

Chapter 13 - LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS

***Charter reference**—Continuance of taxes, § 145; rates of taxation, § 152; remitting taxes prohibited, § 154; adoption of earnings tax restricted, § 165; licensing, taxation and regulation of occupations and business, § 166.

***Cross reference**—General fund, § 2-3; permit for commercial use of airport, § 3-41 et seq.; license required for manufacture, brewing, sale or distribution of alcoholic beverages, § 4-2; intoxicating liquor licenses and permits, § 4-46 et seq.; nonintoxicating beer license, § 4-81 et seq.; licensing of domestic dogs and cats required, § 5-63; food service establishments, § 11-131 et seq.; permit required for food service establishments, § 11-135; permits authorized for disabled parking, § 14-442; license required for cycles, § 14-494; municipal court cost enumerated, § 15-19; permits for special shooting events and fireworks display, § 16-234(b)(2); noise regulations regarding hawkers and peddlers, § 16-267; commercial advertising by sound amplifying equipment of trucks prohibited, § 16-282; registration statement required for noncommercial use of sound amplifying equipment in trucks, § 16-283 et seq.; merchandising, advertising and sign regulations for parks, § 17-121 et seq.; permit required for special use or activity in parks, § 17-134; transportation fares, § 22-29; special tax for public sewers, § 22-227; special tax for district sewers, § 22-232; special tax for joint district sewers, § 22-242; sewers and sewage disposal rates and charges, § 22-261 et seq.; permit required for erection of signs, § 23-4 et seq.; permit required for construction and repair of streets, sidewalks, etc., § 24-41 et seq.; use permit for streets, § 24-71 et seq.; when permit required for landscaping, § 24-86; permit required for parades and processions, § 24-101 et seq.; permit for sale of cigarettes, § 26-47 et seq.; license tax for sale of cigarettes, § 26-53 et seq.; motor bus licenses, § 28-26 et seq.; motor bus permit, § 28-41 et seq.; public transfer license required, § 28-57; taxicab operator's license, § 28-91 et seq.; taxicab driver's license, § 28-110 et seq.

ARTICLE I. - IN GENERAL

Secs. 13-1—13-15. - Reserved.

ARTICLE II. - OCCUPATION LICENSES

Sec. 13-16. - Title.

This article shall be known and may be cited as the "General Licensing Ordinance of the City of Columbia, Missouri."

(Code 1964, § 11.010)

Sec. 13-17. - Scope.

It is not intended by this article to repeal, abrogate, annul or in any way interfere with existing provisions of other laws or ordinances. Where this article imposes a greater restriction upon persons, premises, or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this article shall control.

(Code 1964, § 11.020)

Sec. 13-18. - Definitions.

For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given herein.

Business. Includes all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises in this city, or anywhere else within its jurisdiction, as permitted by the Statutes of Missouri, and as provided for by the charter of the city.

Business services administrator, business license administrator, license administrator or administrator. The business services administrator of the city.

Employee. A regular employee or associate is one who works in the service of the licensee twenty (20) hours or more per week during thirty (30) or more weeks per year.

Garage sale. The sale or offering for sale to the general public of over five (5) items of personal property on any portion of a lot in a residential zoning district, as defined in section 29-3 of this Code, whether within or outside any building. Sales of programs and food and beverage items at school athletic events shall not be deemed to constitute garage sales.

Gross receipts. Unless otherwise provided, the aggregate amount of all sales within the city limits, and shall include the receipt of cash, credits and property of any kind or nature without any deduction therefrom on account of the cost of any items sold, the cost of any materials used, or of any labor, service costs, interest paid or payable, or any losses or any other expenses whatsoever; gross receipts is meant to include gross annual commissions (to apply to real estate brokers and agents, insurance agents, agents and solicitors for surety companies or bonding companies and any other business whose income is calculated by commissions); provided, however, that the following shall be excluded from any computation of gross receipts if the books of accounts segregate the amounts as to reflect such exclusions:

- (1) Receipts of traded merchandise recorded as cash receipts and resold and recorded as a sale upon such resale; provided, this subparagraph has no application to utilities licensed under chapter 26, Article V, divisions 2 and 3 of this Code.
- (2) Interdepartmental sales within the organization of the seller.
- (3) Such part of the sales price of property returned by the purchasers as is refunded either in cash or by credit.
- (4) Receipts of refundable deposits, except that portion of refundable deposits forfeited and taken into the gross receipts of the seller.

License or licensee. Include, respectively, the words "permit" or "permittee," or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this article or other law or ordinance.

Person. Includes individual natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointment or pursuant to law. The term "person" shall not be deemed to include the servants, agents, officers, or employees of a person, as herein defined, while such servants, agents, officers or employees are engaged in or carrying on or aiding in the conducting, engaging in, or carrying on of the business, trade, calling, privilege, vocation or profession of such person when such person is duly licensed to carry on such business, trade, calling, privilege, vocation or profession, except as may be otherwise provided herein.

Premises. Includes all lands, structures, places and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or is otherwise used in connection with any other business conducted on such premises.

Related occupation. An occupation customarily incident to that occupation in which the licensee is primarily engaged, and which is similar in nature insofar as the type of item sold or service offered or performed.

(Code 1964, § 11.030; Ord. No. 15454, § 1, 12-1-97; Ord. No. 19996, § 1, 7-21-08)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 13-19. - Business license administrator.

- (a) *Position Created.* There shall be a business license administrator under the personnel ordinance of the city, who shall possess qualifications including those established for a police officer of the city and who shall perform all the duties of this article specified to be performed by the business license administrator. The administrator shall be under the general supervision of the director of finance, and shall be subject to his control and direction.
- (b) *Duties.* The business license administrator shall accept all applications for licenses provided by this article; and shall investigate all applications and, upon investigation, determine that the license sought be either issued or not issued, under the provisions of this article, and shall:
 - (1) *Make rules.* Promulgate and enforce all reasonable rules and regulations approved by the finance director.
 - (2) *Adopt forms.* Adopt all forms as prescribed, the information to be given therein as to character and other relevant matters for all necessary papers.
 - (3) *Require affidavits.* Require applicants to submit all affidavits and oaths necessary to the administration of this article.
 - (4) *Obtain endorsements.* Submit all applications, in a proper case, to interested city officials for their endorsements thereon as to compliance by the applicant with all city regulations which they have the duty of enforcing.
 - (5) *Investigate.* Investigate and determine the eligibility of any applicant for a license as prescribed herein.
 - (6) *Examine records.* Examine, with the express consent of the city council, the records and books of any applicant or licensee when reasonably necessary to the administration and enforcement of this article, and then only to such extent necessary to obtain an accurate gross sales amount.
 - (7) *Give notice.* Notify any applicant of the acceptance or rejection of his application; and shall, upon his refusal of any license or permit, at the applicant's request, state in writing the reasons therefor and deliver them to the applicant.
- (c) *Information Confidential.* The business license administrator shall keep all information furnished or secured under the authority of this article in strict confidence. Such information shall not be subject to public inspection and shall be kept so that

the contents thereof shall not become known except to the persons charged with the administration of this article. Any city officer or employee disclosing confidential information under this section shall be subject to immediate dismissal.
(Code 1964, § 11.050)

Sec. 13-20. - Application of regulations.

(a)

License required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine or device in whole or in part, for which a license or permit is required by any law or ordinance of this city, without a license or permit therefor being first secured and kept in effect at all such times as required by this article or other law or ordinance of this city.

(b)

Special sales. This article shall apply to all business in the nature of special sales for which a license is required by any law or ordinance of this city; and it shall be unlawful for any person, either directly or indirectly, to conduct any such sale except in conformity with the provisions of this article.

(1)

One act constitutes doing business. For the purpose of this article, any person shall be deemed to be in business or engaged in nonprofit enterprise, and thus subject to the requirements of subsections (a) and (b) of this section, when he does one act of:

a.

Selling any goods or services.

b.

Soliciting business or offering goods or services for sale or hire.

c.

Acquiring or using any vehicle or any premises in the city for business purposes.

(2)

Agents responsible for obtaining license. The agents or other representatives of nonresidents, who are doing business in this city, shall be personally responsible for the compliance of their principals, and of the businesses they represent, with this article.

(3)

Separate license for branch establishments. A license shall be obtained in the manner prescribed herein for each branch establishment or location of the business engaged in, as if each such branch establishment or location were a separate business; provided that warehouses and distributing plants used in connection with and incidental to a business licensed under the provisions of this article shall not be deemed to be separate places of business or branch establishments.

(4)

Joint license. Every person engaged in more than one related occupation, where all such occupations are operated as one business under the same management and at the same location, may pay one license fee on the gross receipts of the combined occupations for all such occupations licensed. This may also apply in the case of contractors who may engage in more than one type of contracting where the fee rate is the same; except, that in all cases, the computation of fee shall be based on the occupation with the highest maximum fee.

(5)

No license required for mere delivery. No license shall be required of any person for any mere delivery in the city of any property purchased or acquired in good faith from such person at a regular place of business outside the city where no intent by such person is shown to evade the provisions of this article.

(6)

Special permits to nonprofit enterprises. The business license administrator will issue special permits without the payment of any license fees or other charges therefor to any person or organization for the conduct or operation of a nonprofit enterprise, either regularly or temporarily, when he finds that the applicant operates without private profit, for a public, charitable, educational, literary, fraternal, civic or religious purpose.

(7)

Procedure concerning special permits.

a.

Application for special permit: An applicant for a special permit shall submit an application therefor to the business license administrator, upon forms prescribed by the administrator, and shall furnish such additional information and make such affidavits as the administrator shall require

b.

Special permits must conform: A person or organization operating under a special permit shall operate his nonprofit enterprise in compliance with this article and all other applicable rules and regulations, except as provided herein.

(c)

Garage sales.

(1)

No more than two (2) garage sales may be conducted at any dwelling in a calendar year. However, a third garage sale may be conducted at a dwelling if the sale is conducted by a resident who is moving from the dwelling or by the

estate or heir of a person who died while living at the dwelling.

- (2) No more than two (2) garage sales may be conducted at any nonresidential use located in a residential zoning district.
- (3) No garage sale shall be conducted between 8:00 p.m. and 7:00 a.m. No garage sale shall last for more than three (3) days.
- (4) No food shall be served at a garage sale without the required permit from the health department.
- (5) A garage sale shall not be used to sell items purchased for resale.
- (6) It shall be unlawful for any person to advertise, conduct or permit to be conducted, any garage sale in violation of this section.

(Code 1964, § 11.040; Ord. No. 10790, § 1, 11-18-85; Ord. No. 16432, § 1, 5-1-00)

Sec. 13-21. - Qualifications of applicants.

(a)

General standards. The general standards herein set out relative to the qualifications of every applicant for a city license shall be considered and applied by the business license administrator. The applicant shall:

(1)

Good moral character. Be of good moral character. In making this determination the business license administrator shall consider:

a.

Penal history: All convictions, the reasons therefor, and demeanor of the applicant subsequent to his release.

b.

License history: The license history of the applicant; whether such person, in previously operating in this or another state under a license, has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

c.

General personal history: Such other facts relevant to the general personal history of the applicant as he shall find necessary to a fair determination of the eligibility of the applicant.

(2)

No obligations to city. Not be in default under the provisions of this article or indebted or obligated in any manner to the city except for current taxes and utilities.

(3)

Compliance with zoning and building regulations. Present a certificate of occupancy furnished by the city building inspector evidencing that:

a.

The proposed use of any premises to be used in the applicant's business is not a violation of city zoning regulations; and

b.

The premises to be used in the applicant's business is not in violation of city building regulations; provided, however, that a business license shall not be denied under this subsection if the applicant establishes that a request for a certificate of occupancy is pending.

(4)

Compliance with all other city regulations. Comply with all health, fire and any other applicable codes and regulations and present certificates and written assurances of compliance with the initial license application and when requested by the license administrator for license renewals.

(5)

Compliance with state licensing requirements. Present certificates or licenses where applicable, showing that the applicant is authorized under state law to operate the business or occupation for which he is seeking a license.

(b)

Security standards for sales of drugs, firearms and explosives. An applicant for a city license to sell any drug, classified or defined as a controlled substance by state law, or any firearms or explosives, must present a certificate from the chief of police stating that the applicant has made adequate provisions for securing the drugs, firearms and/or explosives offered for sale from theft. The chief of police shall establish procedures for making security inspections of applicant's premises and shall establish standards for determining if adequate provision for securing drugs, firearms and/or explosives from theft have been made.

(c)

Standards for apartments, rooming houses. An applicant for a city license to operate an apartment house or rooming house, as defined in section 22-183 must present a current certificate of compliance for the apartment or rooming house as required by chapter 22, article V of this Code as a condition to obtaining such license. Revocation or expiration of such certificate of compliance shall be grounds for revoking the business license under section 13-31.

Sec. 13-22. - Issuance of licenses.

(a)

Application. Every person required to procure a license under the provisions of any ordinance or law of the city shall submit an application for such license to the business license administrator. The application shall:

(1)

Form of application. Be a written statement on forms provided by the business license administrator.

(2)

Contents of application. Require the disclosure of all information necessary to comply with section 13-21 above, and of any other information which the business license administrator shall find to be reasonably necessary to the fair administration of this article.

