

Section 1005 - Licensing procedures

1005.01. Licenses required. It is unlawful for any person to engage in any trade, profession, business or privilege in the city for which a license is required by any provision of this code without first obtaining a license from the city in the manner provided in this section.

1005.03. Application. Application for a license is made to the clerk upon forms provided by the city. The applicant shall state the location of the proposed activity and such other facts as are required for by the code or applicable to the granting of the license.

1005.05. Payment of fee. The fees required for a license shall be paid at the office of the clerk before the granting of the license. Except as otherwise provided in this code, no license fee shall be prorated for a portion of a year, and no license fee paid shall be refunded.

Subd. 2. Double fees. A double fee may be charged any business which fails to secure a license in a timely manner. This provision shall apply to any business which fails to renew a license by the end of June. It will also apply in the case of a business seeking a new or temporary license where the business opens or the activity begins prior to applying for a license. (Amended Ord. #96-782, 2003-899)

1005.07. Bond and insurance. Required bonds shall be in form satisfactory to the city attorney, shall be executed by two sureties, or a surety company, and be subject to the approval of the manager and the council. Where policies of insurance are required, the policies shall be approved as to substance and form by the city attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the clerk before the license is issued.

1005.09. Approval or denial of licenses. Where the approval of any city or state officer or the council is required prior to the issuance of a license, the approval must be presented to the clerk before the license is issued. No license may be approved by any city officer or issued by the clerk if it appears that the conduct of the activity for which a license is sought will be contrary to the health, safety or welfare of the public or any regulation, law or ordinance applicable to such activity.

1005.11. License term. The term of the license year shall begin on July 1 and end on June 30. Where the issuance of licenses for periods of less than one year is permitted, the effective date of the license is the date of issuance. (Amended ord. 2002-884)

1005.13. License certificates. License certificates shall show the date of issue, the activity licensed and the term of the license. Licenses shall be signed by the manager and clerk, and be impressed with the city seal.

1005.15. Exhibition of license certificate. A licensee shall carry his license certificate upon the licensee's person at all times when engaged in the activity for which the license was granted. Where the licensed activity is conducted at a fixed place of business or establishment, the certificate shall be exhibited in some conspicuous place on the premises. The licensee shall present the license certificate when applying for a renewal and upon demand of any police officer or authorized representative of the city.

1005.17. Transfer of license. No license shall be transferable to another person, business, corporation, or location. (Amended Ord. 2003-899)

1005.19. Renewal of license. License renewals are issued in the same manner and subject to the same conditions as original licenses.

1005.21. Revocation; denial; suspension. A license issued or to be issued by the city may be denied, suspended or revoked by the council for any of the following reasons:

- a) Fraud, misrepresentation, or incorrect statement contained in the application for license, or made in carrying on the licensed activity;
- b) conviction of any crime, or misdemeanor, pertaining to license held or applied for, subject to the provisions of Minnesota Statutes, chapter 364;
- c) conducting this licensed activity in such manner as to constitute a breach of the peace, or a menace to the health, safety and welfare of the public, or a disturbance of the peace or comfort of the residents of the city, upon recommendation of the city health authorities or other appropriate city official;
- d) expiration or cancellation of any required bond or insurance, or failure to notify the city within a reasonable time of changes in the terms of the insurance or the carriers;
- e) actions unauthorized or beyond the scope of the license granted;
- f) violation of any regulation or provision of this code applicable to the activity for which the license has been granted, or any regulation or law of the state so applicable;
- g) failure to continuously comply with all conditions required as precedent to the approval of the license.

1005.23. Hearing. A license may not be suspended or revoked until after a hearing is granted to the licensee. The hearing is held before the city council upon due notice to the licensee stating the time and place of such hearing, together with a statement of the violation alleged to be the cause for the revocation or suspension of the license.

1005.25. Temporary suspensions. The council may temporarily suspend a license pending a hearing on revocation or suspension when in its judgment the public health, safety and welfare is endangered by the continuance of the licensed activity.

1005.27. Inspections. The city health authority and other appropriate city officials may enter upon the premises where any licensed activity is being conducted for the purpose of inspection at any reasonable hour.

1005.31. Proration of license fees. Whenever the annual city operating license fee is \$300.00 or more and any such licensed business is either commenced or is transferred during the calendar year, the license may be granted or transferred and the fee therefore may be calculated or prorated for the remaining unexpired period of such year and such license transferred or reissued to the new owner or other applicant subject to the payment of any and all investigation costs and transfer fees. All such prorations shall be calculated upon a calendar monthly basis. The fee for any license amounting to less than \$300.00 per year shall be the full amount provided by ordinance and no reduction in the amount of such fee shall be made because part of the license year has elapsed prior to the date such license is issued.

1005.33. License report to the council, revocation. At the first regular meeting of the council in each month, the city manager shall report to the council all license or transfers issued or applications for licenses or transfers of licenses denied by him during the preceding 30 days, or since making his last report. The council may at any time, either with or without a notice to the licensee, revoke any transfer of a license issued by the city manager, or grant any application for a license or for a transfer of a license which the city manager has denied; and may revoke any license after giving the licensee at least seven days notice by registered mail at the licensee's address shown on the license application, or, if none is shown, at the licensee's last known address, of the intention of the council to revoke such license and giving the licensee an opportunity to appear before the council and be heard with reference thereto.