



M E M O

DATE: February 22, 2017 *CDW*
 TO: Mike O. Geisel, City Administrator
 FROM: Craig D. White, Finance Director
 RE: Business License Analysis

As directed by the F&A Committee, Staff has analyzed the rates/fees for all Chesterfield licenses, permits, and similar revenue sources. The following analysis relates specifically to the City's business license fees. This particular revenue source currently represents 2.8% of the General Fund's budgeted revenues. Further analysis of other licenses and permits will be forthcoming.

Chesterfield established a business license, as authorized in RSMo 94.110 in April of 1990 and the fee structure has not been adjusted since its enactment. As further described in Chapter 17 of the City Code (attached), this fee is payable for all businesses/merchants wishing to conduct business within the City. The fee schedule, which has not been modified since first established, determines fees by the type and square footage of each business. There is a minimum fee of \$25 and maximum of \$10,000 for the license year which runs from July 1 through June 30. The rates for each business type are as follows:

- Retail merchants - \$0.08 per square foot
- Services/offices - \$0.04 per square foot
- Manufacturing/warehouses - \$0.02 per square foot

During 2016, the City issued 1,975 business licensees.

License Type	Rate	Licenses	Square Footage		License Fee	
			Total	Average	Total	Average
Retail	\$ 0.08	612	4,668,985	7,629	\$ 344,446	\$ 563
Service and Office	\$ 0.04	1,251	7,981,772	6,380	\$ 284,373	\$ 227
Manufacturing and Warehousing	\$ 0.02	112	2,133,770	19,052	\$ 42,851	\$ 383
		1,975	14,784,526	7,486	\$ 671,670	\$ 340

While the City's business license fee is based on the square footage of businesses, most cities employ calculations based on gross receipts and/or number of employees. During 2016, the City's taxable retail sales were approximately \$1.4 billion based on sales tax reports received from the State of Missouri. Gross receipt information for service/offices and manufacturing/warehouses is currently unknown.

A comparison of several area municipalities' business license fees, number of businesses, and other financial and demographic information is attached hereto. Chesterfield had both the highest number of businesses and highest amount of sales by a wide margin but has received relatively little in business license fee revenues relative to the other municipalities in the study (see analysis below).

Estimated Business License Revenue		License As % of Gen Fund Reve		Bus License Per Resident	
1 Brentwood	\$ 1,510,000	1 Creve Couer	1.2%	1 Creve Couer	\$ 10.85
2 Des Peres	\$ 1,103,158	2 Clayton	1.9%	2 Chesterfield	\$ 12.85
3 Bridgeton	\$ 1,040,000	3 Maryland Heights	2.6%	3 Manchester	\$ 16.46
4 Richmond Heights	\$ 991,817	4 Chesterfield	2.8%	4 Ballwin	\$ 22.00
5 Crestwood	\$ 747,000	5 Manchester	3.4%	5 Maryland Heights	\$ 22.93
6 Ballwin	\$ 668,834	6 Ballwin	3.5%	6 Clayton	\$ 28.03
7 Maryland Heights	\$ 630,000	7 Bridgeton	7.0%	7 Crestwood	\$ 62.71
8 Chesterfield	\$ 604,503	8 Richmond Heights	9.4%	8 Bridgeton	\$ 90.04
9 Clayton	\$ 446,808	9 Crestwood	11.1%	9 Richmond Heights	\$ 115.29
10 Manchester	\$ 297,766	10 Des Peres	11.4%	10 Des Peres	\$ 129.27
11 Creve Couer	\$ 193,500	11 Brentwood	12.6%	11 Brentwood	\$ 187.74

Business License Fees Per Business		Business License Rev Per Sales	
1 Creve Couer	\$ 240.67	1 Chesterfield	0.044%
2 Chesterfield	\$ 330.87	2 Creve Couer	0.053%
3 Maryland Heights	\$ 607.52	3 Maryland Heights	0.091%
4 Clayton	\$ 669.88	4 Clayton	0.155%
5 Manchester	\$ 714.07	5 Bridgeton	0.202%
6 Ballwin	\$ 1,084.01	6 Des Peres	0.204%
7 Bridgeton	\$ 1,300.00	7 Manchester	0.205%
8 Des Peres	\$ 1,814.40	8 Richmond Heights	0.217%
9 Crestwood	\$ 1,886.36	9 Brentwood	0.264%
10 Richmond Heights	\$ 1,944.74	10 Ballwin	0.293%
11 Brentwood	\$ 2,603.45	11 Crestwood	0.319%

