

AN ORDINANCE TO PROVIDE FOR IMPOSITION AND COLLECTION OF BUSINESS
REGULATORY FEES AND FOR ISSUANCE OF BUSINESS LICENSES

BE IT ORDAINED by the Council of the Town of Pine Mountain, as an exercise of its police power and as an aid in the regulation of business and businesses within the Town and in order to promote the general health, safety and welfare of the citizens, the following:

SECTION I.

Every person or entity or group of any sort which conducts any business within the Town of Pine Mountain shall, prior to engaging in any business, first apply for and obtain a business license from the Town.

"Business" means all kinds of vocations, occupations, professions, or activity of any kind intended for gain or profit, either direct or indirect, which are conducted or occur within the town limits, including but not limited to any one act of offering any goods or service for sale or lease, to include the use of any vehicle, premises, or land within the Town limits.

Provided, however, that no license shall be required for any group or organization to conduct an activity if all proceeds generated from such activity are to be used exclusively for charitable, public, educational or religious or like purposes.

Provided, further, that no license shall be required of a person who engages in casual or isolated activity involving only the sale of his or her personal items at his or her residence, or at the residence of another engaged in like activity.

Provided, further, that no license shall be required for individual vendors who sell goods or services or provide activities or entertainment at festivals, fairs, craft shows or the like are registered with the Town as required by ordinances of this Town.

A license shall be required for such individual vendors who engage at such business at festivals, fairs, craft shows or the like which are not sponsored by non-profit entities or groups. However, for those vendors who engage in such business activities as outlined in this paragraph, there shall be imposed a reduced fee, as set out in the fee schedule as established by the Town.

SECTION II.

Each person or entity required to obtain a business license shall apply to the Town Clerk for such license at least ten (10) business days before engaging in such business.

Each applicant shall provide information required on the business license application, a copy of which is appended to this

ordinance. Each applicant shall at the time of application pay the fee presently in effect, as established by the Town. No application for a business license will be processed until the fee is paid. If any information provided by the applicant is later determined to be false, any license issued upon the application may be revoked.

SECTION III.

A license shall be issued to each applicant if the following conditions are met: the applicant is a U S Citizen, has never had a previous business license issued by any government entity revoked, has never been convicted of a felony.

The applicant is not in default in any debt or obligation to the Town.

The applicant has provided truthful and accurate information in the application for the business license.

The premises where the business will be located is in compliance with applicable zoning ordinances and laws and with applicable fire, building, safety, and health codes.

Any license issued shall be subject to continuing compliance with these conditions and may be suspended or revoked if the business at any time fails to be in full compliance with the conditions set forth.

SECTION IV.

After receipt of an application the Town Clerk shall make or cause to be made such investigation as necessary before issuance of the license.

As necessary, the chief law enforcement officer of the Town, the public works superintendent of the Town, the sanitation officer of Harris County, and the building inspector of Harris County, and any other such Town or County official shall also investigate the business and business premises before issuance of a license.

Any investigation undertaken on an application shall be completed within the (10) business days of the date of the application.

SECTION V.

If the conditions set forth in Section IV are met, then the Town Clerk shall issue a business license to the applicant. The license shall be permanently displayed at the location of the business for which it is issued in a place where it may be seen at all times.

If the business for which the license is issued has no premises location, then the license shall be carried on the person of the licensee or in the vehicle used in the business at all times by the licensee or the vehicle is engaged in the business activity for which the license is issued.

SECTION VI.

A business license issued by the Town shall expire automatically on December 31st on the year of its issuance.

Each licensee shall make application for a renewal license by January 15th of each year and shall pay the annual fee.

Should any fee remain unpaid for 90 days from the due date, the penalty as authorized by Georgia law shall be imposed.

Each renewal application is subject to the same terms and conditions as an original application as set forth in this ordinance.

SECTION VII.

The Town Clerk, the chief law enforcement officer of the Town, the public works superintendent of the Town, the sanitation officer of Harris County and the building inspector of Harris County and other such officials as necessary shall have the authority to inspect the business and business premises of all licensees at all reasonable times in order to insure compliance with this Ordinance and with other applicable ordinances and laws as well as with other applicable building, fire, safety and health codes.

Further, any official with authority to inspect shall have the authority to inspect locations and premises within the Town limits for which a license is required but has not been issued or for which a license has previously been issued but has been revoked or suspended.

SECTION VIII.

The location of any licensed business may be changed, provided that ten (10) business days notice of the change is given to the Town Clerk and further provided that all applicable building, fire, safety, and health codes and zoning ordinances and laws are met.

SECTION IX.

Business licenses issued under this ordinance shall be nontransferable.

SECTION X.

Provisions of this Ordinance are severable.

If any provision of this Ordinance or the application thereof to any licensee or business or business activity is held invalid, such invalidity shall not affect other provisions or application for this Ordinance which can be given effect without the invalid provision or application.

SECTION XI.

This Ordinance repeals all other ordinances in conflict herewith; provided, however, that should any fees levied under any prior licensing or regulating ordinance remain unpaid, until those obligations are paid in full, any prior Ordinance governing business activity as to those businesses or licensees which have not paid the applicable fee, shall remain in full force and effect.

SECTION XII.

This Ordinance shall take effect January 1, 1994.

SECTION XIII.

This Ordinance shall apply to all businesses and business activity conducted within the Town limits of Pine Mountain except that any business, profession, or occupation for which state licensure or registration is required by Georgia state law, and which is the exclusive licensure or registration or regulation of that business, profession, or occupation, shall be exempt from this Ordinance.

SECTION XIV.

