

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) The license fee shall be fifty dollars (\$50.00) annually for businesses employing zero (0) to five (5) employees and one hundred dollars (\$100.00) annually for businesses employing six (6) or more employees.

(d) 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 a sum of five dollars (\$5.00) per two day sale. Such license shall not be required when the nonresident dealer is buying from and selling to or exchanging goods, wares and merchandise with an established, qualified dealer based in the Town of Camden.

(e) 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.

(f) All licenses shall expire annually upon the last day of December next succeeding the date of issue, unless otherwise provided by law.

(g) 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 penalty in the amount of ten percent (10%) per month of the amount of the license fee 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.

(h) Any person convicted of a violation of this ordinance shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), 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.

(i) 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 transferrable. In case of the death of any licensee, his personal representative shall succeed to all rights thereunder until the date of expiration of the license issued.

(j) 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 is issued, the license may be transferred to such new location.

(k) Every person holding a license shall display same in a conspicuous manner in the principal office or place of business of such person.

(l) 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.

(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 Council by filing a written application within ten (10) days following the effective date of the action or decision complained of. The application shall include a statement of facts relied upon by the applicant to avoid the action or decision complained of.

The City Council shall fix a time and place for hearing the application and shall inform the applicant of same by sending written notice by first class mail to the applicant's last known address.

ENACTED THIS 5<sup>th</sup> DAY OF January, A.D. 1987.