



# Town of Camden

P.O. DRAWER 1002  
CAMDEN, DELAWARE 19934

Mayor Robert A. Mooney  
Town Manager Donald H. Mulrine, Jr.

## Ordinance #2007-104 BUSINESS LICENSES

**WHEREAS**, The Town Council of the Town of Camden recognizes the importance of attracting new businesses into the town of Camden town limits in order to generate growth and provide services to town residents; and

**WHEREAS**, the Town Council finds it in the best interest to establish a fair and equitable method of licensing those companies that locate within the town during a calendar year; and

**WHEREAS**, the Town Council finds that although business are an asset to the community, they create some cost to the town that should not be passed on to the property owners;

### Business licenses definitions fees penalties exemptions

(a) Definitions:

- (1) "Business" shall mean 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 benefits, either directly or indirectly, on any premises in this Town, or anywhere else within its jurisdiction.
  - (2) "Contractor" includes every person engaged in the business of furnishing labor or both labor and materials in connection with all or any part of the construction, alteration, repairing, dismantling or demolition of buildings and every other type of structure as an improvement, alteration or development of real property; a person is a contractor regardless of whether he is a general contractor or a subcontractor, or whether he is a resident or a nonresident.
  - (3) "Person" includes an individual, partnership, firm, cooperative, corporation or any association of persons acting individually or as a unit.
  - (4) "Wholesalers" shall include suppliers of goods and services to persons engaged in business and contractors.
- (b) On and after the date of enactment of this ordinance, no person shall conduct or engage in any trade, business or occupation within the Town of Camden for which a license is required without first having obtained a license therefore and paid the license fee prescribed.
- (c) Any nonresident dealer or person desiring to conduct the business of dealing in goods shall not be permitted to conduct or carry on such business within the Town until such person has first secured a license therefore and paid to the Town. (See fee schedule.)
- (d) Any nonresident person desiring to engage in business in this Town as a contractor shall obtain a license upon entering into a contract in which the gross amount of that contract exceeds five hundred dollars (\$500.00). The license must be obtained at the time of the signing of the contract. The license fee shall be levied pursuant to the terms of Paragraph (c) supra.
- (e) All licenses shall expire annually upon the last day of December next succeeding the date of issue unless otherwise provided by law.
- (f) In the event that the license fee is not paid within thirty (30) days of the date when the license is required, then the licensee shall incur a civil penalty in the amount of ten percent (10%) of the amount of the license fee per month until the same is paid. Each day the license fee is delinquent and not paid shall constitute a separate violation and a summons may be issued to initiate a criminal prosecution for each day the license fee goes unpaid. This shall also include the business proof of insurance liability.

- (g) Any person convicted of a violation of this ordinance shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or upon failure to pay such fine as shall be imposed, shall be imprisoned for not more than thirty (30) days. Jurisdiction over such violation is hereby vested in Justice of the Peace Court No. 7.
- (h) Each license granted under this ordinance shall be for the sole use and benefit of the licensee to whom it is issued and shall not be transferable. In case of the death of any licensee, his personal representative shall succeed to all rights there under until the date of expiration of the license issued.
- (i) A license granted which specifies the place of business thereby licensed shall not authorize the licensee to carry on any trade, business, pursuit or occupation specified in such license in any other place than the place of business set forth in such license. If a licensee changes the location of his place of business during the period for which the license issued, the license may be transferred to such new location.
- (j) Every person holding a license shall display same in a conspicuous manner in the principal office or place of business of such person. (The license is not transferable.)
- (k) The agents or other representatives or any person, association of persons, firm or corporation who are doing business in the Town shall be personally responsible for the compliance with this ordinance by their principals.
- (l) The applicant must provide a Town of Camden business license application, a true copy of current State of Delaware business license and a true and undated copy of the certificate of liability insurance. If the expiration of the business insurance expires prior to the Town of Camden business license the applicant must provide the Town of Camden and update copy. The penalty for failure to produce an updated copy of the business certificate of insurance is set forth in item (f). The business may also face suspension of business their business license after official notification to applicant.
- (m) A license shall be obtained for each branch establishment or location of the business engaged in as if each branch or 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 ordinance shall not be deemed to be separate places of business or branch establishments.
- (n) No license shall be required of any person for any mere delivery in the Town of any property purchased or acquired in good faith from another person at his regular place of business outside of the Town where no intent by that person is shown to exist to evade the provisions of this ordinance. Nor shall a license be required of nonresident wholesalers.
- (o) The Town shall issue special permits without the payment of any license fees, to any person or organization for the conduct or operation of a non-profit enterprise, either regularly or temporarily, when it is found that the applicant operates without private profit for a public, charitable, educational, literary, fraternal or religious purpose.
- (p) All police officers duly employed by the Town of Camden shall serve as license agents and shall assist in the enforcement of this ordinance.
- (q) No building permits shall be issued to unlicensed contractors.
- (r) Any person aggrieved by any decision of the Town of Camden shall have the right to a hearing before Mayor and Council by filing a written application within ten (10) days following the effective date of the action or decision rendered. The application shall include a statement of facts relied upon by the applicant to avoid the action or decision complained of.
- (s) Mobile Home Parks
  - (1) Mobile Home Parks must complete application similar to rental license application (see figure 2)
  - (2) The Mobile Home Park fee is based on the number of units per Mobile Home Park with a maximum fee of \$500.00.
  - (3) The Park must submit total approved site to the Town of Camden. The site occupied must have owner information attached to application.
  - (4) The Mobile Home Park is responsible for all tenants' information or application or unpaid fees will be the responsibility of the Mobile Home Park.
- (t) All code enforcement official duly employed by the Town of Camden shall serve as license agent and shall assist with enforcement of the ordinance. This shall also include the Town of Camden Police Department.
- (u) Noise Regulation. No person shall permit any construction to occur between the hours of 8:00 p.m. and 7:00 a.m. prevailing time, which requires outside lighting or which produces noise which would reasonably be expected to disturb any person in the neighborhood.

