

BILL NO. 21-02

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLEASANT HILL, MISSOURI, AMENDING CHAPTER 10, ARTICLE I OF THE CODE OF ORDINANCES REGARDING BUSINESS LICENSE RE-ISSUANCE AFTER A REVOCATION OR FORFEITURE OF LICENSE.

WHEREAS, the City Council now desires to amend Chapter 10, Article I of the Code of Ordinances regarding business license re-issuance after a revocation or forfeiture of license.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLEASANT HILL, MISSOURI, AS FOLLOWS:

Section 1. That Section 10-43. – Suspension or revocation; hearing of the Code of Ordinances be amended to the following:

Sec. 10-43. – Suspension or revocation; hearing; **licensing after revocation or forfeiture of license in lieu of hearing.**

- (a) The city council shall have the power to suspend or revoke any license granted under this article whenever it shall be shown, or whenever they have knowledge that a licensee is conducting a business or manufacturing plant in violation of any provision of this Code or any other ordinance of the city. The city council shall have the power to issue subpoenas and all necessary processes and to require the production of papers, to administer oaths and to take testimony and to make findings thereon.
- (b) The city council shall not suspend any license granted under this article for a period in excess of 60 days.
- (c) Where action of suspension or revocation is to be taken pursuant to this section, the licensee shall have five days' written notice of the city council's intention to suspend or revoke the license prior to the hearing on such suspension or revocation. The written notice shall be directed by certified or registered U.S. mail to the business address of the licensee on the licensee's application on file in the office of the city clerk, and shall specify the grounds upon which the license is sought to be suspended or revoked.
- (d) The licensee shall have full right to be represented by counsel at such hearing, to produce witnesses in his behalf, and any such hearing, as provided in this section, shall be before the city council.
- (e) A person whose license is revoked under this chapter or a person who has voluntarily forfeited their license in lieu of participating in a hearing before the city council under this chapter may not apply for another business license under this chapter for a period of twelve (12) months after the final decision of the administrative appeals process or an appeal period runs without an appeal, whichever is later.**

Section 2. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. That this Ordinance shall be in full force and effect upon approval of the City Council.

Section 4. That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

Read and approved by the City Council of the City of Pleasant Hill, Missouri, this _____ day of _____, 2020.

Mark Guffey, Mayor

ATTEST:

Jessica Elliott, City Clerk

NOTE: Text being eliminated by this ordinance is lined through and text being added by this ordinance is bolded and underscored.