For comparative purposes, Chesterfield's business license revenue was projected using the fee structures of other municipalities. There are inherent limitations in this analysis as the fee structures ranged from simple to complex. Based on these estimates Chesterfield's business license revenue would actually fall using Creve Coeur and Maryland Heights models and increase over \$2 million if the City used the Richmond Heights model.

City	Chesterfield Conversion
Ballwin	\$ 861,336
Brentwood	\$ 1,842,219
Bridgeton	\$ 575,945 *
Chesterfield	N/A
Clayton	Unknown
Crestwood	\$ 1,393,741 *
Creve Coeur	\$ (236,491)
Des Peres	\$ 1,280,120
Manchester	\$ 953,038 **
Maryland Heights	\$ (337,758)
Richmond Heights	\$ 2,075,238 *

* Impact on service & office and manufacturing & warehousing unknown

** Impact on manufacturing & warehousing unknown

Staff recognizes the importance of maintaining a relatively low business license fee but acknowledges that the economic character of the City has changed since these rates were developed in 1990. Upon review of the business license fees of other area municipalities it is clear that all have adopted a gross receipts approach unless there is a substantial alternative revenue stream in place (such as gaming revenue or a ¼ cent local option sales tax). In order to adopt a practice that is reflective of local practices, Staff recommends changing the business license fees for retail establishments to a \$0.001 (one-tenth of one percent) gross receipts tax and leaving the service/office and manufacturing/warehousing rates unchanged. This new rate would be charged to businesses based on their previous year's gross receipts and we concurrently propose to eliminate the maximum and minimum license thresholds. It is noteworthy that the one-tenth of one percent rate is among the lowest rate used by surveyed municipalities, as reflected in the appendix attached hereto.

Converting the City's fee structure for retail business to gross receipts provides substantial benefits to the City, and provides for scalability as businesses evolve. It is, however, a more complex transaction and would require additional staff effort. Based on 2016 sales tax data, Staff projects that this approach could substantially increase business license revenue by \$1.05 million dollars. This substantial undertaking would require establishing policies, notifying businesses, updating internal records, and assisting businesses through the transition. I recommend that, if the City elects to shift to the gross receipts model, a minor portion of the increased license fees be used to hire an Assistant Finance Director to oversee this project and gradually take on other financial responsibilities including monthly reconciliations, financial reporting, budget preparation, etc. The total cost of this position's salary and benefits would represent less than one-tenth of the increase in revenue.

Business License Analysis Data from Comparative Municipalities

City	Rate per Square Foot			License per Gross Receipts			Min	Max	Bus per State	Business License Revenue	Sales	Total Gen Fund Rev	Pop
	Retail	Service and Office	Manuf & Warehouse	Retail	Service and Office	Manuf & Warehouse							
Ballwin		\$ 0.01	\$ 0.01	\$ 0.00100			\$ 100	N/A	617	\$ 668,834	\$ 228,094,558	\$ 19,086,101	30,404
Brentwood		\$ 0.10	\$ 0.10	\$ 0.00125	\$ 0.00125	\$ 0.00125	\$ 50	N/A	580	\$ 1,510,000	\$ 572,451,024	\$ 11,960,066	8,043
Bridgeton				\$ 0.00065	\$ 0.00065	\$ 0.00065	\$ 100	\$ 50,000	800	\$ 1,040,000	\$ 514,157,880	\$ 14,782,454	11,550
Chesterfield	\$ 0.08	\$ 0.04	\$ 0.02				\$ 25	\$ 10,000	1,827	\$ 610,191	\$ 1,362,994,332	\$ 21,404,110	47,484
Clayton	varies	varies	varies	varies	varies	varies	\$ 50	N/A	667	\$ 446,808	\$ 288,437,632	\$ 23,054,831	15,939
Crestwood	\$ 0.10	\$ 0.10	\$ 0.10	\$ 0.00125	\$ 0.00125	\$ 0.00125	\$ 10	N/A	396	\$ 747,000	\$ 234,367,837	\$ 6,750,638	11,912
Creve Coeur	\$ 0.03	\$ 0.03	\$ 0.02				\$ 40	\$ 1,000	804	\$ 193,500	\$ 364,889,750	\$ 16,109,690	17,833
Des Peres		\$ 0.02	\$ 0.02	\$ 0.00125			\$ 100	N/A	608	\$ 1,103,158	\$ 540,413,717	\$ 9,654,450	8,534
Manchester		\$ 0.10		\$ 0.00070		\$ 0.00070	\$ 50	N/A	417	\$ 297,766	\$ 145,227,954	\$ 8,837,115	18,094
Maryland Heights	\$ 0.02	\$ 0.02	\$ 0.02				\$ 25		1,037	\$ 630,000	\$ 695,716,106	\$ 23,825,873	27,472
Richmond Heights				\$ 0.00175	\$ 0.00175	\$ 0.00175	\$ 30		510	\$ 991,817	\$ 457,163,068	\$ 10,551,439	8,603

