

## Chapter 5

### **LICENSES AND PERMITS**

#### **Sec. 1. APPLICATIONS**

Applications for all permits required by ordinance shall be made in writing to the Village Clerk. Each application shall state the names of the applicant, the permit or license desired, the location to be used, if any, the time covered, and the fee to be paid; and each application shall contain such additional information as may be needed for proper guidance of the Village officials in issuing the permit or license as applied, therefore.

#### **Sec. 2. PERSONS SUBJECT TO LICENSE**

A license shall be required for the maintenance, operation, or conduct of any business or establishment (not located in an area zoned for business) or for engaging in any activity or occupation; and every person, firm, or corporation shall be deemed subject to the requirement if, by himself, his agent employee, or partner, he holds himself forth as being engaged in the business or occupation or solicits patronage therefore, actively or passively; or performs or attempts to perform any part of such business or occupation in the Village.

#### **Sec. 3. FORMS**

Forms for all licenses and permits, and applications, therefore, shall be prepared and kept on file by the Village Clerk.

#### **Sec. 4. SIGNATURES**

Each license or permit issued shall bear the signature of the President and the Clerk in the absence of any provision.

#### **Sec. 5. INVESTIGATIONS**

Upon the receipt of an application for a license or permit where the ordinance of the Village necessitates an inspection or investigation before the issuance of such permit or license, the Village Clerk shall refer such application to the proper committee for making such investigation within 48 hours from the time of such receipt. The committee charged with the duty of making an investigation and inspection shall make a report thereon, favorable or otherwise, within ten days after receiving application or a copy thereof. The President, or a committee designated by him, shall make or cause to be made any such inspections relative to the construction of the building or other structures to be used in the licensed business.

#### **Sec. 6. FEES**

In the absence of the provision to the contrary, all fees and charges for licenses or permits shall be paid in advance at the time application therefore is made to the Village Clerk. Except as otherwise provided all license fees shall become part of the corporate fund.

**Sec. 7. TERMINATION OF LICENSE**

- a. All annual licenses shall terminate on the last day of the fiscal year of the Village, where no provisions to the contrary are made.
- b. The Village Clerk shall mail to all licensees of the Village a statement at least one month prior to the expiration thereof; provided, that a failure to send out such notice, or the failure of the licensee to receive it, shall not excuse the licensee from a failure to secure a new license, or a renewal thereof, nor shall it be a defense in an action for operation without a license.

**Sec. 8. BUILDING AND PREMISES**

No license shall be issued for the conduct of any business and no permit shall be issued for any thing or act, if the premises and the building to be used for the purpose, do not fully comply with the requirements of the ordinances of the Village. (No such license or permit shall be issued for the conduct of any business or performance of any act which would involve a violation of the ordinances of the Village).

**Sec. 9. NUISANCE**

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact.

**Sec. 10. INSPECTION**

- a. Whenever inspection of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance or are reasonably necessary thereto to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to be inspected, to admit thereto for the purpose of making the inspection any officer or employee of the Village who is authorized or directed to make such inspection at any reasonable time.
- b. Whenever an analysis of any commodity or material is reasonably necessary to secure conformance with any ordinance or provision or to detect violations thereof, it shall be the duty of the licensee of the Village whose business is governed by the provision to give any authorized officer or employee of the Village requesting the same sufficient samples of such material or commodity for such analysis upon request.
- c. In addition to any other penalty which may be provided, the President and the Board of Trustees may revoke the license of any licensed business in the Village who refuses to permit any such officer or employee who is authorized to make such inspection, or to take an adequate sample of the said commodity, or who interferes with such officer or an employee while in performance of his duty in making such inspection, provided that no license shall be revoked for such cause unless written demand is made upon the licensee or person in charge of the premises, in the name of the Village, stating that such inspection and sample is desired at the time he sought to make the inspection or obtain the sample.

**Sec. 11. REVOCATION**

Any license or permit for a limited time may be revoked by the President and the Board of Trustees during the life of such license or permit for the violation by the licensee or permitted of any ordinance provisions relating to the license or permit, the subject of the license or permit, or to the premises occupied; such revocation may be in addition to any fine imposed.

**Sec. 12. POSTING LICENSE**

It shall be the duty of any person conducting a licensed business in the Village to keep his license posted in a prominent place on the premises used for such business at all times.

**Sec. 13. PENALTY**

Any person, firm, or corporation violating any of the provisions of this chapter shall be fined not less than \$10.00 nor more than \$500.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.