

## Chapter 14

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**ARTICLE I. IN GENERAL**

**Secs. 14-1—14-18. Reserved.**

**ARTICLE II. BUSINESS LICENSES****Sec. 14-19. Purpose and authority.**

(a) *Purpose.* The purpose of this article is to license any and all associations; corporations; industrial, institutional, rental, research, retail or service business establishments; limited liability corporations or partnerships; and professional associations or corporations doing business in the town.

(b) *Authority.* The authority to license business entities operating within the town and to charge a fee is provided for in section 82-16(2)(gg) of the town Charter and in Ann. Code of Md., Local Government article, §§ 5-204(e) and 5-205(d). (Ord. No. 2018-07, § 1, 10-9-2018; Ord. No. 2021-01, § 1, 5-11-2021)

**Sec. 14-20. Required; exceptions.**

No association, business entity, commercial or residential property management association, corporation, entity, industrial, institutional, rental, retail, or service business establishment, limited liability association, corporation or partnership, organization, person or professional association, corporation or partnership shall sell, offer for sale, or otherwise dispose of for any valuable consideration any goods or services or engage in the dispensation of professional services within the town without first obtaining a business license for such purpose. Excepted are activities conducted by town organizations for fundraising, exclusively religious, charitable or educational fundraising organizations, and yard sales.

(Ord. No. 2018-07, § 2, 10-9-2018; Ord. No. 2021-01, § 2, 5-11-2021)

**Sec. 14-21. Multiple establishments.**

(a) If multiple businesses are conducted on any premises, lot or parcel within the town, a separate license and fee shall be required for each separate business establishment, unit or use described herein or by resolution adopted pursuant to this article that is operated on any single premises, lot or parcel located within the town.

(b) If a business conducted on any premises is also conducted on any other premises within the town, a separate license shall not be required for each branch or separate establishment, provided that warehouses and distribution facilities used in connection with a business are incidental to a business licensed under the provisions of this article and shall not be deemed to be separate places of business or branch establishments. (Ord. No. 2018-07, § 3, 10-9-2018; Ord. No. 2021-01, § 3, 5-11-2021)

**Sec. 14-22. Biannual renewal.**

Business licenses shall be valid for two years, from July 1 through June 30, and must be renewed biannually. The town shall notify all business establishments operating within the town of the business license application requirement and fee in writing. An application not filed and/or fees not paid within 30 days from the date of the letter sent to the business establishment will be subject to a penalty of \$50.00 and will be subject to an additional penalty of \$25.00 for each month or partial month the business license application is not filed and/or fee is not paid after 60 days from the date of the letter sent to the business establishment. Any business establishment that fails to file an application or pay the business license fee may be reported to the state office of the comptroller, the state department of assessment and taxation, personal property tax division, and the clerk of the circuit court in the county. A business license is not transferable to a new owner or operator of an existing business. Licenses granted for a period after December 31 will be prorated at one-half the scheduled rate. (Ord. No. 2018-07, § 4, 10-9-2018; Ord. No. 2021-01, § 4, 5-11-2021)

**Sec. 14-23. Fees generally.**

The fee schedule for this article as it pertains to certain enumerated businesses shall be set from time to time by resolution of the board of commissioners. (Ord. No. 2018-07, § 5, 10-9-2018; Ord. No. 2021-01, § 5, 5-11-2021)

**Sec. 14-24. Fee schedule.**

The following business licensing fees and other fees in this section shall be established and collected pursuant to this article:

Bail bondsmen	\$300.00
Private investigations	\$300.00
Barber/beauty shops	\$300.00
Cleaning services companies	\$300.00
Convenience stores/marts	\$300.00
Dry cleaning and laundromats	\$300.00

Insurance agencies	\$300.00
Liquor stores	\$300.00
Home occupations	\$0.00
Lottery sales (per unit)	\$100.00
Medical/dental facilities	\$300.00
Nonprofit organizations/churches	\$0.00
Professional offices (per office)	\$300.00
Restaurants/bars	\$300.00
Vending machines (per unit)	\$25.00
Engineering/surveying firms	\$300.00
All other businesses	\$300.00
Supplemental town liquor license	20% of county liquor board license fee

(Res. No. 2018-05, 10-9-2018)

**Sec. 14-25. Application.**

(a) Each business establishment subject to the provisions of this article shall file a business license application as part of the licensing procedure and shall provide on the application its state department of assessment and taxation (SDAT) number and its federal employer identification number. Failure to provide this information shall be considered a violation of this article.

(b) Each business establishment subject to the provisions of this article that owns the property from which the business is operated and fails to file a business license application and/or pay business and/or liquor license fees, fines or penalties imposed by this article shall result in the amount of any fee, fine or penalty imposed being recorded as a lien against the property and collected in the same manner as delinquent taxes.