*City of Chesterfield, MO
Wednesday, February 22, 2017*

Chapter 17. Licenses and Business Regulations

Article I. In General

Sec. 17-1. Purpose.

[Ord. No. 433, § 1, 4-2-1990]

The City shall collect a fee for business/merchant licenses from all persons, partnerships, corporations or businesses as authorized in RSMo 94.110 which are doing business within the City as set out below [in Sections 17-2 through 17-23].

Sec. 17-2. Definitions.

[Ord. No. 433, § 2, 4-2-1990; Ord. No. 1078, § 4, 9-5-1995; Ord. No. 1103, § 1, 11-6-1995]

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

BUSINESS OR OCCUPATION

Shall mean any business, service, occupation, pursuit, profession or trade, or the keeping or maintaining of any institution, establishment, article, utility or commodity within the City, except as may be otherwise provided by these provisions [Sections 17-1 through 17-23].

FEE

Shall mean license fees and taxes levied on or required by any merchant, business or occupation.

LICENSE

Shall mean any license required to be secured under these provisions [Sections 17-1 through 17-23].

LICENSE YEAR

Unless otherwise provided, shall mean the year beginning July 1, or in the case of businesses newly established, at the beginning of doing business, and ending on the following June 30.

MANUFACTURER

Shall mean any person engaged in the production of some article, thing or object by skill or labor out of raw materials, or from matter that has already been subject to artificial forces or to which something has been added to change its natural condition.

OFFICE

Shall mean any person engaged in any business or occupation not specifically classified as manufacturing, retail merchant, or manufacturing.

PERSON

Shall mean any natural individual, partnership, firm, corporation, or association. As applied to partnerships, firms or associations, the term includes the individual partners or members thereof, and the singular includes the plural.

RETAIL MERCHANT

Shall mean any person engaged in the selling of goods, wares or merchandise at any store, stand or place occupied for that purpose within the City except as may be otherwise provided by these provisions [Sections 17-1 through 17-23].

SERVICE

Shall mean any person engaged in any of the following businesses or occupations, or any business or occupation which is not specifically defined as manufacturer, retail or warehouse, but listed in RSMo 94.110:

Service Occupation/Offices Categories

Agents

Amusement parks or similar locations

Appliance repair

Architects and consulting engineers

Artists/art studios

Auctions, auctioneers, per day

Automotive repair service, except new or used car or truck dealers

Bakeries

Banks, trust companies, savings and loan institutions and credit unions

Barbershops

Beauty shops

Builders

Business or correspondence schools

Carnivals, street fairs, exhibitions and circuses, per day

Collection agencies

Commercial parking lots for profit

Contractors, including general electrical, plumbing

Country club/private club

Dance halls/studios

Employment offices/agencies

Express companies/agencies

Funeral homes

Gas and fuel storage

Hospitals

Hotels

Insurance agencies/brokers/adjusters

Laboratories

Laundries

Loan agencies/companies

Manufacturing agents

Mercantile agents/representatives
Money brokers
Motels
Moving and storage
Museums for profit
Nursery schools/day care centers
Nursing homes
Office buildings
Outdoor advertising billboards
Pawnbrokers
Peddlers
Photographers, in office
Picture shows
Private schools
Property management companies
Public halls
Radio repair shops
Real estate agents/company
Research laboratories
Service stations
Sports arenas, rinks and clubs
Telephone/telegraph offices
Theatres
Title companies/examiners
Trade schools
Undertakers
Veterinarians

Sec. 17-3. Business category.

