

City of Gem Lake, Ramsey County, Minnesota
Business Licensing
Ordinance No. 136

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 84, ESTABLISHING A GENERAL PRACTICE AND PROCEDURE FOR THE LICENSING OF BUSINESSES WITHIN THE CITY

The City Council of the City of Gem Lake hereby ordains that Ordinance No. 84 shall be repealed and replaced with the following:

Section 1. Purpose. The purpose of this Ordinance is to provide for the health, safety and general welfare of the citizens of the City of Gem Lake through routine safety inspections of the premises occupied by business operating within its boundaries.

Section 2. License Required. No person shall operate a business within the City of Gem Lake without obtaining and maintaining a business license provided herein.

2.1 Application. Each owner of a business to be located within the City of Gem Lake shall complete an application for a business license on forms provided by the City Clerk containing such information as is requested on the form.

2.1.1 No license shall be issued for any premises unless located in an area where the business for which license is sought is permitted under Ordinance No. 43K (Zoning, also incorporated into No. 131).

2.1.2 Each applicant must present acceptable evidence of compliance with the workers' compensation insurance requirements of State law.

2.1.3 Each applicant must use their Federal Tax Identification Number and their Minnesota Business Identification Number on the application. The City may not issue any business license if it receives notice from the Minnesota Department of Revenue that the applicant owes the State \$500.00 or more in delinquent taxes, or has not filed tax returns.

2.2 License Fee. Payment in full of the business license fee as set forth in Ordinance No. 135 (Fees & Charges), shall accompany the business license application.

2.3 Key Holders. The owner shall submit a list of employees and other people holding keys to the business premises with the application.

2.4 Inspection. As a condition of the license, each licensee shall permit properly designated City agents to inspect the licensee's premises and equipment as reasonable times to assure compliance with the requirements of State building, fire and safety codes and related requirements of City Ordinances.

2.5 Term. Each license shall expire on December 31st of each year.

Section 3. Revocation. The City Council shall have the power to suspend or revoke the license of any person licensed by the City found to be in violation of the terms of their license or other applicable laws, providing the person holding such license is given 20 days' notice and granted the opportunity to be heard before such action is taken. If and when such notice is sent to the legal address of the licensee and he fails or refuses to appear at the hearing, his license will be automatically suspended or revoked five (5) days after the date of the hearing.

3.1 When a license is suspended under Section 3, the period of suspension shall not be less than 30 days nor more than one (1) year, such period being determined by the City Council.

3.2 When any person holding a license issued by the City has been convicted for a second time by a court of competent jurisdiction for violation of any of the sections of a City Ordinance relating to the subject matter of the license, the City Council shall revoke the license of the person convicted. Such person may not make an application for a new license for a period of one (1) year.

Section 4. Enforcement and Penalties. In addition to any fines, costs, or assessments provided for by City Ordinances, the City may prosecute a violation of any provision of this chapter as a misdemeanor, and a person, if convicted, may be punished by the maximum fine and term of imprisonment provided by Minnesota Statutes § 609.034, as that statute may be amended from time to time.

4.1 The City of Gem Lake may impose a 5% delinquency fee per month for up to three (3) months, on businesses that exist within the City if the business license application and fee are not received in the City Offices by January 1st.

Section 5. Posting of Business License. Business licenses, issued by the City of Gem Lake, shall be posted in a conspicuous location in the licensed business location, viewable to the public who visits this licensed business.

Section 6. Severability. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

Section 7. Effective Date. This Ordinance shall take effect and be in force from and after its passage and publication.

Dated: February 15, 2022

APPROVED:

Gretchen Artig-Swomley

Gretchen Artig-Swomley, Mayor

ATTEST:

Melissa Lawrence

Melissa Lawrence, Acting City Clerk