(3)

Payment of fees. Be accompanied by the full amount of the fees chargeable for such license.

(4)

Application fee. The application shall be accompanied by payment of a fee in the amount of twenty dollars (\$20.00) plus a fee to cover costs incurred by the department of finance in obtaining the criminal record check required in subsection (b).

(5)

Statement of gross receipts. Every person for whom a license is provided herein, the amount of which license is to be computed upon the annual gross receipts of such person, shall furnish the city with a correct statement in writing, showing the amount of such annual gross receipts, based on the preceding calendar or fiscal year, whichever is used for accounting purposes by the business or occupation for which a license is sought, which statement shall not be made public or used by the city except for the purpose of establishing a correct basis for fixing and collecting the amount of the license herein provided. All books of account showing the amount of such annual gross receipts shall be open to the inspection of the city officials charged with the duty of issuing the license herein provided and collecting for the same, and the issuance of any such license may be withheld until all the requirements have been filled.

(b)

The department of finance shall obtain a criminal record check of the applicant. If the application is on behalf of a partnership, a criminal record check must be provided for each partner. If the application is on behalf of a corporation or limited liability company, a criminal record check must be provided for the officer, member or manager who will be in charge of the establishment for which the license is sought.

(c)

Issuance of receipts. Whenever a license cannot be issued at the time the application for the same is made, the business license administrator shall issue a receipt to the applicant for the money paid in advance, subject to the following construction: such receipt shall not be construed as the approval of the business license administrator for the issuance of a license; nor shall it entitle or authorize the applicant to open or maintain any business contrary to the provisions of this article.

(d)

Renewal. The applicant for the renewal of a license shall submit an application for such license to the business license administrator. The application shall:

(1)

Form of application. Be a written statement upon forms provided by the business license administrator.

(2)

Contents. Require the disclosure of such information concerning the applicant's demeanor and conduct in the operation of applicant's business during the preceding licensing period as is reasonably necessary to the determination by the license administrator of the applicant's eligibility for a renewal license and to the possible adjustment of license fee.

(e)

Duplicate. A duplicate license or special permit shall be issued by the business license administrator to replace any license previously issued, which has been lost, stolen, defaced or destroyed without any wilful conduct on the part of the licensee, upon the filing by the licensee of an affidavit sworn to before a notary public of this state attesting to such fact and the paying to the business license administrator of a fee of one dollar (\$1.00).

(f)

Denial. The business license administrator shall, upon disapproval of any application submitted under the provisions of this article, refund all fees (other than the investigation fee) paid in advance, to the applicant, provided the applicant is not otherwise indebted to the city if the applicant is indebted to the city, such fees tendered shall be delivered to the director of finance to be applied against such indebtedness.

(1)

Compliance pending legal action. When the issuance of a license is denied and any action has been instituted by the applicant to compel its issuance, such applicant shall not engage in the business for which the license was refused unless a license is issued to him pursuant to a judgment ordering the same.

(2)

Appeal. Denial of a license by the business license administrator, may be appealed pursuant to the provisions of section 13-31(c).

(g)

Issuance requirement. Upon the approval of an application for license under this article by the business license administrator, and the receipt of all fees therefor, the license administrator shall issue to the applicant a license as described in the application.

(Code 1964, §§ 11.070, 11.080(A); Ord. No. 10311, § 1, 9-17-84; Ord. No. 12060, § 1, 11-7-88; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-23. - Contents of license.

Each license issued under this article shall state upon its face the following:

(1)

The name of the licensee and any other name under which such business is to be conducted.

(2)

The kind and address of each business so licensed.

(3)

The dates of issuance and expiration thereof.

(4)

Such other information as the business license administrator shall determine is necessary.

(Code 1964, § 11.080(B))

Sec. 13-24. - Duties of licensee.

(a)

General standards of conduct. Every licensee under this article shall:

(1)

Permit inspection. Permit all reasonable inspections of the business and examinations of the books by the business services administrator, subject to the provisions of section 13-19.

(2)

Comply with governing law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3)

Operate properly. Avoid fraud, misrepresentation and false statements made in the course of carrying on the business; avoid conducting the business in an unlawful manner; avoid conducting the business in such a manner as to constitute a nuisance or in such a manner as to constitute a breach of the peace, or to constitute a menace to the health, safety or general welfare of the public.

(4)

Cease business. Refrain from operating the licensed business on-premises after expiration of the license and during the period in which the license is revoked or suspended.

(b)

Display of license. Every licensee under this article shall:

(1)

Premises. Post and maintain the occupation license upon the licensed premises in a conspicuous place where it may be seen at all times.

(2)

Persons. Carry such license on licensee's person when licensee has no licensed business premise.

(3)

Inoperative licenses and special permits. Not allow any license or special permit to remain posted, displayed or used after the period for which it was issued has expired; or when it has been suspended or revoked, or for any other reason become ineffective. The licensee shall promptly return such inoperative license or special permit to the business services administrator.

(4)

Unlawful possession. Not loan, sell, give or assign to any other person, or allow any other person to use or display, or to destroy, damage or remove, or to possess, except as authorized by the business services administrator or by law, any license which has been issued to such licensee.

(c)

New location. A licensee shall have the right to change the location of the licensed business, provided the business notifies the business services administrator of the change of location.

(d)

Keep records. Every licensee under this article shall keep all records and books necessary to the computation of the license fee and to the enforcement of this article. When the licensee fails to keep such records, the license administrator shall determine the financial statement for the business.

(Code 1964, § 11.090; Ord. No. 15454, § 1, 12-1-97; Ord. No. 19996, § 1, 7-21-08)

Sec. 13-25. - Transfer of license.

(a)

When authorized. A licensee hereunder shall have the right to transfer his license to another person provided he shall:

(1)

Approval of license administrator. Obtain written permission from the business license administrator for such transfer.

(2)

Method of transfer. Execute the transfer in the form and under the conditions required by law and as prescribed by the license administrator.

(3)

Notification. Promptly report the completed act of transfer to the license administrator.

(4)

Surrender license. Promptly surrender any license certificate.

(5)

Payment of investigation fee. The transferee shall make application for a license and pay the investigation fee provided for in section 13-22(a)(4).

(b)

New license. Upon the completion of a transfer of license in compliance with subsection (a) above, the license administrator shall issue a new license to the transferee for the unexpired term of the old license.

(1)

Effect of new license. The new license issued hereunder shall authorize the transferee to engage in the same business at the same location or at such other place as shall be approved by the license administrator and named in the new license.

(2)

Transfer fee. The license administrator shall collect a transfer fee of five dollars (\$5.00) from the transferee prior to the issuance of the new license.

(Code 1964, § 11.100; Ord. No. 15454, § 1, 12-1-97)

Sec. 13-26. - Term of license.

Every person engaged in any of the businesses described in this article shall pay the license fees herein named, which shall be annual, and which shall be issued from the first day of July each year until the thirtieth day of June of the following year. The business license administrator shall cause a notice to be mailed to each licensee on or before June 1, informing him that his license shall expire on June 30 of that year, unless otherwise renewed.

(Code 1964, § 11.120)

Sec. 13-27. - License fee schedule.

(a)

Businesses and occupations shall pay annual license fees according to the following fee schedule, except that any business or occupation shall pay at least one dollar and twenty-five cents (\$1.25) for every regular employee or associate in such business during the preceding year, with a maximum fee of seven hundred fifty dollars (\$750.00), and the license fee shall be the higher of that computed by the fee schedule or that based on the number of employees:

(1)

Fee schedule:

a.

Gross receipts not exceeding \$25,000.00 \$15.00

b.

Gross receipts of above \$25,000.00 but less than \$100,000.00 25.00

c.

Gross receipts of above \$100,000.00 25.00

Plus, for every \$1,000.00 of gross receipts above \$100,000.00, up to a maximum fee of \$750.00
0.25

(2)

Business and occupations. The following businesses and occupations shall pay annual license fees as indicated above:

Abstractors.

Accountants.

Acoustical articles and supplies.

Addressing businesses.

Adjusters of claims.

Advertising agencies and advertising of any kind or by any means, and advertising advisers.

Aerial surveying.

Agents and agencies for sale of oil stocks.

Agents and solicitors for nurseries.

Agents for cooperative insurance.

Agents for solicitors for any surety company or bonding company.

Air compressors.

Air conditioning machines, articles and supplies therefor.

Air express service, air freight, and air transportation services.

Aircraft dealers and manufacturers.

Aircraft flying schools, services and instructors.

Aircraft repair services.

Airports.

Aluminum products.

Aluminum siding.

Alumni organizations.

Ambulances.

Amusement parks.

Amusement ticket brokers and sellers.

Animal shows.

Antique shops, buyers, sellers and dealers.

Any kind of locker for food or merchandise storage.

Any service to automobiles and any motor driven vehicles.

Appraisers.

Apprentice electricians

Apron supply.

Architects.

Arenas.

Armature rewinding.

Art galleries.

Art glass.

Artists.

Asphalt work.

Assayers.

Athletic, boxing, wrestling or sparring exhibitions or contests.

Auction criers.

Auction house establishments.

Auctions.

Auctioneers.

Auditors.

Automatic doors.

Automatic machines or devices.

Automobile dealers, agencies, establishments, buyers, sellers, repairers and servicers.

Automobile livery.

Automobile shows.

Automobile, trailer and vehicle rental agencies.

Automobile yards.

Automobiles and automobile accessories and supplies.

Awnings.

Badminton or tennis courts.

Bail bondsmen.

Bakers.

Bakery delivery wagons.

Bankers.

Banks.

Barber shops.

Barbers and barber supplies.

Barkers.

Baseball parks.

Bathhouses.

Battery chargers.

Battery dealers.

Beauticians, chiropodists, manicurists and hairdressers.

Beauty shops.

Beds.

Beer depots.

Beer or wine gardens, taverns, dramshops.

Beer storerooms.

Bicycle repair shops.

Bicycles.

Billboards or bill posters.

Billiard or pool room tables or other tables or instruments used for amusement.

Blacksmith shops.

Bleaching.

Blueprint or photostat makers.

Board, livery or sales stables.

Boarding, lodging or rooming houses.

Boats for hire.

Boiler cleaning and inspection and setting.

Boilers.

Bonding or surety companies.

Bookstores, vendors, sellers and solicitors.

Bookbinding.

Bookkeeping services.

Bottle exchanges, bottling plants.

Bottlers, wholesale or retail.

Bowling or ball alleys.

Brewers or breweries.

Brick makers.

Brick masons.

Brickwork.

Bridges and culverts.

Broadcasting stations.

Brokerage companies.

Brokers of whatever class or character.

Brush manufacturers, sellers and solicitors.

Buffing, grinding, repolishing.

Builders.

Building companies.

Building, house or window cleaners.

Building management, operation or maintenance.

Building material sales.

Building or house movers.

Building reports.

Bullfights.

Butchers' supplies.

Butler building.

Cabinet makers.

Cafeterias.

Cameras and camera agencies.

Candy manufacturers and sellers, wholesale or retail.

Carnivals and any other kind of show.

Carpenters.

Carpet and rug cleaning, laying and repairing service.

Carpets.

Carters or draymen.

Carwashing establishments.

Caterers.

Caulking work.

Cemeteries.

Certifiers or guarantors of land titles.

Chair rental agencies.

Chairs or tables.

Chat and gravel companies.

Check cashing.

Check rooms.

Chemical sales.

Chemical spray contractors.

Chemists.

Children's nurseries.

Chimney cleaning.

Cigarette, cigar or tobacco manufacturers or dealers, wholesale or retail.

Circuses.

Claim agents.

Clairvoyants and fortunetellers.

Clearing houses.

Clothing.

Coal and other fuels and dealers, haulers, peddlers, brokers and deliverers thereof.

Cocktail lounges.

Coffee, tea, spice, cocoa and condiment dealers, and coffee roasters and processors.

Coins, stamps and lapidary clubs.

Collectors of accounts or claims.

Commercial contract cleaners.

Commission merchants or agents.

Composers or writers.

Computer services.

Concert bureaus.

Concerts.

Concrete and cement work.

Concrete and cinder block markers.

Concrete mixer rentals.

Concrete pipe, block and products manufacturers, sellers and dealers.

Concrete (ready mixed) service.

Conduit companies.

Confectioners.

Contract haulers.

Contract tailors.

Contractors and subcontractors engaged in or contracting for work and labor or materials to be performed within the city limits, irrespective of whether such contractor or subcontractor are residents of such city, for the construction, alteration or repair of any structure or thing.

Contractors' equipment.

Convalescent or nursing homes.

Cookie, bread, pastry and cracker products and dealers.

Corn dealers.

Corset dealers, sellers and solicitors.

Cosmetic dealers, sellers and solicitors.

Costumes.

Coupon books.

Craft and hobby supplies.

Cranes.

Crating service.

Creameries.

Credit associations, bureaus or agencies.

Credit reporting bureaus and service.

Crematories.

Curb market merchants.

Curb painter.

Cycloramas.

Dairies.

Dairy and vegetable compound products.

Dairy equipment and supplies.

Dairy products.

Dance halls.

Dancing studios, schools, and instructors.

Dealers in stamps or devices to control or affect trade.

Dealers or distributors of goods, wares or merchandise, new or used.

Decorators.

