

Sponsor: \_\_\_\_\_  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

**AN ORDINANCE REGULATING BUSINESS LICENSING**

**Whereas**, the Town Council of the Town of Bethany Beach has seen an increase of business's operating within the Town without obtaining/renewing a business license;

**Whereas**, the Town Council finds that a business operating without a business license can create public health and safety issues.

**BE IT HEREBY ENACTED** by the Town Council of the Town of Bethany Beach, a majority thereof concurring in Council duly met, that the Town Code be and hereby is amended as follows:

**Section 1.** Amend Chapter 102 ("Business License") by inserting a new section 102-11 Violations and penalties as follows:

A. Any person violating any part of this chapter shall, on conviction thereof, pay such fine as set out in Chapter 1, General Provisions, Article I, penalties and each separate day in which any of the provisions of this chapter are violated shall constitute a separate and distinct offense.

B. In addition to the penalties set forth above in paragraph A, the Town Manager shall have the authority to order a place of business to cease/shutdown operations and terminate all municipal service to a place of business including water service and trash collection after notice of and opportunity to remedy the failure to obtain/renew a business license. No business will be required to cease/shutdown its operations unless written notice of the failure to obtain/renew a business license shall be provided to the operator of such place of business either by personal delivery, by commercial carrier (e.g., federal express, UPS) or by U.S. Mail addressed to the last address provided to the Town by the business, proper postage affixed, affording the place of business or the persons operating such place of business to obtain/renew a business license or to request a hearing before the Town Manager to contest the order to cease/shutdown operation of the business and terminate all municipal services to such business. Unless a longer time is requested by the place of business or the person operating such business, the Town Manager shall schedule and hold the hearing within five (5) business days of receiving the request. Any business or persons operating such business aggrieved by the decision of the Town Manager may appeal to the Town Council in accordance with Section 102-5.

Synopsis

This ordinance amends Chapter 102 ("Business Licensing") by inserting a new section regulating businesses that have not obtained or maintained an annual business license.

This ordinance permits the Town to order a business owner to shut down its operations until a business has obtained an annual business license. This ordinance also permits the Town to terminate all municipal services to the business including water and trash service until a business obtains a business license pursuant to Chapter 102.

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This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Bethany Beach at a duly-noticed and convened meeting at which a quorum was present on \_\_\_\_\_, 2012.

Attest: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

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This shall certify that the title and synopsis of the foregoing ordinance was posted at the Town Hall on \_\_\_\_\_, 2011 and published in \_\_\_\_\_ on \_\_\_\_\_, 2012.

So Certifies:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk

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This shall certify that the title, synopsis, date of adoption, and effective date of the foregoing ordinance was published in \_\_\_\_\_ on \_\_\_\_\_, 2012 and that a copy of the foregoing ordinance was posted at the Town Hall on \_\_\_\_\_, 2012.

So Certifies:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk