and other vehicles for hire	\$20.00
Traveling store	\$25.00
Used furniture	\$10.00
Video store	\$20.00
Well driller	\$35.00
Western auto store	\$30.00
Wholesale business	\$30.00

- B. Any person, firm or corporation who shall violate any of the provisions of this Article shall be deemed guilty of an ordinance violation and shall be penalized by a fine of not more than five hundred dollars (\$500.00) or ninety (90) days in jail, or both such fine and imprisonment. Each day in violation thereof shall be deemed a separate offense.

**Section 605.035. Other Licenses.** [R.O. 2011 §605.035; CC 1979 §54.020]

- A. All merchants and businesses not covered by the above and foregoing schedules shall be charged a license fee or tax based upon their gross sales which shall be computed upon the preceding year's business, at the following rates:

	<b>Per Year</b>
Less than \$25,000.00	\$15.00
Over \$25,000.00 — Less than \$50,000.00	\$30.00
Over \$50,000.00 — Less than \$100,000.00	\$50.00
Over \$100,000.00 — Less than \$150,000.00	\$100.00
Over \$150,000.00 — Less than \$200,000.00	\$125.00
Over \$200,000.00 — Less than \$250,000.00	\$150.00
Over \$250,000.00 — Gross Sales	\$175.00

- B. In case any person or persons, firms or corporations have not been in business or in an occupation for one (1) full year at the time of applying for a license, and such person, persons, firms or corporations elect to obtain a license based upon gross sales, such person, persons, firms or corporations shall pay as a license tax the minimum of fifteen dollars (\$15.00) and within five (5) days after the end of the year for which such license is issued shall pay an additional license tax for such first (1st) year's business in an amount equal to the difference between the fifteen dollars (\$15.00) paid and the amount shown in the schedule set out above in this Section, which said additional tax shall be in addition to the annual license tax to be paid for the following year's business or occupation.
- C. Any person or persons, firms or corporations required to pay an annual license tax to be based upon gross sales as set forth in this Section, then, at the time of making application therefor, such person, persons, firms or corporations shall file a written certificate setting forth the gross sales for the preceding year's business and the amount of the State and Federal sales taxes paid during each year.
- D. All music box and coin-operated amusement devices operated by any person or persons, firms or corporations shall be licensed at the full amount. Should any such person or persons, firms or corporations be engaged in more than one (1) business at the same location, the full amount will be paid for the larger amount of the schedules set forth above and additional licenses will be charged at one-half (½) on the lesser amounts set forth in such schedules for each separate business or occupation.

**Section 605.040. License Not Transferable.**

No license issued under the provisions of this Chapter shall be assignable or transferable, but shall apply only to the person to whom same is issued. In the event any licensee, as provided for herein, shall move his/her place of business from one location to another location within the City, said licensee shall submit a statement of the fact of such change to the City Clerk who may transfer such license as to location only. In no event, however, shall such license be transferred from one person to another or from the kind of business or occupation originally licensed to another type of business or occupation.

**Section 605.050. Term of License.** [R.O. 2011 §605.050; Ord. No. 605.050, 605.060, 1-19-2006]

The term of the licenses issued pursuant to the provisions of this Chapter shall be from January first (1st) to December thirty-first (31st) of the same year. In the event any licensee hereunder shall commence business on or after June first (1st), the City Clerk shall issue such license at the rate of one-half (½) of the license fee for such six (6) month period or fraction thereof.

**Section 605.060. Renewal Applications.** [R.O. 2011 §605.060; Ord. No. 605.050, 605.060, 1-19-2006]

All applications for renewal of a license provided for herein shall be filed no later than January first (1st) of each year.

**Section 605.070. Display of License.**

Each license issued by the City under the provisions of this Chapter shall be carefully preserved and shall be displayed in a conspicuous place in the place of business authorized to be conducted by said license. If there is no place of business, said license shall be carried on the licensee's person.

**Section 605.075. Change in Location.** [R.O. 2011 §605.075; CC 1979 §54.040]

Every license shall state the location at which the business or occupation is to be established or engaged in, and upon moving to a new location the licensee shall procure from the City Clerk a removal permit stating the new location, which permit shall be issued without any additional charge.

**Section 605.080. Persons Not to Be Charged for Business License.**

- A. No person following for a livelihood the profession or calling of minister of the gospel, duly accredited Christian Science practitioner, teacher, professor in a college, priest, lawyer, certified public accountant, dentist, chiropractor, optometrist, chiropodist, or physician or surgeon in this City shall be taxed or made liable to pay any municipal or other corporation tax or license fee of any description whatever for the privilege of following or carrying on such profession or calling, and after December 31, 2003, no investment funds service corporation as defined in Section 143.451, RSMo., may be required to pay any such license fee in excess of twenty-five thousand dollars (\$25,000.00) annually, any law, ordinance or Charter to the contrary notwithstanding.
- B. No person following for a livelihood the profession of insurance agent or broker, veterinarian, architect, professional engineer, land surveyor, auctioneer, or real estate broker or salesman in this City shall be taxed or made liable to pay any municipal or other corporation tax or license fee for the privilege of following or carrying on his/her profession unless that person maintains a business office within the City of Puxico.

**Section 605.090. Revocation of License — Grounds.**

- A. Any license issued by the City pursuant to the provisions of this Chapter may be revoked by the Board of Aldermen for any of the following reasons, as well as for any other reasons specified in this Chapter:

1. Any failure to comply with or any violation of any provisions of this Chapter, or any other ordinance of the City regulating the business, occupation or activity licensed, or the Statutes of the State of Missouri by any licensee.
2. Violation of the terms and conditions upon which the license was issued.
3. Failure of the licensee to pay any tax or obligation due to the City.
4. Any misrepresentation or false statement in the application for a license required herein.
5. Failure to display the license required herein.

Revocation of any license shall be in addition to any other penalty or penalties which may be imposed pursuant to these provisions.

**Section 605.100. Revocation of License — Procedure.**

- A. In any case in which a complaint has been made to the Board of Aldermen, or in which the Board of Aldermen have on their own determined that cause may exist for the revocation of a license under the provisions of this Chapter, the following procedures shall be followed:
1. The Board of Aldermen shall set a date for a hearing to consider the question of revocation.
  2. At least ten (10) days prior to said hearing, written notice shall be mailed to the licensee, by registered mail, return receipt requested, to his/her last known address as shown in the records of the City Clerk advising the licensee of the time, date and place of hearing and of the reason for considering the revocation of his/her license.
  3. During the pendency of this hearing before the Board of Aldermen, the licensee shall be permitted to continue the operation of his/her business.
  4. At the hearing set by the Board of Aldermen, the Board of Aldermen shall hear all relevant and material evidence justifying the retention of the license.
  5. The licensee may be present in person and/or by his/her attorney and may present evidence.
  6. After hearing the evidence presented, the Board of Aldermen shall vote on the issue of whether the subject license shall be revoked.
  7. The affirmative vote of a majority of the Board of Aldermen shall be necessary to revoke any license.

**Section 605.110. Penalty and Delinquency.**

Any person, firm or corporation or co-partnership who shall violate any provision of this Chapter, or who shall exercise or attempt to exercise any of the occupations, trades or avocations, or who shall carry on or engage in or attempt to carry on or engage in any of the businesses for which a license is required in this Chapter in the City of Puxico without first

paying the tax herein levied and obtaining a license therefor shall, upon conviction, be deemed guilty of an ordinance violation and shall be punished by a fine as specified in Section 100.220 of this Code.