Delicatessens.

Dental laboratories.

Department, discount and variety stores.

Desiccating.

Designers.

Desks.

Development companies.

Diapers, diaper service.

Diecutting.

Distillers or distilleries.

Dog kennels.

Dogs and cats and other domesticated animals.

Dredgers.

Drillers.

Drugs, druggists and drugstores, wholesale or retail.

Drummers or salesmen.

Dry cleaners, dyers and pressers.

Drywall contractors.

Duplicating service, duplicating machines.

Dye houses.

Electric charging stations.

Electric or compressor hammers.

Electrical goods of all kinds.

Electrical supply establishments.

Electrical transcription.

Electricians.

Electrologist or electrotherapists.

Electronic communications service.

Electronic equipment sales.

Electronic service.

Electroplating.

Elevators.

Embalmers.

Embossing.

Employment agencies.

Enameling.

Engineers.

Engines.

Engravers.

Equestrian exhibitions.

Equipment contractors.

Escrow service in land transfers.

Escort service.

Excavating contractors.

Excavating machinery and supplies.

Exhibitions.

Explosive dealers and haulers of explosives.

Explosives.

Express companies.

Fabric stores and yarns.

Fans.

Farm implements, machinery, vehicles and tractors.

Farm supplies.

Feed manufacturers and dealers.

Feather renovating.

Fence and iron companies.

Filling or service stations.

Film developing.

Film rental service.

Filters.

Finance or loan companies.

Finders of missing persons.

Fire escapes.

Fire or burglar alarm systems.

Fireworks dealers, retail or wholesale.

Fish dealers.

Floor refinishing.

Floor sanding, floor sanders and floor surfacing machines.

Florists.

Flour mills.

Fluorescent lighting and maintenance.

Food and all other processors.

Food brokers.

Food lockers and cold storage plants.

Foods other than produce (orange juice distributors, etc.).

Foundation work.

Foundries.

Freight or other forwarders.

Freight or other warehousing.

Fumigators.

Funeral directors.

Fur dealers and storage.

Furnace manufacturers, dealers and servicers.

Furniture manufacturers, dealers and repairers and refinishers.

Galvanizers.

Garages.

Gas appliances.

Gas or electric ranges.

Gas services.

Gasoline, inflammable fuels and haulers thereof.

Gauges.

Gaugers.

Geologists.

Gift, premium or trading stamp enterprises.

Gift shops.

Glass dealers.

Glazing contractors.

Golf courses, driving ranges and any other golf enterprises.

Golf professionals.

Gold refinishers or goldsmiths or silversmiths.

Grading.

Grain, grain elevators.

Greenhouses.

Grinding or sharpening.

Grocers.

Gunsmiths.

Guttering or spouting.

Gymnasiums.

Handwriting analysis.

Hardware, wholesale or retail.

Hat cleaning and blocking.

Hatcheries.

Haulers.

Hauling and recycling.

Hearing aids and equipment thereof.

Health institutes or reducing parlors.

Health school.

Heating services.

Hoisting.

Home builders.

Horoscopic viewers.

Horse and cattle dealers.

Horse, mule and cattle buyers and sellers.

Horse shows.

Horses.

Horseshoers.

Hospitals, sanitariums or sanatoriums.

Hotel or restaurant equipment.

Hotels.

Ice cream, soft drinks, frozen desserts and similar products.

Ice or dry ice dealers and haulers.

Imports.

Income or other tax returns or tax services.

Industrial or technical instruments.

Inspectors, inspection bureaus.

Insulator contractors.

Insurance agents and agencies.

Insurance companies.

Installation with or without sale.

Intercommunicating systems.

Interior decorating.

Interior supplies,

Interpreters.

Investment or trust companies.

Itinerant vendors, traveling or auction stores.

Itinerant wholesale or retail produce dealers.

Janitor service.

Jewelers.

Jewelry.

Job printing plants.

Jobbers, job wagons.

Journeyman plumbers.

Juke boxes, and renters or repairers thereof, and other musical instruments of whatsoever nature or kind.

Kalsomining.

Karate schools.

Kitchen equipment.

LP gas.

Labor or public relation counselors.

Laboratories and laboratory equipment.

Lamps.

Land clearing.

Lathing.

Laundries and self-service laundries.

Laundry wagons and all other laundry vehicles.

Lawn and garden equipment.

Lawn service and tree trimming.

Lawnmowers.

Leather goods.

Lenders and their agents.

Lifting jacks.

Light and water companies.

Lightning rods.

Linen and towel supply.

Linoleum and linoleum laying.

Linotyping.

Liquor.

Liquor dealers, wholesale or retail.

Lithographers.

Livestock.

Loan companies.

Locksmiths.

Lumber, lumber brokers and agents.

Lumber measurers.

Lunch stands, counters or wagons.

Lung testers.

Machine shops.

Machinery designing.

Machinery of all kinds.

Magazines.

Mail order houses.

Mailing.

Malt dealers.

Manufacturers.

Manufacturers of and dealers in orthopaedic, medical or surgical supplies.

Manufacturers of or dealers or agents for mining machineries, road machinery, earth moving machinery, building machinery and other heavy industrial machinery and equipment.

Manufacturers of pool tables.

Manufacturers of water softeners.

Marble and stone dealers and stone or marble quarries.

Market places.

Market research.

Masseurs.

Material suppliers.

Mausoleums.

Meat.

Meat choppers.

Membership sales.

Menageries.

Mercantile agents or agencies.

Merchant delivery companies.

Merchants.

Merry-go-rounds.

Messengers.

Metal finishing.

Midwives.

Milk wagons.

Milk and dairy products processors, salesman, solicitors, haulers or deliverers.

Milk dealers.

Millwrights.

Mines and mining companies and ore concentrating plants.

Miniature golf.

Mirror resilvering.

Mobile home sales and anchoring.

Mobilphones, answering services and CBers.

Modeling agents.

Money transportation.

Monuments.

Mothproofing.

Motion picture projecting equipment.

Motor clubs.

Motor courts and motels.

Motor scooters.

Motor vehicle and motor truck salvage dealers.

Motor vehicle oiling, repossessing, steam cleaning, washing, towing, wheel aligning or repairing wrecks.

Motorcycle agencies, buyers, sellers, dealers and repairers and servicers.

Motors.

Movers of personal property for pay.

Moving picture exhibitions or shows.

Moving picture film producers, distributors, exchanges or rental establishments.

Multigraphing.

Muscle developers.

Museums.

Music arrangers or bureaus.

Musical instruments.

Natural or artificial gas.

News agents, dealers or distributors.

News service or bureaus.

Newspaper publishers, agents, or dealers or distributors.

Newspapers.

Nightclubs, or any other public place of business or amusement where alcoholic beverages of whatsoever percentage of alcoholic content are sold or permitted to be consumed on the premises.

Numbering machines.

Nurseries or nurserymen.

Nursery stock.

Office business and professional buildings.

Office coats, overalls, towels, uniforms and work clothes supply.

Office equipment.

Oil and gas burners or stockers.

Oil companies.

Oil cutting or reclaiming.

Oil station equipment.

Operatic, theatrical or other performances.

Optical instruments, equipment, eye glass lenses and appliances.

Opticians, optometrists.

Orchestras or bands.

Ore buyers, oil, mining or other stocks.

Organs.

Ornamental work.

Outdoor advertising.

Oxygen tents.

Packing or slaughterhouses.

Paint sprayers.

Paint stores.

Painters.

Palmists.

Palmreading.

Panoramas.

Paper hangers.

Parking lots.

Passenger stations or terminals.

Patent medicine sellers and shows.

Patrol, guard or watchman services.

Pattern making.

Paving.

Pawnbrokers.

Payrolls.

Peanut and popcorn stands.

Peddlers of vegetables, meat, fish and other foods and other kinds of personal property (except sale by farmers of any produce raised by them from their own vehicle or from any person in the employ of such farmers).

Pension plans.

Pest exterminators.

Pharmacies.

Phonographs.

Photograph finishing.

Photographers, local or itinerant.

Physiotherapist or hydrotherapists.

Piano tuners.

Pianos.

Pile driver.

Pinball machines and all other coin-operated machines and devices and repairers thereof.

Pipe bending, cleaning, cutting or threading.

Pipe lines, pipes, poles, wires or conduits or public utility companies.

Plasma centers.

Plasterers.

Plastic products, manufacturers and repairers.

Plumbers and gas fitters.

Pool and billiard rooms and halls.

Portable saws.

Poultry dealers.

Poultry shows.

Power plants.

Prefabricators.

Press clipping bureaus.

Printing presses, printing establishments.

Private airports.

Private parks.

Private schools and academies of art conducted for profit, business, correspondence, dancing, dramatics, expression, language, music, nursery, riding and private technical and trade schools or colleges, conducted for profit.

Prize fights.

Produce.

Promotion and consulting.

Public address systems.

Public amusements and entertainments.

Public garages.

Public grounds, arenas and halls.

Public halls.

Public lecturers.

Public masquerade balls.

Public meetings.

Public scales and weighers.

Publishing companies.

Pumps.

Push carts.

Quarries.

Race tracks.

Radio broadcasting and television stations.

Radio equipment.

Radios.

Railroads and railroad tankcars.

Railway traffic.

Rating bureaus.

Razing, shoring and wrecking.

Realtors.

Realty brokers and salesmen.

Rebuilding, renovating, setting, repairing, maintaining or storing any of the specific property heretofore named or any other property not specifically named in any property or equipment used in connection therewith.

Record shops and stereo equipment.

Recreational vehicles (boats, campers, etc.).

Rectifiers.

Refrigerators, refrigeration systems, refrigeration companies.

Rendering plants.

Renovating and repair service.

Rental agents and all agents of whatever kind or character.

Rental services of all kinds.

Renting, selling, leasing, hiring and repairing any of the specific kinds of property hereinbefore named or any other property or any kind or species of property.

Research bureaus.

Rest homes and homes for the aged.

Restaurants.

Riggers.

Roads, road oiling.

Roofers.

Rooming houses, boarding, apartment and tenement houses.

Rugs.

Runners.

Safe depositories.

Safes.

Salary brokers or buyers.

Sales and service of water heaters and softeners.

Sales counseling.

Sales of goods by common carriers or agencies.

Sales stable keepers.

Sample and order salesmen and owners.

Sandblasting.

Sash metal.

Savings and loan associations.

Saws.

Scaffolding.

Scales.

Scrap metal.

Scalp treaters.

Sellers.

Selling or storing gasoline, butane, propane, oil, kerosene, diesel fuel and other fluid fuels.

Service and rental cars.

Service or rental car drivers.

Services rendered in connection with, or any property or equipment connected therewith, upon any of the things or businesses hereinbefore or hereinafter set out, or any other kind of property.

Sewers.

Sewing and alterations.

Sewing machines.

Sheet metal work.

Shippers.

Shoe repairers and shoe repair establishments.

Shoe shining parlors.

Shoes.

Shooting galleries.

Shows or exhibitions.

Sidewalks.

Sightseeing tours.

Sign wiremen.

Signs.

Silverware.

Skating rinks.

Slicing machines.

Slot machines.

Smokestacks.

Soda fountains.

Soft water services.

Sound, X-ray and communication wiremen.

Specialty shops (china, silverware, etc.).

Sport events or exhibitions.

Sporting goods.

Spraying or stamping.

Stage equipment.

Stairs.

Statisticians.

Statuary.

Steamfitters.

Steamships.

Steel.

Steel shearing.

Stock.

Stock or merchants' exchanges.

Stockyards.

Stokers.

Stone cutters.

Stonework.

Storage houses.

Storage warehouses.

Store fixtures.

Stoves.

Street contractors.

Street exhibitions.

Street lighting.

Street railway cars and companies.

Street stands.

Suppliers for beauticians.

Surety companies.

Surgical instruments.

Surveying instruments.

Surveyors.

Swimming pools.

Tailormade clothing agencies (Hong Kong tailors).

Tailors, including agencies for taking or soliciting orders for clothing.

Tanks.

Tanners.

Tariff bureaus.

Tattooing.

Taxicabs.

Taxidermists.

Telegraph, telephone, street railway car, electric, gas, heating, air conditioning, lighting, water and transportation utilities of whatsoever name, kind or character, like and unlike.

Tents, awnings and canvas products.

Telescopic viewers.

Television and radio repair.

Television dealers, sellers and repairers.

Television instruments or equipment.

Terrazzo or tile work, tin work.

Theater sound equipment.

Theaters.

Theatrical agents or agencies or bookings.

Therapeutic devices.

Ticket agents and agencies.

Tire repairing or retreading.

Tires.

Tobacco of all kinds.

Tools.

Toy sales and distributors.

Trailers.

Transfer companies.

Travel or traffic bureaus.

Traveling shows and amusement of whatever kind.

Truck terminals.

Trucks, agencies, buyers, sellers, and dealers, repairers and services.

Trust companies.

Tube cleaning and expanding.

Tuckpointing.

Typewriters, adding, calculating machines, cash registers, and all other kinds of office machines and supplies and all kinds of recording machines and devices.

Typing or secretarial work.

Typographers or typesetters.

Umbrellas.

Undertakers.

Upholsterers, upholstering.

Upholstery, carpet sales and draperies.

