

AGENDA ITEM

April 15, 2014

Subject: Amendments to Municipal Code Chapter 16 Licenses

Department: Finance

The City is permitted by law to license all businesses, occupations and professions set forth in the Missouri Revised Statutes. This ordinance will omit the following occupations and fee codes that the City is not authorized to license: apartment houses, bookkeeping agencies, lawn mowing, mini storage, mobile home parks, piano tuning, tattoo services, trailer parks and tree trimmers. It should be noted that even though the City is not authorized to license tattoo establishments, this occupation is strictly regulated by the State.

BILL NO. 2014-031

ORDINANCE NO.

A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI AMENDING CHAPTER 16 (LICENSES) OF THE CITY OF NEVADA MUNICIPAL CODE OMITTING OCCUPATIONS NOT AUTHORIZED TO LICENSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

SECTION 1. Section 16-1 of the City of Nevada Code is hereby amended to read as follows:

Sec. 16-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Auction place or establishment means any building, store, pavilion, enclosure, yard or other place where sales of property at auction are had.

Auctioneer means one who sells or makes a business of selling personal property at public auction for a commission or for recompense.

Auto wrecking shop means any store, building, yard or place where the principal business carried on is the wrecking, salvaging or taking apart of automobiles or trucks for profit.

Book agent means one who goes from place to place within the city taking orders for books, magazines or periodicals for future delivery.

Broker means every person or association of persons who shall carry on the business of buying or selling any kind of stocks, bonds, bills of exchange, checks, drafts, bank notes, county or city warrants, promissory notes or other writings obligatory for themselves or for others.

Businesses, trades, occupations. The names, descriptions and definitions of businesses, trades and occupations shall be given a broad construction for the purpose of this chapter so as to include all those of similar nature. No business, trade or occupation generally conforming and similar to in nature and practice, any business, trade or occupation listed in this chapter shall evade the license required by this chapter because designated by another name.

Commission merchant means any person having a place of business, who for another person and for a commission or other compensation buys or sells or

receives on consignment for sale, or negotiates between the owner and purchaser for the purchase and sale of goods, wares, merchandise, flour, grain, country produce, provisions or other articles of commerce.

Excavator means any person who digs basements or subcontract for a water or sewer contractor or utility.

Hawker means any person who carries his goods, wares and merchandise about and sells them on the streets or in public places and attracts customers by public outcry, show, performance, lecture or other conventional signals.

Huckster means any person who sells, from any wagon, truck or other vehicle, or any stand or place within this city, any game, fish, poultry, eggs, butter, fruit or other provisions, or any farm or garden produce not the product of his own farm or garden.

Itinerant merchant means any person who conducts or engages in a temporary or transient business of selling goods, wares and merchandise with the intention of continuing in such business in any one place for a period of not more than 60 days, and who, for the purpose of carrying on such business, shall hire, lease or occupy, either in whole or in part, any room, building or other structure for the exhibition and sale of such goods, wares and merchandise.

License officer means the city collector, his deputy or authorized representative.

Loan agent means any individual who loans money for others for a commission or other recompense.

Loan company means any corporation, association or trust loaning money for interest.

Lunch stands means temporary stands where food and drinks are served for gain or profit.

Manufacturer means any person exerting labor, skill or art on material to produce a finished product. The term "manufacturer" shall not include persons making articles by hand in the home nor to any shoemaker, painter, carpenter or other mechanic whose finished products are solely the result of his labor and not the result of a division of labor.

Mercantile agent means any person having a place of business in this city where orders for the sale and delivery of merchandise are taken, or who shall go from place to place within the city and shall take orders for the sale of goods, wares and merchandise for future delivery, either by himself or some other person.

Nightclub means any public hall where music and dancing are permitted and food or refreshments are offered for sale.

Outdoor advertising means the independent occupation of erecting, maintaining, placing, selling, leasing or providing any sign, out of doors, for another for compensation, which by word, picture or other device shall advertise any business, occupation, profession, service or product; provided that the term "outdoor advertising" shall not apply to any nameplate, building directory notice, announcement or like sign, which shall not exceed three square feet in area, nor to signs on a vehicle, window, door or transom.