[Ord. No. 433, § 3, 4-2-1990; Ord. No. 701, § 1, 9-21-1992]

- (a) The City shall initially establish and identify each business within the categories as proposed above. Any business which objects to the category upon which it is originally placed or the square footage determination, shall have the opportunity to file a written appeal to the Finance and Administration Committee of the City for designation to a category other than the category to which they are originally assigned or to change the square footage. Said appeal must be filed with the Director of Finance within sixty (60) days after the business is assigned its original category or after the square footage determination is made, for an appeal to be taken.
- (b) For the purpose of business categorization, nursing homes, senior citizen complexes and/or apartment complexes are to be categorized solely on the square footage of the office area of said complexes. This change shall take effect as of the issuance of business licenses in 1993.

Sec. 17-4. License requirement.

[Ord. No. 433, § 4, 4-2-1990]

No person shall engage in any of the businesses, trades or avocations described in this article within the City without first having obtained a license therefor from the Finance Director and paying to the Director of Finance the designated fee or tax. The license shall be for the annual license year.

Sec. 17-5. Fee schedule.

[Ord. No. 433, § 5, 4-2-1990; Ord. No. 1078, § 4, 9-5-1995; Ord. No. 1103, § 1, 11-6-1995]

The following fee schedule shall apply to all merchants, businesses and occupations, manufactures and warehouses:

- (1) *Retail merchants.* The annual license fee per location for businesses defined as retail merchants in Section 17-2 above shall be twenty-five dollars (\$25.00) for businesses occupying zero (0) to three hundred and twelve and one-half (312.5) square feet, and an additional eight cents (\$0.08) per square foot for businesses occupying buildings in addition to three hundred twelve and one-half (312.5) square feet, except that no license fee shall exceed ten thousand dollars (\$10,000.00).
- (2) *Services/offices.* The annual license fee per location for businesses defined as services or offices in Section 17-2 above shall be twenty-five dollars (\$25.00) for businesses occupying zero (0) to six hundred twenty-five (625) square feet, and an additional four cents (\$0.04) per square foot for businesses occupying buildings in addition to six hundred twenty-five (625) square feet, except that no license fee shall exceed ten thousand dollars (\$10,000.00).
- (3) *Manufacturers/warehouses.* The annual license fee per location for businesses defined as manufacturer or warehouses in Section 17-2 above shall be twenty-five dollars (\$25.00) for businesses occupying zero (0) to one thousand two hundred fifty (1,250) square feet, and an additional two cents (\$0.02) per square foot for businesses occupying buildings in addition to one thousand two hundred fifty (1,250) square feet, except that no license fee shall exceed ten thousand dollars (\$10,000.00).
- (4) *Outdoor advertising billboards.* The tax for operating each outdoor advertising billboard within the City of Chesterfield shall be one hundred dollars (\$100.00) or five (5) percent of the annual gross revenue of the billboard, whichever is greater. The Director of Finance may prescribe all necessary regulations and application and reporting forms in conformity herewith to determine the annual gross revenue and the license tax for each license year, billboard licenses consistently with the provisions of Section 17-6 of this chapter, and may also prescribe appropriate means for the operator to display the license in substantial compliance with the requirements of Section 17-15 of this chapter.

Sec. 17-6. Prorated fees.

[Ord. No. 433, § 6, 4-2-1990]

- (a) The applicant for a license for a new place of business or to engage in a new occupation shall be required to pay the full annual license fee if at the time of the application for a license less than three (3) months of the current license year have expired.
- (b) If three (3) months or more but less than six (6) months have expired, the applicant shall be required to pay three-fourths ($\frac{3}{4}$) of the annual license fee.