(c) No application for a business will be approved for a business or activity which is in violation of the ordinances or laws of the town, county or state or which is a nuisance or constitutes a danger to the welfare, health or safety of the town or the public.

(d) All business licenses issued shall be subject to revocation by the town if it is shown that the manner in which such business is conducted constitutes a nuisance to the public, or if such business is being conducted in violation of any law or ordinance, or if such business otherwise constitutes a danger to the public health, safety or welfare of the residents of the town.

(Ord. No. 2018-07, § 6, 10-9-2018; Ord. No. 2021-01, § 6, 5-11-2021)

**Sec. 14-26. Property owner, property manager and/or rental agent notification.**

The property owner or duly authorized property manager or agent shall be required to notify the town of the name, address, telephone number, and date a new tenant

moves in or an existing tenant relocates to another location owned by the property owner or of the date when a tenant ceases to be a tenant. Failure of the property owner to provide this information within 30 days of the event will be in default and subject to a reasonable penalty as provided in section 14-27 and failure to pay any fine or penalty imposed will result in the amount of any fine or penalty imposed being recorded as a lien against the property and collected in the same manner as delinquent taxes.

(Ord. No. 2018-07, § 7, 10-9-2018; Ord. No. 2021-01, § 7, 5-11-2021)

**Sec. 14-27. Violation; enforcement.**

(a) Violation of any provision of this article shall be a municipal infraction. The penalty for a violation shall be \$50.00 for each initial offense and \$250.00 for each repeat offense. Failure to apply for a town business license and pay the required fees within the specified timeframe as indicated in this article shall constitute a violation. Such violation shall not be considered corrected until the required application is filed and the proper fee paid. If an application has not been filed, nor the proper fees paid after the elapse of a 30-day period following the initial due date as stated in the letter of notification, this event shall constitute a separate offense. The board of commissioners shall have the authority to change the penalties of this article from time to time by resolution.

(b) In addition to the other remedies or penalties provided herein, the town may institute an action for injunctive, mandamus, or other appropriate action or proceedings to enforce the provisions of this article.

(Ord. No. 2018-07, § 8, 10-9-2018; Ord. No. 2021-01, § 8, 5-11-2021)

**Secs. 14-28—14-57. Reserved.**

**ARTICLE III. RETAIL OR SERVICE ESTABLISHMENTS**

**Sec. 14-58. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Retail or service establishment* means any establishment operated within the corporate limits of the town which caters to the public for sales of merchandise or services

having 75 percent of whose annual dollar volume of sales of goods or services (or of both) is not for resale and is recognized as retail sales or services in the particular industry.

(Ord. No. 2018-04, § 1, 8-14-2018)

**Sec. 14-59. Hours of operation.**

It shall be unlawful for any person, business entity or corporation to operate or cause to be operated any retail or service establishment in the town between the hours of 2:00 a.m. and 6:00 a.m. unless a 24-hour operation permit is approved by the board of commissioners.

(Ord. No. 2018-04, § 2, 8-14-2018)

**Sec. 14-60. Twenty-four-hour operation permit.**

Should a retail or service establishment wish to remain open 24 hours a day, a permit valid for two years must be obtained from the town and approved by the board of commissioners. A fee of \$2,000.00 shall be associated with the permit and is due within five days of the permit being granted. A permit certificate issued by the town shall be issued upon payment and conspicuously displayed on the premises.

(Ord. No. 2018-04, § 3, 8-14-2018)

**Sec. 14-61. Special permits.**

Should a retail or service establishment wish to remain open for a period longer than the hours of operation as prescribed in section 14-59, but less than 24 hours, a special permit having the same fee as prescribed in section 14-60 shall be obtained from the board of commissioners.

(Ord. No. 2018-04, § 4, 8-14-2018)

**Sec. 14-62. Revoking of 24-hour operation or special permit.**

Should the town find that a retail or service establishment is operating in violation of its 24-hour operation or special permit, or this article, a written warning notice shall be submitted to the property owner and establishment owner. If the violation continues after the warning notice, the board of commissioners may vote to revoke the permit and issue a written notice that the establishment must return to normal hours of operation within 30 calendar days of the notice. The full permit fee shall be refunded within 90 days by the board, provided that more than 365 days remain of the two-year permit term.

(Ord. No. 2018-04, § 5, 8-14-2018)

**Sec. 14-63. Penalty.**

Any person, business entity or corporation found in violation of this article shall be liable for a municipal infraction and, upon conviction thereof, shall be assessed a fine in the amount of \$1,000.00.