Painting and papering contractor means one who contracts with the owner or person in charge of a building or structure, or the improvement thereof, to do painting or paper hanging work at a certain price or rate and hires labor in the performance of any such contract and shall not include the independent occupation of sign painting, nor the installation or attachment on the premises being improved by sign, article or fixture made or painted away from such premises.

Pawnbroker means any person who loans money on deposit of personal property, or who deals in the purchase of personal property on the condition of selling the same back again at a stipulated price, or who makes a public display at his place of business of the sign generally used by pawnbrokers to denote their business, i.e., a sign or other advertising device or structure displaying a logo comprised of three gilt or three yellow balls, or who publicly exhibits a sign of "money to loan on personal property or deposit."

Peddler means any person who shall sell goods, wares and merchandise, except products of his own raising, by going from place to place to sell the same.

Public garage means any place where automobiles or trucks are either stored or repaired for recompense to the proprietor or operator.

Salvage dealer means any person who buys or sells any wastepaper, rags or other waste materials.

Solicitor means any person taking orders by phone or in person for goods, which are to be shipped, either directly or indirectly to the customer from out of town.

Stockyard means a place conducted for profit, as a public market with pens in which livestock are received and kept for periods of one week or more for sale, exchange or shipment. This shall not include sales pens where livestock are kept for less than one week for sale by cattle and horse dealers.

Street exhibition means any feats of skill, display of rare or unusual objects, persons or animals, trained animals, daredevil stunts, wrestling, ventriloquism, acrobatics or other similar performance located on streets, alleys, vacant lots or public places.

Temporary merchant means any person who deals in the selling of goods, wares and merchandise, including agricultural and horticultural products, which property is shipped into the city for the purpose of sale only and where the owner or seller has no intention of establishing a permanent place of business in the city; provided that the license tax shall not be collected when agricultural or horticultural products are to be sold by the actual producer thereof.

Wholesale merchant means any person selling to dealers for resale.

SECTION 2. Section 16-10 of the City of Nevada Code is hereby amended to read as follows:

Sec. 16-10. Application.

Every person required procuring a license under the provisions of this Code or any other ordinance shall submit an application for such license to the city license officer. The application shall:

- (a) Be a written statement upon forms provided by the license officer. Such form shall include an affidavit, to be sworn to by the applicant before any person authorized to administer an oath by the laws of this state.
- (b) Require the disclosure of all information necessary for compliance with [section 16-9](#) and of any other information which the city license officer shall find to be reasonably necessary to the fair administration of this chapter.

- (c) Be accompanied by the full amount of the fees chargeable for such license.
- (d) For construction industry contractors, unless exempt under Section 287.061 RSMo, be accompanied by a certificate of insurance for workers' compensation coverage if the applicant for the license is required to cover his liability for workers' compensation under RSMo Ch. 287, or a statement explaining why the applicant is not subject to the state Workers' Compensation Act.
- (e) Be accompanied by proof of issuance of a retail sales license by the state director of revenue if the applicant is subject to liability for the collection of sales or use taxes under the state Sales Tax Law, RSMo Ch. 144, or an explanation stating why applicant is not a business subject to the requirements thereof.

SECTION 3. Section 16-13 Fee Schedule of the City of Nevada Code is hereby amended to read as follows in Exhibit A.

SECTION 4. Article VIII Tattoo Establishments of the City of Nevada Code is hereby repealed.

PASSED, APPROVED AND ADOPTED by the City Council of Nevada, Missouri, this 6th day of May, 2014.