It shall be unlawful for any person or entity to engage in any business or business activity in the Town of Pine Mountain without first having applied for a business license and procured such license or to engage in any business or business activity within the Town of Pine Mountain after revocation or suspension of any license previously issued.

Each day during which a business is so engaged without a valid current license shall constitute a separate offense.

SECTION XV.

Upon notification by any official authorized to inspect business and business activity within the Town of Pine Mountain that a person or entity who is operating a business or engaged in

business activity without a valid current license or upon a report that any person or entity which is licensed has violated any provision of this ordinance, the Town shall cause to be issued to said licensee an order to comply and/or to correct the violation. The notice shall be personally served upon the licensee by the chief law enforcement of the Town of Pine Mountain, or his agent, and shall require compliance within five (5) business days of service.

The order shall also set forth a hearing date within ten (10) days of service, with said hearing required to be held if the compliance has not been effected, said hearing being held in the Mayor's Court of the Town of Pine Mountain, the hearing to be conducted as other hearings before the Mayor's Court of Pine Mountain are conducted.

If after the hearing the Court finds that this ordinance has been violated by the licensee, the Court may, in addition to other remedies available to the court, including the levy of fines, revoke the license in its entirety or suspend it for a period of time as deemed necessary in the discretion of the Court to allow compliance with the ordinance.

During such time as a license is suspended or revoked, it shall be unlawful for the person or entity whose business is the subject of the suspension or revocation to engage in business in the Town of Pine Mountain.

This the 8th day of November, 1993

PINE MOUNTAIN YOUTH ASSOCIATION

Mr Robert McGee presented the Council with a trophy won by the 11 & 12 year old football team.

Mr McGee requested permission from the Council for the use of the gym starting December 8 until the second week of March from 5:30 until 8:30 P.M. for basketball practice. Also, to be able to use the gym for the football banquet on Saturday.

Mr Burdette made a motion Pine Mountain Youth Association be allowed the use of the gym. Mr Chason seconded the motion.

Mrs Pierce and Ms Ewell voted in favor of the motion.

INSURANCE ORDINANCE

Mayor Teel presented the 2nd reading for the insurance ordinance.

Ms Ewell made a motion to adopt the resolution as written.

Mrs Pierce seconded the motion.

Mr Burdette and Mr Chason voted in favor of the motion.

CHIPLEY WOMAN'S CLUB

Mrs Carole Gateley came to the Council with an update on the plans for placing flower beds within the Town.

BEVERAGE LICENSE

Mayor Teel presented the 1st reading for beverage license for San Marco's in the name of Delisa Cobb.

L.O.S.T. RESOLUTION

Mr Chason made a motion that the Resolution presented by Meriwether County be approved as written.

Ms Ewell seconded the motion.

Mr Burdette and Mrs Pierce voted in favor of the motion.

BUSINESS LICENSE

Mrs Pierce made a motion that the rate for business license fees be changed to \$100.00.

Ms Ewell seconded the motion.

Mr Chason and Mr Burdette voted in favor of the motion.

ALCOHOL LICENSE

This will be discussed at the next meeting.

ADJOURNMENT

Mrs Pierce made a motion that the meeting be adjourned.
Ms Ewell seconded the motion.
Mr Chason and Mr Burdette voted in favor of the motion.

Betsy Chapman
Betsy Chapman
Town Clerk

W. Mitchell Chason, W Mitchell Chason

Barbara Bell Ewell, Barbara Bell Ewell

Pierce, Tamara M Pierce

B.S. Burdette, Benny S Burdette

Jerry M Teasley, Jerry M Teasley

**ACTS OF COUNCIL
NOVEMBER 12, 2001**

The Mayor and Council of the Town of Pine Mountain sat in a regular session on the evening of November 12, 2001 at 7:00 P.M. in the Town Hall.

Mayor Joe D Teel, Jr presided with Councilperson W Mitchell Chason, Tamara M Pierce, Barbara Bell Ewell and Benny S Burdette in attendance. Jerry M Teasley was not present.

ACTS OF COUNCIL

Mr Chason made a motion that the Acts of Council for October meetings and November 2 meetings be approved as written.

Ms Ewell seconded the motion.

Mr Burdette and Mrs Pierce voted in favor of the motion.

FINANCIAL REPORT

Mayor Teel presented the financial report for October.

PINE MOUNTAIN TOURISM

Ms Arnold presented the monthly report.

PINE MOUNTAIN HERITAGE

Mrs Dawson came before the Council requesting permission to apply for a second grant from DCA for \$50,000.00. This grant would be used to reconstruct the sidewalk (additional 2 ft) in front of Pine Mountain Tourism to the end of North Commerce Avenue. The Town provide labor to tear out the existing sidewalk on an in-kind basis.

Mr Chason made a motion that Pine Mountain Heritage apply for the grant and the additional 2 ft be added. Also, that Mayor Teel be allowed to execute the necessary paperwork.

Mrs Pierce seconded the motion.

Mr Burdette voted in favor of the motion.

Ms Ewell did not cast a vote on the motion.

PINE MOUNTAIN CHAMBER OF COMMERCE

Mrs Dawson advised the council the Chamber meeting will be held on November 13, 2001 at the Woman's Club.

CHRISTMAS PARADE

Mrs Dawson advised the Council and Mayor that the Pine Mountain Christmas Parade will be held on December 1, 2001 (Saturday) at 1:00 P.M. The route will be the same as last year.

ZONING

Mr Sandifer came before the council with some concerns on property located within the Meadow Spring subdivision. Ms Ewell suggested to Mr Sandifer to get a petition signed from the citizens within the subdivision.