(Ord. No. 2018-04, § 6, 8-14-2018)

**Secs. 14-64—14-84. Reserved.****ARTICLE IV. MECHANICAL OR ELECTRICAL AMUSEMENT DEVICES****Sec. 14-85. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Gross retail floor space* means the space within which the public is invited to conduct business and to which the public has access to displays, services and goods to be purchased.

*Mechanical or electrical amusement device* means any machine which, upon the payment for use or the insertion of a coin, slug, token, plate, or disk, may be operated by the public generally for use as a game, game of chance, entertainment, or amusement, whether or not registering a score. The term "mechanical or electrical amusement device" shall include such devices as marble machines, pinball machines, skill ball, mechanical grab machines, video games, games of chance and all games, operations, and transactions similar thereto under whatever name they may be indicated.

(Ord. No. 84-1, § I, 4-11-1984; Ord. of 5-9-1995, § 1)

**Sec. 14-86. License fee.**

(a) It shall be unlawful to place mechanical or electrical amusement devices in any location where it is available for public use or is used by the public unless it is first licensed by the board of commissioners. Applications shall be made to the town clerk.

(b) The fee for such license shall be \$50.00 per year or any portion of a year. The license period shall be the same as the calendar year.

(Ord. No. 84-1, § II, 4-11-1984)



**Sec. 14-87. License issuance.**

No license shall be issued except to a person of good character approved by the board of commissioners. Upon approval of the applicant and the payment of the license fee, the town clerk shall issue a stamp bearing a notation of the town indicating the issuance for the license for the appropriate year. One license shall be issued for each amusement device licensed and it shall be placed in a conspicuous location and so affixed that it cannot be transferred from one machine to another.

(Ord. No. 84-1, § III, 4-11-1984)

**Sec. 14-88. Devices to be in plan view without overcrowding.**

(a) All amusement devices shall at all times be kept and placed in plain view of any person who may frequent or be in any place of business where such devices are kept or used.

(b) Nothing in this article shall be construed to authorize, permit or license any gambling device of any nature whatsoever.

(c) It shall be unlawful to place more than one mechanical or electrical amusement device in any establishment with less than 1,000 square feet of gross retail floor space per machine.

(Ord. No. 84-1, § IV, 4-11-1984)

**Sec. 14-89. Inspection.**

The chief of police shall inspect or cause the inspection of any place or building in which any amusement devices are operated or set up for operation and to inspect, investigate and test such devices as seen fit by the board of commissioners.

(Ord. No. 84-1, § V, 4-11-1984)

**Sec. 14-90. Revocation.**

In addition to any penalty imposed, the board of commissioners may revoke an amusement device license for any violation of this article or of any part of this article pertaining to the conduct of such business.

(Ord. No. 84-1, § VI, 4-11-1984)

**Sec. 14-91. Penalty.**

Any mechanical or electrical amusement device found to be unlicensed shall result in a penalty to the owner and/or lessee of the premises where the machine is located in the amount of \$250.00.

(Ord. No. 84-1, § VII, 4-11-1984)

**Secs. 14-92—14-110. Reserved.**

**ARTICLE V. TRANSIENT MERCHANTS, ITINERANT MERCHANTS AND  
ITINERANT VENDORS**

**Sec. 14-111. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Transient merchant, itinerant merchant or itinerant vendor* includes any person, firm or corporation, whether as owner, agent, consignee or employee, whether a resident of the town or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within the town, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, and public room in hotels, lodginghouses, apartments, shops or any street, alley, or other place within the town, for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction.

(Ord. No. 86-1, § 1(1-1), 9-9-1986; Ord. No. 04-01, § 1(1-1), 9-14-2004)

**Sec. 14-112. Prohibited generally.**

It shall be unlawful for any transient merchant, itinerant merchant or itinerant vendor to sell or deliver the goods of said transient merchant, itinerant merchant or itinerant vendor within the town limits.

(Ord. No. 86-1, § 1(1-2), 9-9-1986; Ord. No. 04-01, § 1(1-2), 9-14-2004)

**Sec. 14-113. Exceptions.**

(a) Exemptions from this article are yard sales, home hostess parties, such as Tupperware, and ice cream trucks.

(b) Upon approval of the board of commissioners, exception can be made for special town- or county-sanctioned celebrations or functions.

(Ord. No. 86-1, § 1(1-3), (1-4), 9-9-1986; Ord. No. 04-01, § 1(1-3), (1-4), 9-14-2004)

**Sec. 14-114. Penalty.**

Any person found guilty of violating any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount not more than \$100.00.

(Ord. No. 04-01, § 1(1-5), 9-14-2004)