Seth Barrett, Mayor

(seal)
ATTEST:

Bev Baker, City Clerk

EXHIBIT A

Section 16-13 Fee Schedule

No person, whether for himself or by or through any agent, officer, servant, employee or substitute, shall engage in or carry on any of the following occupations, trades, businesses or agencies within the city without first obtaining a license therefor from the city:

Occupation, trade, business or agency	Charge per year
Abstract agency or abstractor	\$ 25.00
Advertising company (billposter, outdoor advertising)	\$ 50.00
Agents (huckster, peddler, book agent, sales person, solicitor, itinerant merchant):	
If paid prior to contact with prospects that day	\$ 5.00
Month	\$ 25.00
Annual (company with a list of all salespersons, addresses, etc.)	\$ 50.00
Antique dealer	\$ 20.00
Amusement park	\$ 60.00
Appliance home-sales & service	\$ 20.00
Auctioneers	\$ 20.00
Automobile dealer or agent (new or new and used with public garage and accessories)	\$ 75.00
Automobile accessories, parts wholesale or retail	\$ 40.00
Automobile dealers, used only	\$ 30.00
Auto repairs or body shop	\$ 30.00
Auto trailer sales or rental	\$ 10.00
Auto washing	\$ 25.00
Auto, wrecking or salvage dealer	\$ 40.00
Banks and trust companies	\$ 200.00
Bakeries, wholesale	\$ 50.00
Bakeries, retail	\$ 35.00
Barbershops:	
First chair	\$ 10.00
Each additional chair	\$ 5.00
Beauty parlors:	
First operator	\$ 15.00
Each additional chair	\$ 5.00
Beverage distributors	\$ 50.00
Billposters and outdoors advertising (See Advertising company)	
Billiard, pool, snooker halls	\$ 20.00
Blacksmith (welding)	\$ 15.00
Boat and motor dealer	\$ 25.00
Boardinghouse, whichever is greater: \$2.00 per room or	\$ 15.00
Book agent or magazine agent (See Agent)	
Bottling works (See Manufacturer)	
Bowling alleys:	
First alley	\$ 20.00
Second alley	\$ 10.00
Each additional alley	\$ 5.00

Boxing and sparing exhibitions (per exhibition)	\$ 50.00
Brokers	\$ 30.00
Building contractor (See Contractors)	
Butchers, wholesale	\$ 20.00
Carpenter or cabinet shop	\$ 20.00
Carnivals: (per day)	\$ 35.00
Carpet service	\$ 20.00
Cattle and horse dealers	\$ 25.00
Cement contractor (See Contractor)	
Circuses tent shows side shows:	
The license per day shall be 50 times the highest admission price	
Cleaning and pressing and dyeing agencies or establishments	\$ 25.00
Clothing store	\$ 25.00
Coal and wood dealers	\$ 15.00
Contractors:	
Building	\$ 50.00
Cement	\$ 20.00
Electrician	\$ 50.00
Glass	\$ 25.00
Heating / air conditioning	\$ 25.00
Insulation	\$ 25.00
Painting, papering, plasterers, etc.	\$ 25.00
Plumbing and mechanical	\$ 25.00
Roofing	\$ 15.00
Sewer	\$ 15.00
All other contractors	\$ 15.00
Collection agencies	\$ 20.00
Confectionaries (ice cream or frozen custard)	\$ 25.00
Copy service	\$ 15.00
Dances: the proprietor or promoter shall pay \$10.00 per dance or \$50.00 per year	
Drugstores	\$ 25.00
Express companies or agencies (trucking, transfer, movers, delivery)	\$ 25.00
Exterminator	\$ 25.00
Farm equipment or supplies	\$ 25.00
Feed or flour mills or dealers	\$ 25.00
Ferris wheel, (not with carnival):	
Per day	\$ 5.00
Per week	\$ 20.00
Fishing supplies or bait shop	\$ 10.00
Garbage collectors (See Refuse collectors)	
Garage, public for repair or storage (See Auto, repairs, etc.)	
Gasoline filling stations	\$ 25.00
Gasoline bulk plants or stations or wholesale tank wagons (business)	\$ 35.00
Grocers	\$ 35.00
Hawkers (See Agent)	
Hotels and motels per sleeping room	\$ 2.00
House movers (per year)	\$ 15.00

