

BUSINESS LICENSING
Ordinance No. 550
Adopted: June 7, 1999

An ordinance to provide for the annual licensing of businesses within the Charter Township of Fenton, Genesee County, Michigan, and to establish a procedure for the procurement of Zoning Permits, Certificates of Occupancy and Business Licenses; to establish certain conditions for the issuance of the license relating to its duration, the prohibition of illegal businesses, restrictions on the transfer of the license and the revocation of the license for noncompliance with this Ordinance; to exempt political, charitable and religious establishments and governmental agencies from the operation and effect of this Ordinance; and to provide penalties for the violation thereof.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN
ORDAINS:

SECTION 1. Title

This Ordinance shall be known and cited as the Fenton Township Business Licensing Ordinance.

SECTION 2. Definitions, as used in this Ordinance

Business. Any trade, occupation, work, commerce or other activity owned or operated for profit by any person within the Township excluding, however, political, charitable or religious establishments.

Licensing Agent. The Township Clerk or Township Supervisor or any other township official or employee as may be designated by resolution of the Township Board.

Person. Any individual, partnership, association or corporation.

Township. The Charter Township of Fenton.

SECTION 3. Purpose.

It is the purpose of this Ordinance to assist the Township with information to provide more adequate police and fire protection; more equal and equitable real and personal property taxation; better efficiency and economy in furnishing public utility services within the Township; more comprehensive and informed planning and zoning uses of land and structure within the Township; and to establish a registry of businesses operating within the Township for the general information of the public and for the promotion of the Township.

SECTION 4. Licensing Requirements.

No person may commence or continue a business, as herein defined, within the Township without having first obtained from the Township a Zoning Permit, Certificate of Occupancy and a Business License therefor as hereinafter provided and without maintaining said Business License in current effect during any business operation or activity.

SECTION 5. Procurement Procedure For Zoning Permit

No Zoning Permit shall be issued until the owner or operator therefor shall have first submitted an *Application for Zoning Permit* to the Licensing Agent of the Township on a form provided by the Licensing Agent for such purposes. A fee, established by the Township Board and subject to change from time to time by resolution of the Township

Board, shall accompany the application. Upon the filing of a properly completed application and upon payment of the fee, the Licensing Agent shall schedule an inspection by the appropriate township official(s). If the business is determined to be in compliance with the Township's Zoning Ordinance, the Licensing Agent shall issue a Zoning Permit to the owner or operator of the business.

Certain changes regarding a business will require that a new Zoning Permit be procured in the same manner as set forth herein for the original issuance of the Zoning Permit. These changes include, but are not limited to, the following:

- A new business is established in an existing commercial building.
- An existing business is relocated to a different building within the same commercial complex.
- An existing business is relocated within the same building.
- An existing business enlarges the area occupied within the same building.
- An existing business changes the business name, but the use does not change.
- An existing business changes ownership, but the use does not change.
- An existing business changes the use in any manner.
- Any transaction, modification or other circumstance, as determined by the Licensing Agent, which results in a significant change to the use, ownership, name or operation of the business.

SECTION 6. Procurement Procedure For Certificate of Occupancy

No Certificate of Occupancy shall be issued until the owner or operator therefor shall have first been issued a *Zoning Permit* and submitted a *Building Permit Application*, (new buildings), or *Application for Certificate of Occupancy*, (existing buildings), to the Licensing Agent of the Township on a form provided by the Licensing Agent for such purposes. A fee, established by the Township Board and subject to change from time to time by resolution of the Township Board, shall accompany the application. Upon the filing of a properly completed application and upon payment of the fee, the Licensing Agent shall schedule an inspection by the appropriate township official(s). If the business is determined to be in compliance with the Township's Building Code and Fire Prevention Code Ordinances, the Licensing Agent shall issue a Certificate of Occupancy to the owner or operator of the business.

Certain changes regarding an existing commercial building will require that a new Certificate of Occupancy be procured in the same manner as set forth herein for the original issuance of the Certificate of Occupancy. These changes include, but are not limited to, the following:

- Additions constructed to an existing commercial building.
- The removal or demolition of portions of an existing commercial building.
- Any significant modification or alteration to an existing commercial building, as determined by the Licensing Agent.

SECTION 7. Procurement Procedure For Business License

No license to commence or continue a business shall be issued until the owner or operator therefor shall have first been issued a *Zoning Permit* and a *Certificate of Occupancy* and submitted an application to the Licensing Agent of the Township on a form provided by the Licensing Agent for such purposes. A fee, established by the Township Board and subject to change from time to time by resolution of the Township Board, shall accompany the application.

Upon the filing of a properly completed application and upon payment of the fee, the Licensing Agent shall issue a license to the person to commence or continue the business designated in said application if the business complies with the terms of this Ordinance.

SECTION 8. Conditions of License

The license issued under this Ordinance shall be effective for a period of one (1) year from the effective date of issue. Renewals of Business Licenses shall be issued upon application and payment of the fee therefor in the same manner as set forth herein for the original issuance of the license. No license shall be issued by the Licensing Agent where the existing or proposed business would be illegal under any law or ordinance of the United States of America, the State of Michigan, the County of Genesee or the Township, or if the business property or its goods, fixtures, equipment or inventory has any delinquent, unpaid personal property taxes or where the business property building is in violation of the Township Building Code. No license may be transferred by the holder to any person except upon prior approval of the Licensing Agent. The Licensing Agent shall have the right of inspection of the business premises to assure compliance with this Ordinance. In the event of any noncompliance with the provisions of this Ordinance after a license has been issued, the same may be revoked by order of the Licensing Agent until the noncompliance has been corrected as determined by said agent.

SECTION 9. Existing Businesses

The Township shall provide written notification of the requirements of this Ordinance to all businesses already in existence as of the effective date of this Ordinance. Such existing businesses shall comply with the requirements of this Ordinance within ninety (90) days of said notification.

SECTION 10. Exemptions

No license shall be required of any political, charitable or religious establishment situated within the Township. The provisions of this Ordinance are not applicable to any agency of the United States of America, the State of Michigan, or any political subdivision thereof.

SECTION 11. Penalty For Violation

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 570, 2-5-01)

SECTION 12. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 13. Effective Date.

This ordinance shall be published as required by law and shall take effect 30 days after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the 7th day of June, 1999.