Used motor vehicles and used motor trucks and dealers.

Ushering.

Vacuum cleaners and similar devices.

Vehicle agencies, buyers, sellers, repairers, servicers and dealers.

Vehicle repossession agencies or services.

Vending machines, operators, agents and repairers.

Ventilation work.

Veterinary hospitals.

Vulcanizing.

Wallpaper cleaning.

Washing, ironing, dishwashing and all other similar household equipment and devices.

Watches.

Watercoolers.

Waterproofing.

Waterworks.

Weatherstripping and all other improvements on real property.

Welders.

Welding equipment.

Welding supplies.

Wholesale doors and appliances.

Wholesale fish companies.

Wholesale grocers.

Wholesale magazine distributors.

Wholesale nursery growers.

Wholesale oil stations.

Wholesale plumbing and heating supplies.

Wholesale refrigeration equipment.

Wig shops.

Wild west shows and rodeos.

Window displays.

Windows.

Wine manufacturers.

Wineries.

Woodworking.

Wreckers.

Wrecking salvage.

(b)

General inclusions. It is intended by the foregoing provisions of this section to include not only the articles and businesses herein named, but also all persons, corporations, agents and representatives of whatsoever nature engaged in operating, soliciting or contracting relative to all services or processes, or dealing in any of the above listed things, property or businesses, and all other things or businesses not specifically exempted by general law.

(Code 1964, § 11.130)

Sec. 13-28. - Reserved.

Editor's note—

Ord. No. 19996, § 1, adopted July 21, 2008, repealed § 13-28, which pertained to performance bonds and derived from § 11.140 of the 1964 Code.

Sec. 13-29. - Exemptions.

The terms of this article shall not be held to include persons selling for nonresident, bona fide wholesale establishments to retail dealers in the city, nor to milkmen, ice men or newsboys whose employers have been duly licensed by the city, nor shall it include or apply to farmers or producers or any employee of any farmer or producer who offers for sale or sells, or who peddles from house to house or in any market, fruits, vegetables or garden products produced and grown by such farmer or producer from lands cultivated by him within the state; however, every such farmer or producer who claims exemption from the license requirements of this article shall file with the business license administrator a certificate under oath, setting forth the full legal description of the land upon which such farm or garden products are produced and grown, and which certificate is certified to by the county assessor of the county in which such land is located; and, all attractions, devices, races or exhibitions under direct contract with the Boone County Agricultural and Mechanical Association (Boone County Fair) are exempt.

(Code 1964, § 11.145)

Sec. 13-30. - Penalty for delinquent payment of license fees.

Every person who shall fail to obtain a license and pay the license fee therefor, as provided by this article, before beginning or becoming engaged in any of the businesses set out in section 13-27 of this chapter; and every person who shall fail to renew his license for any such business and pay the license fee therefor when such license fee is due, as provided by this article, shall, after notice by United States mail or by publication in a newspaper of general circulation in the city, pay, for each month that such license fee remains unpaid, a fee of fifteen (15) per cent of the business license fee provided in this article for such business.

(Code 1964, § 11.150)

Sec. 13-31. - Enforcement.

(a)

Inspections.

(1)

Persons authorized. The business services administrator, the administrator's representatives and police officers are authorized to conduct investigations to enforce this chapter.

(2)

Authority of inspectors. All persons authorized to make investigations shall have the authority to enter any premises for which a license is required at all reasonable times.

If any party refuses to allow the inspection of a premises for which a license is required, the business services administrator may request the city prosecutor to apply for a search warrant or a police officer may apply for a search warrant pursuant to the provisions of chapter 15 of this Code.

(3)

Reports by inspectors. Persons making investigations or inspections as herein authorized shall report violations to the business services administrator and shall submit such other reports as requested.

(4)

Operating a business without a license. When a person is operating a business subject to licensing without a valid license or is operating such business when the license has been revoked or suspended, the business services administrator may cause such person to be summoned into municipal court.

(b)

Order. When a licensee has violated any law or ordinance affecting the conduct of business within the city, other than the failure to have a valid business license, the business services administrator may issue an order which directs the offending person to cease and desist from the violation and to comply with the law or ordinance. When a licensee has failed to comply with an order of the business services administrator or when the licensee has failed to operate the business properly as required by this Code, the business services administrator may issue an order suspending or revoking the business license.

(1)

Notice. The order of the business services administrator and all other notices shall be in writing and shall state sufficient facts to apprise the person affected of the specific violations. Service by registered or certified mail or delivering a copy of the order to the person affected or the person's agent or employee shall constitute valid service. The order shall inform the offending person of the appeal rights under this section.

(2)

Compliance. The order shall require compliance within five (5) calendar days of service or such greater length of time as specified by the business services administrator.

(c)

Hearing. The director of finance (director) shall conduct a hearing upon the request of the business services administrator or any person affected by an order of the business services administrator or the denial of a license.

(1)

Application for hearing.

a.

Order; business services administrator. Upon noncompliance with the order, the business services administrator shall deliver a copy of the notice served upon the violator to the director along with a written request for hearing. Such request shall state sufficient facts to show the specific violations and shall state the action or order proposed by the business services administrator.

b.

Order; affected person. Within ten (10) days of the order of the business services administrator, the person affected by the order may file a written request for hearing before the director contesting all or part of the order. Such request shall state with specificity which part of the order is contested, the basis for the contest, and the relief sought.

c.

License denial. Within ten (10) days of the denial of a business license, the person who was denied a license may file a written request for hearing before the director contesting the license denial.

(2)

Hearing procedure. The director shall set the matter for hearing on the record within twenty-one (21) calendar days of the receipt of an application for a hearing. At least ten (10) days' notice of the hearing shall be given except in cases where the public health, safety or interest may make a shorter time reasonable.

a.

Notice of hearing.

1.

The director shall cause a copy of the request for hearing filed by the business services administrator and a notice of the date, time and place of the hearing to be served upon the affected person.

2.

The director shall serve a copy of the affected person's request for hearing and a notice of the date, time and place of the hearing upon the business services administrator.

b.

Evidence, witnesses.

1.

Each party shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses and impeach any witness.

2.

Oral evidence shall be taken only on oath or affirmation.

3.

All evidence shall be suitably recorded and preserved.

4.

The technical rules of evidence shall not apply, except the director may exclude evidence which is irrelevant or repetitious.

5.

Each party shall be entitled to present oral arguments or written briefs at or after the hearing.

(d)

Final order. After a hearing, the director shall issue an order based upon findings of fact and conclusions of law.

(1)

The director shall have the authority to suspend or revoke licenses. The director may extend the time for compliance with an order or modify or rescind any recommendation or order.

(2)

Upon revocation or suspension, no refund of any portion of the license fee shall be paid to the licensee, and the licensee shall immediately cease all business at the licensed premises.

(e)

Findings. The director shall make written findings of fact and conclusions of law within ten (10) working days of the hearing. Such findings shall be based upon competent and substantial evidence found in the record as a whole. A copy of the director's order, and the findings of fact and conclusions of law, shall be delivered to the business services administrator and to the affected person.

(f)

Summary action. When the conduct of any licensee, agent or employee is so inimical to the public health, safety and general welfare as to constitute a nuisance and this give rise to an emergency, the business services administrator shall have the authority to summarily order the cessation of business and the close of premises, or to suspend or revoke the license. Unless waived in writing within five (5) days after summary action by the business services administrator, the director shall conduct a special hearing for such action. Notice and procedure for the special hearing shall be as previously provided for a regular hearing.

(g)

Right of appeal. Any person aggrieved by the decision of the director shall have the right to appeal to the circuit court pursuant to RSMo Ch. 536.

(h)

Collateral actions to enforce.

(1)

The city may institute civil suit to recover any unpaid fee.

(2)

No civil judgment, or any act by the city counselor, the business services administrator or the licensee or other persons affected shall bar or prevent a prosecution for each and every violation of this article.

(Code 1964, § 11.110; Ord. No. 12060, § 2, 11-7-88; Ord. No. 13544, § 1, 12-21-92; Ord. No. 19996, § 1, 7-21-08)

Sec. 13-32. - Penalties for article violations.

Any person violating any of the provisions of this article, unless otherwise specified herein, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding one thousand dollars (\$1,000.00), or be imprisoned in the city jail for a period not exceeding thirty (30) days, or be both so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(Code 1964, § 11.160; Ord. No. 19996, § 1, 7-21-08)

Secs. 13-33—13-45. - Reserved.

ARTICLE III. - ARMED GUARDS AND SECURITY GUARDS

***Editor's note—**

Ord. No. 10810, § 1, adopted Dec. 2, 1985, in effect repealed Art. III, §§ 13-46—13-61, relative to guards and security patrol officers and enacted in lieu thereof new provisions relative to similar subject matter which has been included herein at the discretion of the editor as a new Art. III, §§ 13-46—13-60. Former Art. III, §§ 13-46—13-61 derived from Code 1964, §§ 11.830—11.910, 11.930—11.990, and 11.1010.

***Cross reference—**General penalty for Code violations, § 1-8; municipal court, Ch. 15; police, Ch. 21.

Sec. 13-46. - Definitions.

For the purpose of this article, the following definitions and rules of construction shall apply:

(1)

The term "armed guard" shall mean any person employed or retained in any manner, who is provided, required, or allowed to carry any firearm defined as such by Chapter 571 Revised Statutes of Missouri, as amended. Nothing herein shall be construed to permit carrying of concealed weapons.

(2)

The term "chief" shall mean the chief of police or the chief's designated subordinates.

(3)

The term "conviction" shall include a plea of guilty or a finding of guilty followed by a suspended imposition of sentence.

(4)

The term "patrol guard or watchman service" shall mean any person who furnishes the services of another for the purposes of protection of property. The term shall include those who promote such services.

(5)

The term "security firm" shall mean any patrol, guard or watchman service business which furnishes the services of an

armed guard to another person or which employs an armed guard in performing services for another person.

(6)

The term "security guard" shall mean any person employed by a patrol, guard or watchman service for the purpose of protecting property, who is unarmed while performing such duties.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87; Ord. No. 17347, § 1, 6-17-02)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 13-47. - License required.

No person shall operate as an armed guard or as a security guard in the city without first obtaining a license, from the business license administrator.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-48. - Exemptions from article.

Nothing in this article shall be construed as applying to an armed guard or security guard who is only temporarily in the city, provided that he is not present as an armed guard or security guard within the city more than fourteen (14) days within any six-month period, nor shall this article apply to any bona fide law enforcement officer of an agency on the training-approved list as certified by the chief and on file in his office. Any person who performs security guard services as a part of his regular duties in the course of his normal employment and whose employer is not a patrol guard or watchman service shall be exempt from the provisions of this article.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-49. - Application for license.

(a)

Application for armed guard and security guard licenses shall be made upon blank forms prepared and made available by the business license supervisor and shall state:

(1)

The full name, age, residence, present and previous occupations of applicant;

(2)

A specific description of the location of the principal place of business of the applicant;

(3)

The extent of training and experience the applicant has had with firearms, if the applicant is seeking an armed guard license;

(4)

The length of time applicant has been a bona fide citizen of the United States and a resident of the State of Missouri immediately preceding the filing of the application;

(5)

A specific description and if available, a picture or duplicate of the uniform, badge, shoulder patch, identification card and any logo or insignia to be used by applicant;

(6)

Such other information as the business license administrator shall find reasonably necessary to effectuate the general purpose of this article and to make a fair determination of whether the terms hereof have been complied with.

(b)

Applications required hereunder shall be accompanied by the applicable fee as set forth in section 13-55.

(c)

Applications shall be accompanied by a full set of fingerprints made by an approved law enforcement agency and a photograph. The department of finance shall obtain a criminal record check of the applicant.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-50. - Standards for issuance; additional standards for armed guards.

(a)

Security guard license applicants shall be at least eighteen (18) years of age; armed guard license applicants shall be at least twenty-one (21) years of age.

(b)

Armed guard license applicants and security guard license applicants have the burden of demonstrating good moral character. If an applicant has been convicted of a felony within the past ten (10) years or any misdemeanor involving theft, violence, drugs or sexual abuse within the past five (5) years, the business license administrator may deny the license after considering the nature of the crime committed in relation to the license sought, the conduct of the applicant since the violation and other evidence as to the applicant's character.

(c)

Any person applying for an armed guard license shall be determined by the chief to have met or exceeded adequate standards for firearms safety, knowledge of the law with regard to the use of firearms, and firearms skills commensurate with public safety. Such determination shall be based on the following criteria: Have, within the last calendar year passed with a score of at least seventy (70) per cent on each section, a test provided by and administered by the chief, said test to include written sections on firearms safety, firearms law, and firearms skills and a shooting section on firearms safety and firearms skills, and a qualifying course of fire, the standards of which shall be set out in regulations promulgated by the chief. The handgun and ammunition used in the qualifying course of fire shall be the same as the handgun and ammunition that will be carried while the applicant is performing his duties as an armed guard.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-51. - Time for test sessions.

The above described test shall be provided by and administered by the chief within thirty (30) calendar days of the application for license.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-52. - Notice of rejection.

The business license administrator shall act upon each application under this article and, if disapproved, he shall notify the applicant within seven (7) calendar days of his action stating the reasons for denial of the license and include a copy of test results.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-53. - Appeal procedure.