- (c) If six (6) months or more but less than nine (9) months have expired, the applicant shall be required to pay one-half ($\frac{1}{2}$) of the annual license fee.
- (d) If nine (9) months or more have expired, the applicant shall be required to pay one-fourth ($\frac{1}{4}$) of the annual license fee.
- (e) Provided, however, that no license fee shall be issued for less than twenty-five dollars (\$25.00).

Sec. 17-7. License applications; issuance.

[Ord. No. 433, § 7, 4-2-1990; Ord. No. 828, § 1, 9-7-1993]

- (a) *Applications.* Application for a license shall be made in writing on a form provided by the City and submitted to the Director of Finance. An application shall be made to renew any license at its expiration. All holders of licenses or permits shall be responsible for reporting changes in initial application data immediately as the same occur. The form of licenses shall be prescribed and furnished by the Finance Director or his or her designee.
- (b) *Issuance.* All licenses shall be granted and signed by the Finance Director upon proof of a certificate of insurance for workers' compensation coverage if said applicant for license is required to cover his or her liability under Chapter 287 RSMo. 1988, as amended.
- (c) *Denial.* The City may refuse to grant or renew any license for any of the following reasons:
 - (1) Failure to have or to provide proof of workers' compensation coverage as required under subsection (b) of this section.
 - (2) Providing fraudulent information regarding workers' compensation coverage on an application for business license;
 - (3) The business or activity sought to be licensed is deemed to be one that would constitute a breach of the peace, a detriment, a menace to the health, safety or welfare of the public or a disturbance of the peace or comfort of the residents of the City if it were licensed;
 - (4) The business or activity sought to be licensed would be conducted in violation of any law of the United States or of the State or Ordinance of the City;
 - (5) Any other basis for revocation as set out herein.
- (d) *Liability.* Nothing in this section shall be construed to create or constitute a liability to or a cause of action against the City to the issuance of any license pursuant to this Section.

Sec. 17-8. Investigations.

[Ord. No. 433, § 8, 4-2-1990]

Upon receipt of an application for a license which requires an investigation or an inspection by any Department of the City of other government unit and the approval thereof as to the character or fitness of any applicant for a license, or as to the proper location or condition of the premises in which the business for which a license is applied, is to be managed, conducted, operated or carried on, the City Administrator or his or her designee shall transmit to each Department or governmental unit charged with the investigation and approval of any such application, such information as may be necessary in order that the required investigation or inspection may be made. Each Department Head so charged with such investigation or inspection shall, upon receipt of such information, cause an investigation or inspection to be made, and shall, within ten (10) days after the receipt of such information, either

approve or disapprove the issuance of such license, and shall notify the Finance Director or his or her designee.

Sec. 17-9. Establishment of square footage.

[Ord. No. 433, § 9, 4-2-1990]

The City, through the Director of Finance, working in conjunction with the Department of Planning, is empowered to set and determine the square footage for each business based upon an independent evaluation and information contained in public records. In each case, the decision of the Director of the Department of Planning shall be final as to the square footage.

Sec. 17-10. Use determination.

[Ord. No. 433, § 10, 4-2-1990]

The square footage for each business license shall be based upon the business' predominant use at their business location. All licenses shall be calculated based upon a single use as opposed to being a varied use and that use which has the largest percentage shall be the overriding use which shall be used in determining the rate to be set.

Sec. 17-11. Transfer of license.

[Ord. No. 433, § 11, 4-2-1990; Ord. No. 1033, § 1, 6-19-1995]

No license shall be assignable or transferable, except that in the case of the sale of a business during the annual license year the seller and purchaser may request of the City Administrator, in writing, authority to transfer the license to the purchaser for the remainder of the annual license year.

Sec. 17-12. Separate license for each place of business.

[Ord. No. 433, § 12, 4-2-1990]

A separate license shall be obtained for each stand, store or place of business conducted, operated or maintained by every merchant, business or occupation or manufacturer or warehouse for which a license is required, and the Finance Director shall be notified of any change of address within seven (7) days after such change.

Sec. 17-13. Additional businesses at same address.

[Ord. No. 433, § 13, 4-2-1990]

Whenever any applicant for a license is engaged in more than one occupation or business at the same address, such applicant may at his option, in lieu of making application and paying for a separate license for each such occupation or business, make application and pay for the occupation or business license for only the major or principal business or occupation of the applicant at such address, but he shall report the square footage of each such occupation or business separately as part of the total square footage of the licensed business.