Ice cream vendors, permanent (See Confectioners)	
Mobile first unit	\$ 10.00
Each additional	\$ 3.00
Insurance agents:	
Representing one company	\$ 20.00
Representing more than one company per year	\$ 2.00
Intelligence or employment office or credit bureau	\$ 20.00
Janitor or cleaning service	\$ 25.00
Job printing plants	\$ 20.00
Laundries, professional or coin operated	\$ 25.00
Loan companies, agencies or agent (Combined with real estate or insurance. See Real estate agents)	\$ 100.00
Lumber dealer	\$ 50.00
Lunch stands (per day)	\$ 2.00
Machine or welding shops	\$ 15.00
Manufacturing agents (See Agents)	
Manufacturers:	
For the first 5,000 square feet of roofed floor space or any part thereof used for manufacturing or in connection therewith	\$ 50.00
For each square foot of roofed floor space in excess of 5,000 square feet used for manufacturing or in connection therewith , per square foot per year	\$ 0.0025
Mercantile agents	\$ 20.00
Merchants, itinerant or temporary (See Agent) of all kinds not specifically listed herein.	
Merry-go-round or other rides not with a carnival or amusement park:	
Per day	\$ 5.00
Per week	\$ 20.00
Miniature golf courses, not in an amusement park	\$ 30.00
Monument dealers or agent	\$ 25.00
Mortician (See Undertaker)	
Moving picture show:	
Annual license shall equal in dollars in the produce of the number of seats in the show times ten cents	
Newspaper office:	
Publishing daily paper	\$ 50.00
Publishing weekly paper	\$ 20.00
Nightclub	\$ 25.00
Nursery stock agent	\$ 10.00
Office building:	
Per office per year (firm or individual) whichever is greater	\$10.00 or \$25.00
Painting or papering contractors (See Contractors)	
Pawnbrokers	\$ 100.00
Peanut & popcorn stands	\$ 5.00
Peddlers (See Agent)	\$ 20.00
Photographers	\$ 20.00
Piano and organ dealers	\$ 20.00
Produce and poultry and milk dealers	\$ 20.00

Real estate agents, one occupation	\$ 20.00
Real estate agents and insurance agents and loan agents:	
First occupation	\$ 30.00
Each additional occupation	\$ 5.00
Each insurance company represented	\$ 2.00
Refuse collectors or trash haulers:	
With Police Department approval, per six months	\$ 15.00
Per year	\$ 25.00
Each additional truck	\$ 5.00
Restaurants, cafes, coffee shops, lunch counters:	
Seating capacity for 25 persons or less	\$ 20.00
Seating capacity in excess of 25 persons but not less than 51 persons	\$ 30.00
Seating capacity in excess of 50 persons	\$ 40.00
Rooming houses, with four or more rooms offered for rent (See Boardinghouse)	
Salvage (other than automobile, furniture, clothing, antiques)	\$ 20.00
Sanitariums, hospitals, schools (private)	\$ 35.00
Scales, where charge is made for weighing	\$ 15.00
Sewing shop (See Tailor)	
Sheet metal shop (See Tinner)	
Shoe cobbler shops	\$ 10.00
Shooting galleries:	
Per month	\$ 10.00
Per year	\$ 25.00
Skating rinks	\$ 25.00
Soft drink dealer or vendor, when not paying a license charge of \$10.00 or more	\$ 5.00
Stockyard	\$ 200.00
Storage warehouse, grain elevator, where charge is made for storage	\$ 30.00
Street exhibitions (per day)	\$ 25.00
Tailors	\$ 20.00
Taxicabs (per cab)	\$ 35.00
Telegraph companies	\$ 25.00
Tinner (See Sheet metal shop)	\$ 20.00
Tire service (See Auto repair or body shop)	
Trucking and delivery license	\$ 15.00
Vending machines, pinball machines, jukeboxes	\$ 25.00
Undertakers	\$ 75.00
Water conditioning	\$ 15.00
Wholesale merchants or houses	\$ 50.00
Welding shop	\$ 15.00
Wool, hide or fur dealers	\$ 20.00
<p>Merchants conducting more than one occupation in the same location shall: pay a license fee for the occupation having the highest fee set forth above in a separate additional occupation category; and carry a license fee of ten percent of the annual fee for that specific category of occupation, or a minimum of \$3.00 annually, whichever is greater, for each additional occupation.</p>	