Any person aggrieved by the denial of any license issued under this article shall have the right to appeal the decision pursuant to the procedure for appealing a license denial set out in section 13-31.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-54. - Issuance of license.

If a person shall meet or exceed the standards described in section 13-50 above, the business license administrator may not deny that individual a license based on the criteria set forth in said section.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-55. - Fees.

(a)

The following table of fees shall apply to this article:

(1)

Application or reapplication and testing \$ 15.00

(2)

Written or shooting retest 10.00

(b)

The applicant shall pay a fee to cover costs incurred by the department of finance in obtaining the criminal record check required in section 13-49(c).

(c)

Failure of the written or shooting tests shall require retesting. Failure of both tests shall require reapplication and successful testing prior to issuance of a license.

(d)

All fees shall be paid in advance and no fee shall be refundable.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 17347, § 1, 6-17-02; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-56. - Term of license.

Each license issued hereunder shall be valid for one calendar year, or until a new license is issued, whichever is sooner.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-57. - Invalidity and revocation of license.

In the event that any information is falsely given in an application for a license, or that a license is illicitly gained or retained, or if any licensee shall be or become ineligible to possess a license under standards set out in this article, is found guilty of any charge involving the misuse of firearms, or becomes manifestly or demonstrably incapable of meeting the safety, law, or skills standards, or if any licensee shall willfully conceal information or facts concerning such matters, or fails to maintain the surety bond

required hereunder, such license shall be subject to immediate revocation. The business license administrator shall immediately give notice of revocation and afford the licensee opportunity to be heard by the business license administrator. The business license administrator is empowered to conduct ongoing investigations to determine any licensee's continued fitness to hold any license issued hereunder.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-58. - Duties of licensee.

(a)

Each person licensed hereunder shall carry on his person at all times while on duty, and display upon request of any police officer, a currently valid armed guard license. In the event that a licensee comes into official contact with a police officer, said guard shall display said license automatically and without request.

(b)

No person issued a license hereunder shall wear any uniform or insignia which is substantially similar to that of any uniform of any law enforcement agency operating in Boone County, Missouri, nor shall any licensee hold himself out to be a member of any such law enforcement agency.

(c)

Armed guards shall report to the chief the circumstances surrounding any discharge of firearms within the territorial limits of the City of Columbia within twenty-four (24) hours.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-59. - Violation of article.

(a)

Any person who shall employ or retain any armed guard or security guard who does not possess a current license, or any person who shall conceal in any manner any information or facts concerning the validity of any such license, or any person who shall instigate, authorize, or allow the use of firearms or ammunition other than the type with which the test, upon which such license is based, was taken, shall be guilty of a Class B misdemeanor.

(b)

Any armed guard or security guard who does not have a valid armed guard or security guard license respectively upon his person while on duty, shall be guilty of a Class C misdemeanor.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-60. - Penalties for violation.

Any person found guilty of violating any of the provisions of this article shall in addition to any other penalty imposed, be ineligible for a period of thirty (30) calendar days to apply for a new license.

(Ord. No. 10810, § 1, 12-2-85; Ord. No. 11482, § 1, 5-18-87)

Sec. 13-61. - Insurance and fidelity bond prerequisites to issuance of license.

(a)

Armed guards, security guards and patrol, guard or watchman services shall maintain general liability insurance for damages in consequence of operating as armed guards, security guards or patrol, guard or watchman services in the minimum amount of five hundred thousand dollars (\$500,000.00) for all claims arising out of a single occurrence. No armed guard, security guard or patrol, guard or watchman service license shall be issued by the business license administrator until the applicant has presented to the licensing authority a liability insurance policy or certificate of insurance evidencing compliance with the insurance requirements of this section.

(b)

Patrol, guard or watchman services which provide insurance coverage for any armed guard or security guard employee shall notify the business license supervisor whenever such an employee leaves his employment with the patrol, guard or watchman service. The notice required by this subsection shall be given in writing no later than three business days after the employee leaves his employment.

(c)

Those holding armed guard, security guard or patrol, guard or watchman service licenses shall maintain the requisite insurance in effect at all times.

(Ord. No. 11482, § 1, 5-18-87; Ord. No. 11614, § 1, 9-8-87; Ord. No. 11739, § 1, 1-4-88)

Sec. 13-62. - Limitation to handguns only.

Armed guards licensed under this article are expressly prohibited from carrying, wearing or otherwise possessing a rifle, shotgun, or any other projectile-type weapon except a handgun while performing the duties of an armed guard.

All handguns used by armed guards shall be limited to the following calibre of ammunition:

(1)

- .38
- (2) .357
- (3) .380
- (4) .38 Super
- (5) .9 MM
- (6) .45 ACP

(Ord. No. 11482, § 1, 5-18-87)

Secs. 13-63—13-75. - Reserved.

ARTICLE IV. - PAWNBROKERS

***Cross reference—**Junk dealers and junkyards, § 11-176 et seq.; precious metal dealers, § 13-16 et seq.

DIVISION 1. - GENERALLY

Sec. 13-76. - Definition.

Any person who loans money on deposit on personal property, or who deals in the purchase of personal property on condition of selling the same back again at a stipulated price, or who makes a public display at his place of business of a sign or display generally used by pawnbrokers to denote their business, to wit: three (3) gilt or yellow balls, or who publicly exhibits a sign indicating money to loan on personal property on deposit, is hereby declared for purposes of this article to be a pawnbroker.

(Code 1964, § 11.1500)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 13-77. - Register to be kept; availability for inspection.

- (a) Every pawnbroker shall keep a register of all loans and purchases, and the names of all persons who have left any property of any description on deposit as a collateral security or as a delivery on sale thereof. Opposite each name and date shall be written in plain hand the person's age and motor vehicle operator's or chauffeur's license number, or such other identification of public record, with photographs, as may be required by the business license administrator; a full description of such property purchased or received or deposited as collateral security; the manufacturer's identifying insignia or serial number if applicable; the time when the loan falls due; the amount of purchase money or the amount loaned, and the interest charged. He shall give the party negotiating or selling, a plain written or printed receipt for the articles purchased having on each a copy of the entry required by this section and kept in his register. He shall not be entitled to make any charge for such receipt.

- (b) The register shall, at all times, be open to inspection by the chief of police, his designee, or any law enforcement officer.
- (Code 1964, § 11.1530)

Sec. 13-78. - Business with minors.

No pawnbroker shall accept any goods, articles or things whatever from an individual under the age of eighteen (18).

(Code 1964, § 11.1540)

Sec. 13-79. - Hours of business.

No pawnbroker shall accept any goods, articles or things whatever from any person between the hours of 8:00 p.m. and 7:00 a.m.

(Code 1964, § 11.1550)

Sec. 13-80. - Place of business.

It shall be unlawful to conduct business as a pawnbroker or as agent for a pawnbroker at any place other than the location stated in the application for license.

(Code 1964, § 11.1560)

Sec. 13-81. - Serial numbers required.

No pawnbroker shall accept as collateral security or purchase any camera, radio, television set, lawnmower, firearm, typewriter, adding machine, calculating machine, copying machine, duplication machine, tape recorder, tape player, cash register, still or moving picture projector or offset projector, record player, stereo equipment, dictating machine, electric buffer, electric polisher, or electric floor waxer, or any other property or item which, at the time it was manufactured, had a serial number or identification number affixed to it, unless such item shall have plainly visible thereon, the manufacturer's serial number or other identifying insignia.

(Code 1964, § 11.1570)

Sec. 13-82. - Penalty.

Any person convicted of violating any provision of this article shall be punishable by a fine, not to exceed one thousand dollars (\$1,000.00). Each day that a violation of this article continues shall constitute a separate offense. License revocation as provided in this article shall constitute a separate remedy.

(Code 1964, § 11.1590)

Secs. 13-83—13-95. - Reserved.

DIVISION 2. - LICENSE

Sec. 13-96. - License deemed supplemental to business license; no fee.

Prior to issuance of the license provided for herein, the pawnbroker shall first obtain the city business license provided for in Article II of this chapter. There shall be no additional charge for the issuance of this license.

Sec. 13-97. - Required; affidavit.

No person shall do business as a pawnbroker without having first obtained a license therefor. Application for such license shall conform to the provisions of this article and be in such form as the business license administrator shall dictate, and include an affidavit in which the applicant shall subscribe and make oath that he will faithfully carry out the provisions of this chapter. Each location shall require a separate license.

(Code 1964, § 11.1510)

Sec. 13-98. - Application; endorsement by chief of police.

Every application for license hereunder shall be made in writing to the business license administrator and shall state where the business is to be carried on. Before any license shall be issued, the business license administrator shall secure from the police chief an endorsement on the back of the application therefor.

(Code 1964, § 11.1520)

Sec. 13-99. - Revocation.

The business license administrator shall have the power and authority to revoke any license issued under this article for any violation by a licensed pawnbroker, of any of the provisions or conditions contained herein; provided such license may be revoked only after the licensee shall have been notified in writing at his place of business, of the violations complained of, and shall have been afforded a reasonable opportunity to have a hearing thereon before the business license administrator.

(Code 1964, § 11.1580)

Secs. 13-100—13-115. - Reserved.

ARTICLE V. - PRECIOUS METALS DEALERS

**Cross reference—Junk dealers and junkyards, § 11-176 et seq.; pawnbrokers, § 13-176 et seq.*

DIVISION 1. - GENERALLY

Sec. 13-116. - Definitions.

For the purposes of this article, the following words shall have the meanings given herein:

Coin show. A meeting or convention not exceeding four (4) days in length of dealers in coins or tokens of precious metal at which dealers buy, sell and trade coins from tables or booths or at auction.

Dealer. Any person, who deals, in whole or in part, in the purchase, trade or pledge of precious metals.

Lot. An item or items offered for sale, purchase or trade as a unit for the purposes of such a transaction.

Precious metals. Any object comprised, in whole or in part, of gold, silver or platinum shall, for the purposes of this article, be deemed to be a precious metal. Aluminum, brass and other valuable metals shall not be deemed as precious metals.

Principal operating agent. The principal employee operating the dealer's place of business.

Transient dealer. A dealer who maintains a place of business in the city for less than one calendar year.

(Code 1964, § 11.1300)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 13-117. - Payments of dealer by check.

(a)

It shall be unlawful for a dealer to make a payment in cash money to any seller or pledger unless the dealer shall record the number of a valid form of identification with a photograph of the identified individual or shall photograph the same along with the object or objects tendered for sale, trade or pledge, and preserve same as a record of the transaction.

(b)

A dealer may purchase or pledge, by check, precious metal, provided that a record of such check be maintained as herein provided for by section 13-118.

(c)

Violation of paragraph (a) of this section shall be a Class A misdemeanor and punishable under the penalties provided in section 16-66 of this Code.

(Code 1964, § 11.1370)

Sec. 13-118. - Records—Required; contents; inspection.

(a)

No dealer shall purchase or accept the pledge of any object comprised in whole or in part of precious metal when the total amount of any purchase or pledge transaction exceeds twenty-five dollars (\$25.00) without making a record which shall contain:

(1)

The time and date of the transaction.

(2)

A brief description of the object or objects and the price paid therefor, the object traded for or the amount of the pledge accepted.

(3)

The person selling or pledging the object; the address of such person and a record of a form of valid identification containing a photograph of the individual presented by such person at the date of sale or pledge, such record to include the serial or identifying number contained on such identification.

(4)

In the event that the seller or pledger fails to provide an identification card containing a photograph, the number of the check used in payment for the object or the pledge therefor or in the alternative, a photograph of the seller or pledger, may be taken.

(5)

The name of the dealer when he accepts the object for purchase or pledge, or the employee or agent who accepts the object for purchase or pledge on behalf of the dealer.

(b)

No record made under the provisions of paragraph (a) of this section shall be damaged, altered or destroyed until same shall have been inspected by the chief of police, his designee or the business license administrator, or until eighteen (18) months from the date the record is made, whichever comes first.

(c)

Violation of the provisions of this section shall be a Class A misdemeanor and punishable under the penalties as provided in section 16-66 of this Code.

(Code 1964, § 11.1360)

Sec. 13-119. - Same—Maintenance; duration; location.

(a)

All records required to be made and kept under the provisions of this article shall be maintained at the principal place of business of the dealer within the city for a period of eighteen (18) months from the date a record is made; provided, however, that a transient dealer shall deposit all records kept with the police chief or at some other location within the city during such times within the three-year record-keeping period as the dealer is not maintaining a place of business within the city.

(b)

All records kept in compliance with the provisions of this article shall be the property of the dealer and shall in no respects be considered public records subject to the provisions of Chapter 610 RSMo. 1969, or the provisions of section 2-23 of this Code.

(c)

All records kept in compliance with the provisions of this article shall be available for inspection by the chief of police, his designee, or the business license administrator during all regular business hours of the dealer at his principal place of business, or, in the case of a transient dealer, at a repository designated by the dealer where such records are open for inspection at least forty (40) hours each week.

(d)

Failure to maintain such records within the city shall constitute a Class A misdemeanor and is punishable under the penalties established in section 16-66 of this Code for such Class A misdemeanors.

(Code 1964, § 11.1380)

Sec. 13-120. - Exemptions.