CAMDEN TOWN COUNCIL HEREBY REPEALS ORDINANCE #22 CREATING A NEW BUSINESS LICENSE FEE SCHEDULE AS FOLLOWS:

*Business licenses are issued for approved uses only and shall not be prorated. Subletting shall not be permitted on lease properties.*

Professional Services	\$250.00 per year
General Services	\$100.00 per year
Commercial Building Contractor	Minimum of \$200.00; additional fee if over 25 employees (see schedule)
Residential Building Contractor	Minimum of \$100.00; additional fee if over 25 employees (see schedule)
Residential Temporary Contractors (Max.10 days)	\$50.00 (if job exceeds 10 days, may be applied to annual license fee see schedule)
Commercial Temporary Contractors (Max.10 days)	\$100.00 (if job exceeds 10 days, may be applied to annual license fee see schedule)
Eating Establishment no Liquor Lic.	Minimum of \$100.00; additional \$10.00 per table in excess of 10 tables
Eating Establishment with Liquor Lic.	\$250.00; additional fee of \$10.00 per table in excess of 10 tables
Gas Station and/or Auto Repair	Minimum \$100.00; additional fee if over 25 employees see schedule
Lodging—Hotel/Motel/Inn/B&B	\$20.00 per room; Minimum \$100.00;
Wholesale / Warehouse (no membership)	\$200.00 per year
Merchant Retailer or Grocery Wholesaler (with Membership)	\$200.00 for up to 3,000 square feet plus \$50.00 per additional 1,000 square feet
Mobile Home Park	\$15.00 per unit; maximum \$500.00
Pawnbrokers (ordinance #57)	\$500.00 per year
Real Estate Office	\$250.00 per office per year
Real Estate Agent	\$25.00 per agent per year
Any business not listed	See schedule

**SCHEDULE IS AS FOLLOWS:**

\$100.00 for up to 6 employees working within Town Limits  
\$150.00 between 7 and 25 employees working within Town limits  
\$200.00 between 26 and 50 employees working within Town limits  
\$300.00 between 51 and 100 employees working within Town limits  
\$350.00 over 100 employees working within Town limits

ENACTED AND ORDAINED THIS 1st DAY OF OCTOBER, 2007.

Town Council Members voting:

SEAL

APPROVED AS TO FORM:

*Curry*

Town Solicitor

ATTEST:

*Donald H. Mabee*

Town Manager

*Robert A. Mooney*

Mayor Robert A. Mooney

*James O. Plumley III*

Vice-Mayor James O. Plumley, III

*Robert Hawkins*

Councilman Robert Hawkins

*Richard Snyder*

Councilman Richard Snyder

*Mark Babbitt*

Councilman Mark Babbitt

1<sup>st</sup> reading 9/10/2007  
2<sup>nd</sup> reading 10/11/2007  
Public Hearing: 10/11/2007  
Adopted: 10/11/2007