

CHAPTER 10 - GENERAL LICENSING AND LICENSING BOARDS

ARTICLE 1 - GENERAL PROVISIONS

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Section 10-1-101 Unlawful to engage in any profession, trade or occupation for which license required - exceptions.

It shall be unlawful for any person, firm or corporation to engage in any trade, business or occupation within the corporate limits of the city for which a license is required and provided for in this code without first having obtained such license as hereinafter provided. The provisions of this chapter shall not apply to any public officer who may in pursuance of legal process sell at public auction any property of any kind whatsoever, nor shall the provisions of this chapter include or apply to persons

engaged in the sale of farm products only.

Source: R.O. Pierre, 1957, 8.0101.

Statutory reference: SDCL 9-34-1, licensing procedure and terms.

Section 10-1-102 Procedures for license application and issuance.

Any person, firm or corporation wishing to obtain a license to engage in any trade, business, or occupation as herein provided, shall pay to the city finance officer the amount provided by this code for the license applied for, and he shall issue a receipt therefore and make written application to the commission stating the name of the person, post office address, business, calling or vocation in which such person desires to engage, the length of time for which said license is desired and the particular place at which said license is to be used. Upon presentation of the application to the commission it shall act upon said application and if it shall deem the applicant a suitable and proper person to have such license, shall cause the city finance officer to issue the same. The license shall be signed by the city finance officer, attested by the corporation seal and shall authorize said person to carry on the business, calling or vocation named in the application. If the said application be refused the same shall be endorsed upon the receipt by the city finance officer, and upon presentation of such receipt so endorsed, the city finance officer shall refund the money so paid by the applicant and take up said receipt. The receipt when taken up shall be the finance officer's voucher for the money so refunded.

Source: R.O. Pierre, 1957, 8.0102.

Statutory reference: SDCL 9-34-1, licensing procedure and terms.

Section 10-1-103 City Finance Officer to keep record of licenses.

The city finance officer shall keep a record of all licenses issued by the commission stating when and to whom issued, for what purpose and for what length of time issued, the amount of money paid for the license and the place where the business is to be carried on.

Source: R.O. Pierre, 1957, 8.0105; Rev. of Ord., 1990.

Section 10-1-104 Time and effect of license expiration.

All annual licenses granted under the provisions of this code shall expire on the 31st day of December next following the granting thereof, except as otherwise provided and shall not be granted for any sum less than the annual rate. There shall be no rebate made on the termination of said calling, vocation or kind of business for which said license was issued.

Source: R.O. Pierre, 1957, 8.0103.

Statutory reference: SDCL 9-34-1, licensing procedure and terms.

Section 10-1-105 Suspension and revocation of licenses for cause by city commission.

The commission shall have power at any time to suspend or revoke any license granted under the provisions of this code whenever it shall be satisfied upon written complaint that any such calling, vocation, or kind of business for which said license has been issued has been made or conducted in an indecent, indecorous, improper or illegal manner. In case of such revocation thereof, the commission may refund to the holder of such license such proportionate amount of money paid therefor as it shall deem just.

Source: R.O. Pierre, 1957, 8.0104.

Statutory reference: SDCL 9-34-1, licensing procedure and terms.

Section 10-1-106 Notice of hearing for license revocation.

Notice of hearing for revocation of any license shall be given by service of a notice in writing of the time and place for said hearing, stating generally the grounds upon which such revocation is sought. Said notice shall be served either personally or by registered mail at least ten days prior to the date set for said hearing.

Source: R.O. Pierre, 1957, 8.0108.

Section 10-1-107 Unlawful to display license or permit which has been terminated, revoked or not lawfully obtained.

No person shall carry or display any city license or permit which has been terminated or revoked or which has not been lawfully procured and issued.

Source: R.O. Pierre, 1957, 8.0213.

Section 10-1-108 Inspection of facilities.

An annual fire and life safety inspection of the building of any enterprise that requires a City of Pierre license shall be conducted by the City Building Inspection Department prior to the approval of a new license, the reissuance or the transfer of an existing license under this Chapter, when the enterprise is to be conducted in a building where any substantial group of the public regularly assembles.

All ordinances or parts thereof in conflict herewith are hereby repealed.

Ord. No. 1450, 1999; Ord. 1485, 2001

Section 10-1-109 Business License Violation

Any person, firm, or corporation operating a business where a license is herein required, or who violates or fails to comply with any provisions of this Chapter, shall be assessed a Violation Fee. The fee shall be set out in a schedule to be approved by the City Commission and as presented and on file with the City Business Office. The imposition of such Fee shall not excuse the violation or permit the business operations to continue. Each day any violation of this Chapter continues shall constitute a separate offense.

Ord. No. 1831, 2021

Sections 10-1-110 to 199, inclusive. Reserved.