The following shall be exempted from the provisions of this article:

(1)

Dealers in scrap iron, bronze, aluminum, brass and/or precious metals, where such metals are purchased or traded only in lots exceeding four (4) ounces in weight.

(2)

Dealers buying or trading securities, commodities, bonds or other certificate of value representing or having as its basis a precious metal when same are sold, bought or traded at any exchange outside the city limits.

(3)

Persons dealing in precious metals solely for the purpose of providing dental, medical or other forms of health care service.

(4)

All transactions conducted as a part of any coin show where all dealers conducting business at such coin show register with the chief of police their names, addresses, and the communities in which business licenses are held by such dealers.

(Code 1964, § 11.1310)

Secs. 13-121—13-130. - Reserved.

DIVISION 2. - LICENSE

Sec. 13-131. - License deemed supplemental to business license; no fee.

Prior to issuance of the license provided for herein, the dealer shall first obtain the city business license provided for in article II of this chapter. There shall be no additional charge for the issuance of this license.

(Code 1964, § 11.1340)

Sec. 13-132. - Required.

No dealer shall purchase or accept the pledge of any object comprised in whole or in part of precious metal without first having obtained a license to conduct a business in precious metals as herein provided from the business license administrator. Failure to obtain such a license prior to such purchase, trade or pledge shall constitute a Class A misdemeanor and shall be punishable as provided in section 16-66 of this Code.

(Code 1964, § 11.1320)

Sec. 13-133. - Application.

(a)

Contents. Applications for licenses issued hereunder shall be made upon blank forms prepared and made available by the business license administrator and shall contain:

(1)

The full name, age and principal residence of the owner or operating agent of the applicant.

(2)

The name of any partnership, corporation or unincorporated association; the address and state of its principal place of business; the state of its incorporation and its registered agent, if any; and any fictitious names under which it is doing or has done business.

(3)

The name, address and description of any entity which has licensed or is licensing the applicant to conduct his business in any other jurisdiction.

(4)

A specific description of the location or locations at which the applicant intends to do business.

(5)

The criminal record, if any, of the applicant, his principal operating agent and any employee who shall purchase, trade or accept the pledge of precious metal on behalf of the applicant.

(b)

Oath. The application shall be made under the oath of the applicant. Any applicant who supplies false information in his application for business or their registration for exemption as provided for in section 13-120(4) shall be subject to the refusal or revocation of the license; any applicant who knowingly supplies false information shall be guilty of a Class A misdemeanor, punishable as provided in section 16-66 of this Code.

(Code 1964, § 11.1330)

Sec. 13-134. - Transferability.

Licenses issued under the terms of this article shall not be transferable.

(Code 1964, § 11.1350)

Sec. 13-135. - Suspension or revocation.

The license issued under this article shall be suspended or revoked, as a part of and under the same terms, conditions and procedures as business license suspension and termination, heretofore established as article II of this chapter.

(Code 1964, § 11.1350)

Secs. 13-136—13-155. - Reserved.

ARTICLE VI. - RESERVED

***Editor's note—**

Ord. No. 20688, § 1, adopted July 19, 2010, repealed article VI, which pertained to private detectives and derived from §§ 11.700—11.900 of the 1964 Code; Ord. No. 19518, § 2, 5-7-07.

Secs. 13-156—13-185. - Reserved.

ARTICLE VII. - WASTE HAULERS

***Editor's note—**

Ord. No. 14915, adopted Aug. 5, 1996, repealed Art. VII, §§ 13-186—13-211. Prior to the adoption of Ord. No. 14915, Art. VII pertained to similar subject matter and derived from Code 1964, §§ 10.090—10.170.

***Cross reference—**Dealers in junkyards, § 11-176 et seq.; nuisances, § 11-221 et seq.; pawnbrokers, § 13-76 et seq.; precious metal dealers, § 13-116 et seq.; refuse collection, § 22-156 et seq.

DIVISION 1. - GENERALLY

Sec. 13-186. - Definitions.

The following terms are, for the purpose of this article, defined as follows:

Acceptable liquid wastes. Those liquid wastes which may be discharged into the city's designated disposal facilities. Acceptable liquid wastes are limited to septic tank pumpings, portable/chemical toilets, domestic holding tanks, food service grease traps, waste activated sludge from package waste activated sludge plants and liquid from stabilization ponds.

Licensed waste hauler. A waste hauler licensed by the City of Columbia.

Liquid waste. Sand trap pumpings, septic tank pumpings, portable/chemical toilet pumpings, food service or petroleum service pumpings, sludge generated from domestic wastewater treatment plants and lagoons, waste or used oils and lubricants, chemical wastes, waste from commercial or industrial treatment systems, storm drain sludges and other waste as defined by the director of public works.

Waste vehicles. All vehicles and vessels used for the transportation of the contents of privies, liquid waste or manure.

Waste hauler. Any person, company, corporation or other entity that collects, hauls, transports or disposes of the contents of privies, liquid waste or manure.

(Ord. No. 14915, § 1, 8-5-96; Ord. No. 17636, § 1, 4-7-03)

Sec. 13-187. - Supervision of waste hauling activities.

It shall be the duty of the director of public works to supervise or cause to be supervised the removal of the contents of privies, the contents of septic tanks and manure, and all persons licensed or engaging in the activities of waste hauler shall be subject to his direction to time, manner and place of removal.

(Ord. No. 14915, § 1, 8-5-96; Ord. No. 17636, § 1, 4-7-03)

Sec. 13-188. - Only licensed waste hauler to engage in removal.

It shall be unlawful for any person to transport, haul, convey or carry on or over the streets of the city, any contents of privies, contents of septic tanks or manure, unless licensed as a waste hauler, according to the provisions of this article.

(Ord. No. 14915, § 1, 8-5-96; Ord. No. 17636, § 1, 4-7-03)

Sec. 13-189. - Waste hauling vehicles—Sanitary specifications; markings.

(a)

All vehicles used for the transportation of the contents of privies, contents of septic tanks or manure, shall be watertight and flytight, equipped with sanitary metal compartments and fully enclosed bodies and shall be so maintained as to prevent the escape of any of their contents. All waste hauling vehicles shall be equipped with close-fitting covers so as to prevent the escape of offensive odors, and the covers shall be kept closed except when refuse is actually being loaded or unloaded. The vehicle compartments shall be thoroughly washed and cleaned once every twenty-four (24) hours. The size of waste hauling vehicles shall meet with the approval of the director of public works. Waste hauling vehicles shall be kept in good running order and in a clean, sanitary condition at all times.

(b)

Waste hauling vehicles must bear the name and business address of the owner on both front door panels in clear and legible letters at least two (2) inches high and such letters shall be in a contrasting color to the vehicle.

(Ord. No. 14915, § 1, 8-5-96; Ord. No. 17636, § 1, 4-7-03)

Sec. 13-190. - Same—Parking.

(a)

Adequate facilities for garaging or parking waste collection vehicles on private off-street lots located in areas zoned other than for residential use are required if vehicles are housed within the city. Parking facilities must be approved by the director of public works.

(b)

It shall be unlawful for any person to park a waste hauling vehicle on a public street, or on private property used for residential purposes, except while picking up items for hauling as a licensed waste hauler.

(Ord. No. 14915, § 1, 8-5-96)

Sec. 13-191. - Delivery of refuse to authorized areas.

(a)

It shall be unlawful for any person engaged in the activities of a waste hauler to dispose of the contents of privies or manure, except at the city landfill or other solid waste disposal facility which is licensed and approved by the Missouri Department of Natural Resources.

(b)

It shall be unlawful for any person engaged in the activities of a licensed waste hauler to transport or dispose of any liquid waste, except in the manner and at locations designated by the director of public works. The director may require the pretreatment of the contents of acceptable liquid waste loads and may require sampling and analyses of the wastes before allowing dumping, and may refuse to allow dumping if in the director's discretion allowing the dumping would violate any wastewater treatment regulations or requirements, cause damage to the treatment process or facility, or a hauler violates any regulation or ordinance regarding use of the plant.

(Ord. No. 14915, § 1, 8-5-96; Ord. No. 17636, § 1, 4-7-03)

Sec. 13-192. - Charges for disposal services.

(a)

There shall be an extra strength charge for any acceptable liquid waste discharged into the designated disposal facility, as provided by section 22-263(b)(2) of this Code.

(b)

The following charges shall be imposed for acceptable liquid waste generated within the city limits of Columbia which is discharged into the designated disposal facility:

(1)	Waste activated sludge from package	\$0.016 per gallon
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	wastewater treatment plants and stabilization pond sludge	
(2)	Portable/chemical toilet, domestic holding tank, septic tank and grease trap wastes	0.03 per gallon
(3)	Treatment service availability	7.00* per load

(c)

Charges for acceptable liquid waste generated outside the city limits of Columbia which is discharged into the designated disposal facility will equal the rates listed above times 1.5.

(Ord. No. 14915, § 1, 8-5-96; Ord. No. 15926, § 1, 3-15-99; Ord. No. 16890, § 1, 5-7-01; Ord. No. 18215, § 1, 9-20-04; Ord. No. 18685, § 1, 9-19-05; Ord. No. 19231, § 1, 10-2-06; Ord. No. 19656, § 1, 9-17-07; Ord. No. 20046, § 1, 9-15-08; Ord. No. 20413, § 1, 9-21-09; Ord. No. 20740, § 1, 9-20-10)

*This rate is effective October 1, 2010; provided that rates for monthly charges shall be applied to utility bills beginning with the first cycle billed in October, 2010

Secs. 13-193—13-205. - Reserved.

DIVISION 2. - LICENSE

Sec. 13-206. - Required; application and examination; hearing upon denial.

All persons intending to engage in the activities of waste hauler shall first make written application to the business license administrator for a license. It shall be the duty of the business license administrator to notify the director of public works of such application and the director of public works shall make, or cause to be made, an examination of the vehicles and equipment to be used in such work by the applicant. If it shall be found that such vehicles and equipment comply with the requirements of this article, the director of public works shall so note his findings on the application for the information of the business license administrator, who shall grant or deny such license, according to the recommendations of the director of public works. Any person who shall be denied a license hereunder shall have the right of appeal to the city council, which shall afford the applicant a hearing and thereupon grant or deny such license.

(Ord. No. 14915, § 1, 8-5-96)

Sec. 13-207. - Amount of license tax; reduced fee.

Every person engaging in, operating or conducting the activities of waste hauler shall pay therefor an annual license tax of ten dollars (\$10.00) for one waste hauling vehicle used in such activity and five dollars (\$5.00) for each additional vehicle used in such activity; provided, however, that if any license is granted after the seventh month of the license year, the above fees shall be reduced fifty (50) per cent.

(Ord. No. 14915, § 1, 8-5-96)

Sec. 13-208. - Liability insurance prerequisite to license.

Every person licensed to engage in the activities of a waste hauler shall maintain during the time the license is in effect liability insurance in the amount of not less than five hundred thousand dollars (\$500,000.00) combined single limit for any one occurrence and not less than one hundred fifty thousand dollars (\$150,000.00) per individual, covering both bodily injury, including accidental death, and property damage, to cover all claims arising from waste hauler activities. No license to engage in the activities of a waste hauler shall be issued unless the applicant provides the business license administrator a certificate of insurance prepared by the insurance company which includes a provision requiring the city to be notified within ten (10) days of cancellation of the policy.

(Ord. No. 14915, § 1, 8-5-96)

Sec. 13-209. - Issuance; vehicle sticker or plate.

After any applicant has been granted the license required by this article and after the applicant has filed the required policy or bond with the business license administrator, the business license administrator shall, upon payment of the license tax, which shall be determined by the number of waste hauling vehicles covered by the license, whether in actual operation or not, issue and deliver such license to the applicant, together with a sticker or plate for each waste hauling vehicle covered by the license, which sticker or plate must be maintained on the vehicle at all times for the license to be in force and effect.

(Ord. No. 14915, § 1, 8-5-96)

Sec. 13-210. - Revocation and suspension.

Whenever it shall appear to the satisfaction of the director of public works that any licensed waste hauler has violated any of the provisions of this article or has not complied with the reasonable instructions of the director of public works, the director of public works shall notify the holder of such license and may, after a hearing as provided for in section 22-217.1 of this Code, order the

license revoked and require such licensee to surrender his license.

(Ord. No. 14915, § 1, 8-5-96)

Sec. 13-211. - Records to be kept by business license administrator.

The city business license administrator shall keep a record of the number of the waste hauling vehicle stickers or plates issued to each licensee, together with the make, model and motor number of the vehicle for which each was issued.

(Ord. No. 14915, § 1, 8-5-96)

Secs. 13-212—13-225. - Reserved.

ARTICLE VIII. - SOLICITORS AND CANVASSERS

Sec. 13-226. - Definitions.

For the purpose of this article, the following words and terms shall have the meanings respectively ascribed:

Canvasser or solicitor. Any individual, whether resident of the city or not, traveling either by foot, wagon, automobile, motor truck, or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale, or whether he is collecting advance payments on such sales or not; provided, that such definition shall include any person who, for himself, or for another person, hires, leases, uses or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.

Newsboy. Any person who distributes, house-to-house on a regular route, a newspaper of general circulation in the city limits and who solicits orders for such newspaper on his distribution route.