Sec. 17-14. Change of location or operation.

[Ord. No. 433, § 14, 4-2-1990]

If any person licensed to engage in a business or occupation at a particular place desires, before the expiration of the license period, to change the location of such place of business, he shall forthwith notify the Finance Director of such fact. No business or occupation shall be engaged in under the authority of such license at such new location until the notice of such change has been given as herein provided, and until such licensee has complied with all the provisions of this article relating to the engaging in of such business or occupation at such new location, including the approval of the head of the Departments or governmental units which originally approved the application for such license.

Sec. 17-15. Display of license.

[Ord. No. 433, § 15, 4-2-1990]

Each license granted by the City shall be carefully preserved and shall be displayed in a conspicuous place in the place of business authorized to be conducted by such license.

Sec. 17-16. Sale, rent or lease of a portion of premises.

[Ord. No. 433, § 16, 4-2-1990]

Any merchant, business or occupation or manufacturer which sells, rents or leases any portion of its stand, store, or place of business or premises to another whose square footage will not be included in the return of the lessor shall report the fact of such sale, rent, or leasing together with the name and address of the purchaser, renter or lessee in writing to the Finance Director. Such report shall be made within five (5) days after such purchaser, renter or lessee has taken possession and shall include a general description of all the goods, commodities or ware-dispensing devices installed in the premises by such purchaser, renter or lessee.

Sec. 17-17. Examination of premises.

[Ord. No. 433, § 17, 4-2-1990]

The Finance Director, or his or her designee, shall have the right at all reasonable times during regular business hours to examine the premises for the purpose of determining the truthfulness and accuracy of any statements made by the applicant in his application for license or in the payment of his license tax.

Sec. 17-18. Condition of premises.

[Ord. No. 433, § 18, 4-2-1990]

No license shall be issued for the conduct of any business, nor shall any license be renewed, if the premises and building to be used for such a purpose do not fully comply with the requirements of the Building, Maintenance, Fire and Health Codes. No such license shall be issued for the conduct of a business or the performance of an act which would constitute a violation of the Zoning Code.

Sec. 17-19. Waiver of fee.

[Ord. No. 433, § 19, 4-2-1990]

When, in the opinion of the City Council, it is in the best interest of the public welfare, and when the license sought is for charitable purposes or for the City or a Department of the City, or is sponsored by a charitable, religious or non-profit association or group of persons, the license fee provided for may be waived. In no case shall the filing of an application be waived.

Sec. 17-20. Records.

[Ord. No. 433, § 20, 4-2-1990]

The Finance Director shall cause to be kept a record of every license issued, the amount of the fee paid, the purpose for which such license was issued, the location where the licensed privilege is to be exercised and the name of the licensee.

Sec. 17-21. License revocation or suspension.

[Ord. No. 433, § 21, 4-2-1990]

- (a) Any license may be revoked by the City Administrator at any time for conditions or considerations which, had they existed at the time of issuance, would have been valid grounds for its denial; for any misrepresentation of a material fact in the application discovered after issuance of the license; or for violation of any provision of the business or enterprise for which the license has been issued. Such revocation shall become effective upon notice to such licensee. Such notice shall specify the reasons for suspension and may provide the conditions under which reinstatement of the license may be obtained. Upon compliance with such conditions within the time specified, such license may be restored.
- (b) No licenses shall be suspended or revoked, except as provided in subsection (3) hereof, until notice has been given to the licensee as hereinafter provided, until a reasonable time, not to exceed seven (7) days, has elapsed to enable the licensee to comply with the provisions of this article and applicable State statutes and until the licensee has been given an opportunity to appear at a hearing as provided in this section. Such suspension or revocation of a license may be in addition to any fine imposed by this article. No licensee whose license has been revoked, as provided in this section, shall be eligible for a new license during the period for which the revoked license was originally issued.
- (c) Anything herein or hereafter notwithstanding, the City Administrator may suspend, for a period not exceeding thirty (30) days, without prior warning, notice or hearing, any license issued under this article during the term of such license, for the failure of any licensee to comply with any provision of this article, a statute of the State or the license relating to the business, occupation or activity for which such license was issued if, in the judgment of the City Administrator, such failure constitutes a clear and present danger to the public safety.
- (d) A license holder whose license is suspended or revoked shall immediately discontinue the business, occupation or activity for which the license was issued. A separate offense shall be deemed committed each day the license holder continues to do business after a license suspension or revocation.
- (e) A licensee whose license is suspended may, at any time, petition, in writing, the City Administrator for a hearing or make a written application to the City Administrator for reinspection for the purpose of reinstatement of the license. Any such hearing shall be held as soon as possible and shall be conducted at a time and place designated by the Administrator. Based upon the record of such hearing, the Administrator, as the case may be, shall make a finding and shall sustain, modify or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the licensee within seven (7) days after the hearing is concluded.
- (f) The licensee may appeal any decision of the Administrator at such a hearing to the Finance and Administration Committee of Council, by giving written notice of a request for consideration by the Council of the Administrator's decision. Such notice must be received by the City Clerk within seven (7) working days from the receipt by the licensee of the written decision of the hearing.