(Code 1964, § 7.3010)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 13-227. - Permit required.

(a)

It shall be unlawful for any solicitor or canvasser, as defined in section 13-226 hereof, to engage in such business within the corporate limits of the city without first obtaining a permit therefor in compliance with the provisions of this article.

(b)

The inclusion of an individual or business as a canvasser or solicitor under the coverage of this article shall not exempt that individual or business from the requirements of this chapter regarding business licenses, and a business license fee may be collected from an individual or business involved in canvassing or soliciting where lawful to so do.

(Code 1964, § 7.3000)

Sec. 13-228. - Permit application.

(a)

Contents. Applicants for a permit under this article must file with the business license administrator a sworn application in writing on a form to be furnished by such business license administrator, which shall give the following information:

(1)

Name and description of the applicant.

(2)

Permanent home address and full local address of the applicant.

(3)

A brief description of the business and goods to be sold.

(4)

If employed, the name and address of the employer, together with credentials establishing the exact relationship.

(5)

The length of time for which the right to do business is desired.

(6)

The place where the goods or property proposed to be sold or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time such application is filed, and the proposed method of delivery.

(7)

A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any

municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.

(b)

Fee. The application shall be accompanied by a fee of twenty dollars (\$20.00) plus a fee to cover costs incurred by the department of finance in obtaining the criminal record check required in section 13-229.

(Code 1964, § 7.3020; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-229. - Investigation of applicant; permit denial or issuance.

(a)

Upon receipt of such application, the business license administrator shall make such investigation of the applicant's business and moral character as deemed necessary for the protection of the public good. The department of finance shall obtain a criminal record check of the applicant.

(b)

If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the business license administrator shall endorse on such application the disapproval and the reasons for the same, and notify such applicant that the application is disapproved and that no permit will be issued.

(c)

If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the business license administrator shall endorse on the application the approval, execute a permit addressed to the applicant for the carrying on of the business applied for, and deliver to the applicant the permit.

(Code 1964, § 7.3030; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-230. - Permit cards.

The business license administrator shall issue to each permittee at the time of delivery of his permit a permit card which shall contain the words "solicitor's permit, " the period for which the permit is issued, and the number of the permit.

(Code 1964, § 7.3040)

Sec. 13-231. - Exhibition of permit.

Solicitors and canvassers are required to exhibit their business permit cards at the request of any citizen.

(Code 1964, § 7.3050)

Sec. 13-232. - Expiration of permit.

All annual permits issued under the provisions of this article shall expire on the thirtieth day of June in the year next following its issuance.

(Code 1964, § 7.3080)

Sec. 13-233. - Revocation of permit.

(a)

Reasons. Permits issued under the provisions of this article may be revoked by the business license administrator after notice and hearing, for any of the following causes:

(1)

Fraud, misrepresentation or false statement contained in the application for permit.

(2)

Fraud, misrepresentation or false statement made in the course of carrying on his business as solicitor or as canvasser.

(3)

Any violation of this article.

(4)

Conviction of any crime or misdemeanor involving moral turpitude.

(5)

Conducting the business of soliciting or of canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(b)

Notice of hearing. Notice of the hearing for revocation of a permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permittee at his last known address at least five (5) days prior to the date set for the hearing.

(Code 1964, § 7.3060)

Sec. 13-234. - Appeals.

Any person aggrieved by the action of the business license administrator in the denial of a permit as provided in section 13-229 of this article, or of the revocation of a permit as provided in section 13-233 of this article, shall have the right of appeal the decision pursuant to the procedure for appealing a license denial set out in section 13-31.

(Code 1964, § 7.3070; Ord. No. 19518, § 2, 5-7-07)

Sec. 13-235. - Exemptions from article.

All recognized charitable organizations or any other bona fide nonprofit charitable, educational, political, social welfare or religious organization and newsboys shall be exempt from the terms of this article.

(Code 1964, § 7.3000)

Secs. 13-236—13-245. - Reserved.

ARTICLE IX. - MISCELLANEOUS BUSINESS REGULATIONS

DIVISION 1. - MOTOR VEHICLE WRECKER SERVICE BUSINESSES

Sec. 13-246. - Screening requirements for motor vehicle wrecker service businesses.

(a)

Except as otherwise provided in this section, a permanent screen shall be constructed and maintained on all property:

(1)

Which is used in connection with a motor vehicle wrecker service business;

(2)

Which is used to keep or store more than fifteen (15) motor vehicles at any one time; and

(3)

Which abuts zoning districts R-1, R-2, R-3 or R-4.

The permanent screen shall be located in such a manner that, to the extent possible, the stored vehicles shall not be visible from any ground location in the abutting residentially zoned district which is located within three hundred (300) feet of the stored vehicles. For purposes of this section, "ground location" means any point within six (6) feet of the surface of the earth.

(b)

The permanent screen required in this section shall be at least six (6) but no more than ten (10) feet in height and shall consist of a solid masonry wall, solid wood fence, or combination of both. The permanent screen shall be maintained in good order and not be allowed to exist in a state of disrepair. If wood fencing is used, it shall be durable in nature or treated to prevent rapid deterioration.

(c)

The screening requirements of this section shall not apply to property used for the storage of vehicles if the stored vehicles are not readily visible from any ground location in the abutting residentially zoned district which is located within three hundred (300) feet of the stored vehicles.

(d)

This section shall apply to all property in the city used in the manner described herein, regardless of whether such use existed prior to the enactment of this section.

(e)

The provisions of this section shall be enforced by the director of public works.

(Ord. No. 11877, § 1, 5-2-88)

Secs. 13-247—13-253. - Reserved.

DIVISION 2. - ALARM SYSTEMS

Sec. 13-254. - Definitions.

The following definitions apply to this division:

Alarm system. A device or devices or an assembly of equipment intended to signal the presence of a hazard requiring a police or fire department response, including, but not limited to, burglar alarms, fire alarms, hold-up alarms, mechanical failure alarms, environmental alarms, digital communicators and automatic telephone dialer alarms, but does not include smoke detectors which do not signal outside the premises or alarm systems on motor vehicles.

Automatic telephone dialing device. An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message indicating the existence of the emergency situation that the alarm system is designed to detect.

Central alarm system company. Any person engaged in the business of monitoring alarm systems to report hazards to the Joint Communications and Information Center for a police or fire department response.

False alarm. An activation of an alarm system through mechanical failure, malfunction, improper installation, human error or alarms caused by acts of nature which result in an audible alarm or which results in the notification of emergency services personnel when in fact no emergency exists.

Non-monitored alarm system. An alarm system that is not monitored by a central alarm system company.

(Ord. No. 14746 § 1, 2-5-96)

Sec. 13-255. - Alarm system reporting requirements.

(a)

Each central alarm system company operating in the city shall provide the following information to the Joint Communications and Information Center Administrator for each building in the city which is connected to the company's central alarm system:

(1)

The address and telephone number of the building in which the alarm is installed.

(2)

For each building other than a private residence, the name of the business or other use. For each private residence, the name of the person in whose name the telephone is listed.

(3)

If a hold-up alarm is connected to the central alarm system, the number of a telephone inside the building that can be called for information regarding the status of an alarm.

The owners, lessees and occupants of each building or portion of a building connected to a central alarm system shall be responsible for providing the above information to the Joint Communications and Information Center Administrator if the central alarm system company fails to do so.

(b)

Each central alarm system company operating in the city shall notify the Joint Communications and Information Center administrator of any changes in the information provided under subsection (a) within seven (7) days of the change. The owners, lessees and occupants of each building or portion of a building connected to a central alarm system shall be responsible for providing the above information to the joint communications and information center administrator if the central alarm system company fails to do so.

(c)

The owners, lessees and occupants of each building or portion of a building protected by a non-monitored alarm system shall provide the following information to the Joint Communications and Information Center Administrator:

(1)

The address and telephone number of the building in which the alarm is installed.

(2)

The name, address and telephone number of the property owner, lessee and any other person who controls access to the premises.

(3)

For premises other than private residences installing police or fire alarms, the names, addresses and telephone numbers of three (3) responsible persons having access to the property who can respond to the location of an alarm within thirty (30) minutes after notice to assist the responding agencies.

(4)

For private residences, the names, addresses and telephone numbers of two (2) responsible persons having access to the property who can respond to the location of an alarm within thirty (30) minutes after notice to assist the responding agencies.

(d)

Each person required to provide information under subsection (c) shall notify the Joint Communications and Information Center administrator of any changes in the information provided under subsection (c) within seven (7) days of the change.

(Ord. No. 14746 § 1, 2-5-96; Ord. No. 15106, § 1, 1-6-97)

Sec. 13-256. - Automatic dialers.

(a)

No automatic dialing device shall dial or terminate at any city emergency service telephone number other than numbers designated by The Joint Communications and Information Center. Under no circumstances may an automatic dialer be programmed to dial 9-1-1.

(b)

Automatic dialing devices in existence prior to the effective date of this section (February 5, 1996) shall be reprogrammed to numbers designated by the Joint Communications and Information Center within sixty (60) days of the effective date (February 5, 1996) of this section.

(c)

All automatic dialers shall be required to provide information to emergency service providers as required by the Joint Communications and Information Center administrator.

(Ord. No. 14746 § 1, 2-5-96)

Sec. 13-257. - External alarm noise.

It shall be unlawful for any owner, occupant or operator of any residence, business or structure within the city limits to install, connect or maintain any burglar alarm or anti-theft device or fire alarm in or upon any such residence, business or structure when such alarm or device produces any loud noise that is audible off the premises on which it is installed unless such alarm or device will automatically reset itself, thereby terminating such loud noise within fifteen (15) minutes. This section shall not apply to any structure within the Columbia Special Business District or any structure upon property zoned for industrial use, or to any waterflow (water gong) alarm, or to any Automatic Teller Machine (ATM).

(Ord. No. 14746 § 1, 2-5-96)

Sec. 13-258. - False alarms—Administrative fee.

The owners and lessees of any property protected by an alarm system shall be jointly and severally liable for payment of the following false alarm administrative fees:

(1)	For the fourth and subsequent false alarms by any alarm system within a thirty (30) day period	\$100.00 for each such false alarm
(2)	For the thirteenth and subsequent false alarms by any alarm system within a twelve (12) month period	\$100.00 for each such false alarm

An administrative fee shall not be charged under both subsections (1) and (2) for any single false alarm.

(Ord. No. 14746 § 1, 2-5-96)

Sec. 13-259. - False alarms—Prohibited.

(a)

It shall be unlawful for an owner, lessee or person in charge of any property protected by an alarm system to fail to prevent an alarm system from generating more than three (3) false alarms in any thirty (30) day period or more than twelve (12) false alarms in any 365 day period. Each false alarm in excess of three (3) in any thirty (30) day period shall be deemed a separate offense. Automatic Teller Machines located on bank premises shall be considered along with the bank to be one location.

(b)

It shall be an affirmative defense to a charge brought under this section that the person charged has paid the administrative fee for the false alarm under section 13-258.

(Ord. No. 14746 § 1, 2-5-96)

Sec. 13-260. - Penalty.

(a)

Any person violating any provision of this division shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 1-8 of this Code.

(b)

Any person convicted of violating section 13-259 shall be punished as provided in section 1-8 of this Code, but in no event shall the fine be less than one hundred dollars (\$100.00).

(Ord. No. 14746 § 1, 2-5-96)

ARTICLE X. - CONVENIENCE STORE SECURITY

Sec. 13-261. - Definition.

For the purposes of this Article, "convenience store" means a place of business that is primarily engaged in the retail sale of groceries, or both groceries and gasoline, and is open for business at any time between 8:00 p.m. and 5:00 a.m. "Convenience store" does not include a business that is solely or primarily a restaurant or that has more than ten thousand (10,000) square feet of retail floor space.

(Ord. No. 14122 § 1, 7-5-94)

Sec. 13-262. - Required security measures.

It shall be unlawful for any person to operate a convenience store unless the following security measures are in effect:

(1)

The convenience store must have a security camera system which records and is capable of retrieving the image of

- all persons entering the convenience store and all persons approaching within five (5) feet of the cash register.
- (2) The convenience store must have a drop safe or cash management device for restricted access to cash receipts and a conspicuous notice at the store entrance which states that the cash register contains limited funds.
- (3) The convenience store must have lighting for parking areas, entrances or other areas of the store accessible to the public at an intensity providing clear visibility under normal conditions.
- (4) The convenience store must have an unrestricted view of the cashier area from outside and inside the building.
- (5) The convenience store must have height markers at the entrance of the store.
- (6) The convenience store must have a telephone or holdup panic alarm device behind the sales counter for easy access by store employees.
- (7) The convenience store must enforce a cash management policy to limit cash on hand at all times after 8:00 p.m. and before 5:00 a.m.

(Ord. No. 14122 § 1, 7-5-94)

Secs. 13-263—13-270. - Reserved.

ARTICLE XI. - MANUFACTURED OR MOBILE HOME LAND LEASE COMMUNITIES

Sec. 13-271. - Definitions.

The following definitions apply to this article:

Manufactured home means a factory-built structure or structures which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on-site, contains three hundred twenty (320) or more square feet, equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner.

Manufactured or mobile home land lease community means any area, lot, parcel or tract held in common ownership and on which individual portions of such area, lot, parcel or tract are leased for the placement of manufactured or mobile homes as a primary residence.

Mobile home means a residential building constructed or assembled in a factory which is not certified pursuant to the Federal Housing and Urban Development (HUD) Code and which conforms to the American National Standards Institute (ANSI) standards for mobile homes.

(Ord. No. 16985, § 1, 8-20-01)

Sec. 13-272. - Eviction notice.

- (a) A landlord of a manufactured or mobile home land lease community shall provide written notice to all of the community's tenants who own their manufactured or mobile homes at least one hundred twenty (120) days prior to requiring such tenants to vacate the property due to a change in use of the property. In cases where more than one hundred twenty (120) days remain on a current lease, the longer time period shall apply for purposes of providing notice pursuant to this section. The landlord shall not increase the rent, except for rent increase based solely on an increase in property taxes, for any tenant of the manufactured or mobile home land lease community during the sixty-day period prior to providing such notice or at any time after providing such notice.
- (b) Nothing in this section shall be construed as prohibiting a landlord from evicting a tenant with less than one hundred twenty (120) days' notice for a violation of the lease or as otherwise provided by law.

(Ord. No. 16985, § 1, 8-20-01)

Secs. 13-273—13-290. - Reserved.

ARTICLE XII. - TEMPORARY BUSINESS LICENSES

DIVISION 1. - TEMPORARY ENTERTAINMENT EVENTS

Sec. 13-291. - License required.

- (a) No person shall produce or offer to the public a temporary entertainment event without first obtaining a temporary business license.
- (b) An "entertainment event" includes but is not limited to any show, music concert, theatrical event, amusement, carnival or circus.
- (c) A "temporary entertainment event" is any entertainment event which is open to the public for twenty-eight (28) consecutive days or less within any three-month period.
- (d) Nonprofit charitable, religious, fraternal, civic, and education institutions are exempt from the provisions of this division.
- (e) If the temporary entertainment event involves the sale or preparation of food, the licensee must comply with all provisions of the City of Columbia Food Code.
(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-292. - License application.

- (a) Applicants for a license under this division must file with the business license administrator an application on a form furnished by the business license administrator, which shall give the following information:
 - (1) Name, local address and telephone number of the applicant. (If a corporation, the state in which the business is incorporated.)
 - (2) Permanent address of the applicant.
 - (3) Name and address of the person for whom the business will be conducted.
 - (4) Name and address of the person or persons having management or supervisory responsibility of the firm represented by the applicant and any other information necessary to properly identify such persons.
 - (5) The place or places in the city where applicant proposes to carry on business and the length of time during which the business will be conducted.
 - (6) A statement of the nature and character of the business to be conducted under the license and any merchandise to be offered for sale by the applicant.
 - (7) If the applicant has been convicted of a felony, a statement of the nature of each such offense and the city, county, and state where each conviction occurred.
 - (8) A letter of approval or copy of lease from the owner or agent of the premises to be licensed.
 - (9) A valid Missouri sales tax number.
 - (10) Any other relevant information required by the business license administrator.
- (b) The application shall be accompanied by payment of a twenty dollar (\$20.00) fee to cover the cost of investigation.
(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-293. - Applicant license denial or issuance.

- (a) If the applicant has been convicted of a felony within the past ten (10) years, the business license administrator may deny the license after considering the nature of the crime committed in relation to the license sought and the conduct of the applicant since the violation.
- (b) Additional reasonable conditions may be imposed upon the issuance of a license. Permission to operate a temporary business may be refused if the applicant is unable to comply with the requirements of this division and all other applicable laws and regulations.
(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-294. - License cards.

- (a) The business license administrator shall issue to each licensee a license card containing: the words "temporary business license," the period for which the license is issued, the number of the license and the place where the business may be conducted.
- (b) Each license issued under this division shall be issued for fourteen (14) days or less. Upon request, the license may be extended for an additional fourteen (14) days or less.
- (c) The license shall be posted conspicuously in the place where the business is conducted.
- (d) The license is not transferable.
(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-295. - Fees.

The fee for a temporary business license under this division shall be determined in accordance with the fee schedule in section 13-27(a)(1).

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-296. - Licensee additional duties.

Licensees, within a reasonable time after the end of the entertainment event, shall remove all trash, refuse, rubbish, signs and all unsold merchandise from the place where the event took place.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-297. - Public liability insurance requirements.

- (a) Before any license is issued under this division, the applicant must procure public liability insurance with the following coverage:
 - (1) For bodily injury to or death of any one (1) person in an amount not less than five hundred thousand dollars (\$500,000.00).
 - (2) For any one (1) accident in an amount not less than five hundred thousand dollars (\$500,000.00).
 - (3) For damage to the property of another person in an amount not less than fifty thousand dollars (\$50,000.00) for any one (1) accident.
- (b) The applicant shall file with the business license administrator a certificate of insurance issued by the insurance carrier as evidence that the public liability insurance requirements have been met.
- (c) Every insurance policy required under this division shall extend through the period covered by the license. The cancellation or termination of such policy shall automatically terminate and revoke the license issued under this division.
(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-298. - Compliance with the law.

Every licensee under this division shall comply with all city, state and federal laws.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-299. - Revocation of license.

Licenses issued under this division may be revoked by the business license administrator for any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the application for license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Any violation of this chapter.
- (4) Conducting the temporary business in an unlawful manner or in a manner that constitutes a breach of the peace or a

menace to the health, safety or general welfare of the public.
(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-300. - Appeals.

Any person aggrieved by the action of the business license administrator in the denial of a license or of the revocation of a license, may appeal the decision under the procedures set out in section 13-31 of this Code.

(Ord. No. 17023, § 1, 9-17-01)

Secs. 13-301—13-310. - Reserved.

DIVISION 2. - TEMPORARY BUSINESS STANDS

Sec. 13-311. - License required.

(a)

No person shall erect, maintain, operate or occupy any temporary business stand in the city without first obtaining a temporary business license. No sales activities or services offered, other than those outlined in the application for a temporary business stand license, shall be conducted within the confines of the temporary business stand.

(b)

A "temporary business stand" is any stationary booth, tent, storeroom, street stand, or other temporary place, for the sale of food, confections, toys, jewelry, groceries, dry goods, drinks of all kind, goods, wares, merchandise or services, operated from doorways, building recesses, alleyways, vacant lots, private parking lots, private streets or walkways or any other place near the public streets of the city and which may last for fourteen (14) days and all days must be consecutive in any three-month period at only one (1) location.

(c)

Non-profit charitable, religious, fraternal, civic, and educational institutions are exempt from the provisions of this division.

(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-312. - License application.

A person desiring a temporary license under this division shall apply for a temporary business license in the manner set out in section 13-272. A copy of a lease agreement or letter of approval from the property owner for the use of the property must accompany the application.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-313. - Applicant license denial or issuance.

(a)

If the applicant has been convicted of a felony within the past ten (10) years, the business license administrator may deny the license after considering the nature of the crime committed in relation to the license sought and the conduct of the applicant since the violation.

(b)

Additional reasonable conditions may be imposed upon the issuance of a license. Permission to operate a temporary business may be refused if the applicant is unable to comply with the requirements of this division and all other applicable laws and regulations.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-314. - License cards.

(a)

The business license administrator shall issue to each licensee a license card containing: the words "temporary business license," the period for which the license is issued, the number of the license and the place where the business may be conducted.

(b)

Each license issued under this division shall be issued for fourteen (14) days or less. Upon request, a license issued for less than fourteen (14) days may be extended; provided, that the total time of the license does not exceed fourteen (14) days.

(c)

The license shall be posted conspicuously in the place of business.

(d)

The license is not transferable.

(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-315. - Fees.

The fee for a temporary business license under this division shall be determined in accordance with the fee schedule in section 13-27(a)(1).

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-316. - Licensee additional duties.

Immediately after ending use of the temporary business stand location, the licensee shall remove all trash, refuse, rubbish, signs and unsold merchandise from the stand location.

(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-317. - Compliance with the law.

Temporary business stands must comply with the pertinent provisions of the building code, zoning regulations and sign regulations. If the temporary business stand involves the sale or preparation of food, the licensee must comply with all provisions of the City of Columbia Food Code. Every operator of a temporary business stand shall comply with all applicable city, state and federal laws.

(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-318. - Revocation of license.

Licenses issued under this division may be revoked by the business license administrator for any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the application for license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Any violation of this chapter.
- (4) Conducting the temporary business in an unlawful manner or in a manner that constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-319. - Appeals.

Any person aggrieved by the action of the business license administrator in the denial of a license or of the revocation of a license, may appeal the decision under the procedures set out in section 13-31 of this Code.

(Ord. No. 17023, § 1, 9-17-01)

Secs. 13-320—13-410. - Reserved.

DIVISION 3. - TEMPORARY SPECIAL EVENTS

Sec. 13-411. - License required.

- (a) No promoter shall organize or promote a temporary special event without first obtaining a temporary business license.
- (b) A "promoter" is any person who provides to any other person a sales or exhibit area at a temporary special event.
- (c) A "temporary special event" is any exhibition, display or show, involving multiple individual exhibits or booths, for the purpose of selling, trading, bartering or displaying goods or services to the public which is professionally promoted and which lasts for fourteen (14) consecutive days or less within any three-month period. Temporary special events include, but are not limited to, trade shows, festivals and arts and crafts shows. "Temporary special event" includes any festival held not more than once per week during not more than two (2) calendar months per calendar year in the "central business district" as defined in section 14-1 of this Code.
- (d) Promoters of events which are not open to the public are exempt from the provisions of this division.
- (e) The following are exempt from the requirements of this division: garage sales, bake sales, swap meets, hobby shows, arts and crafts shows, fund raising events, and other similar temporary events provided that (1) the event is sponsored and organized or promoted by a nonprofit service club, hobby club, sports club, charitable, religious, fraternal, civic, eleemosynary or educational institution, (2) the event is entirely organized, promoted and staffed by unpaid volunteer

members of such organization, (3) the expenses of the temporary event are paid by the organization and (4) all receipts go to the organization and not to a paid or professional promoter or organizer.

- (f) An exempt temporary special event shall not continue for more than three (3) consecutive days.
- (g) Organizations otherwise exempt under this section shall not lose such exemption solely because they are sponsored, co-sponsored, programmed or assisted in any manner by the parks and recreation department or conduct a special temporary event on city property.

(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-412. - License application; duty of promoter.

- (a) The promoter of any temporary special event shall apply for a temporary business license in the manner set out in section 13-272.
- (b) At the time of applying for a license pursuant to this division, the promoter shall submit to the business license administrator a list of the total number of vendors or exhibitors participating at the special temporary event for which the license is sought. The list shall include the vendors' names, addresses and business phone numbers, as well as a general description of the goods and services offered by each vendor.
- (c) The promoter shall be responsible for distributing the necessary sales tax information and forms to any person with a booth or display in the special temporary event.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-413. - Applicant license denial or issuance.

- (a) If the applicant has been convicted of a felony within the past ten (10) years, the business license administrator may deny the license after considering the nature of the crime committed in relation to the license sought and the conduct of the applicant since the violation.
- (b) Additional reasonable conditions may be imposed upon the issuance of a license. Permission to operate a temporary business may be refused if the applicant is unable to comply with the requirements of this division and all other applicable laws and regulations.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-414. - License cards.

- (a) The business license administrator shall issue to each licensee a license card containing: the words "temporary business license," the period for which the license is issued, the number of the license and the place where the business may be conducted.
- (b) A temporary special events license shall be valid for a definite period not to exceed fourteen (14) consecutive days. The duration of the license shall be determined by the number of days of the trade show. A license granted for fewer than fourteen (14) days may be extended up to the fourteen (14) day limit if the temporary special event is extended. If the event is rescheduled due to inclement weather, the license shall be valid during the rescheduled period not to exceed fourteen (14) consecutive days.
- (c) The license shall be posted conspicuously at the location of the temporary special event.
- (d) The license is not transferable.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-415. - Fees.

- (a) The fee for a temporary special event license shall be five dollars (\$5.00) a day for each vendor participating at the temporary special event, not to exceed a total of fifteen dollars (\$15.00) for each vendor.
- (b) The temporary special events license fee shall be collected by the promoter from each vendor who intends to be included under the promoter's temporary special event license and shall be remitted by the promoter to the business license administrator three (3) days before the temporary special event. The promoter shall be responsible for any sums collected, and any sum which should have been collected from a vendor.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-416. - Compliance with the law.

If the temporary special event involves the sale or preparation of food, the licensee and all food vendors must comply with all provisions of the City of Columbia Food Code. Every licensee under this division shall comply with all city, state and federal laws.

(Ord. No. 17023, § 1, 9-17-01; Ord. No. 17347, § 1, 6-17-02)

Sec. 13-417. - Revocation of license.

Licenses issued under this division may be revoked by the business license administrator for any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the application for license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Any violation of this division.
- (4) Conducting the temporary business in an unlawful manner or in a manner that constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

(Ord. No. 17023, § 1, 9-17-01)

Sec. 13-418. - Appeals.

Any person aggrieved by the action of the business license administrator in the denial of a license or of the revocation of a license, may appeal the decision under the procedures set out in section 13-31 of this Code.

(Ord. No. 17023, § 1, 9-17-01)