- (g) When the Council or the Administrator is aware of conditions which may justify the suspension or revocation of a license and schedules a hearing in that regard, written notice of that hearing shall be given to the licensee. Any such notice shall be deemed to have been properly served when it has been delivered personally to the licensee or when it has been sent to registered or certified mail, return receipt requested, to the last known residence or business address of the licensee.

Sec. 17-22. Violations; penalties.

[Ord. No. 433, § 22, 4-2-1990]

- (a) *Delay in payment.* All license fees provided for in this article shall be deemed delinquent if not paid by July 31 of each year, and any person so delinquent shall pay to the Finance Director an additional ten (10) percent of the amount due for the first month of such delinquency and one percent of the amount due for each month or part thereof that such delinquency thereafter continues, in addition to any other penalty described in this article.
- (b) *False statement causing reduction in payment.* Any person who makes a false statement which causes a reduction in any license fee shall be required to pay to the Finance Director the additional amount due, plus a penalty of twenty-five (25) percent of such additional amount, plus one percent interest per month or fraction thereof on such additional amount from the date originally due, in addition to any other penalties prescribed in this article.
- (c) *Noncompliance or violation.* Any failure to comply with or any violation of any provision of this article shall be guilty, upon conviction thereof, of an offense. Any fine assessed for such an offense shall be in addition to any other penalties assessed for delinquency or false statements causing a reduction in payment.
- (d) *Revocation.* Any failure to comply with or any violation of any provisions of this article by any licensee under this article shall be cause for revocation or suspension of such license by the City Council upon recommendation of the City Administrator, and such revocation or suspension shall be in addition to any other penalties prescribed in this article.
- (e) *Penalty.* Whoever violates or fails to comply with any of the provisions of this article shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00). A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Sec. 17-23. Disposition of funds.

[Ord. No. 433, § 23, 4-2-1990; Ord. No. 468, §§ 1, 2, 7-16-1990]

The funds derived from the collection of business license fees shall be general revenues of the City; however, they shall be expended only as approved by a majority of City Council. Funds so derived are to be directed for specific purposes such as, but not limited to:

- (1) Funding the establishment and operation of a Chesterfield Economic Development Council, should same be proposed in a form acceptable to the City;
- (2) Capital improvement projects and the planning and/or engineering for such projects, which will enhance the development capability of the City and/or help to attract residential or commercial development;
- (3) Feasibility studies for bond issues, capital improvement projects, tax increment or "353" redevelopment projects;

- (4) Funding projects which will enhance the overall quality of life within the City;
- (5) Informational materials related to any of the above.

Sec. 17-24. Itinerant merchants, peddlers, solicitors, temporary occupations and businesses; fee.

[Ord. No. 113, § 1, 6-6-1988]

The City shall collect a fee of twenty-five dollars (\$25.00) for itinerant merchants, peddlers, solicitors, temporary occupations and businesses.

[1] *Note — Formerly, § 17-14.*

Cross reference — Applicants for Certificate of Registration for soliciting to pay fee, § 17-28(b).

Sec. 17-25. (Reserved)