

ORDINANCE NO. 764

AN ORDINANCE ESTABLISHING AN ANNUAL FEE AND
REQUIRING A LICENSE FOR THE OPERATION OF A BUSINESS OR
COMMERCIAL ESTABLISHMENT WITHIN THE TOWN LIMITS OF THE
TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

WHEREAS, the Board of Trustees of the Town of St. John, Lake County, Indiana has deemed it necessary for good order and the safety of the citizens and residents of the Town of St. John, Lake County, Indiana that it establish an annual fee and require a license for the operation of businesses and commercial establishments within the Town limits of the Town of St. John, Lake County, Indiana; and

WHEREAS, the requiring of a license will, among other things, aid and facilitate police and fire protection, provide the Clerk-Treasurer with a list of said businesses and their addresses for purposes of ordinance enforcement, and further generally serve to further the welfare of the community; and

WHEREAS, the requiring an annual fee will in part defray the cost of administering the license and enforcing this ordinance; and

WHEREAS, the Board of Trustees of the Town of St. John, Lake County, Indiana, believes the foregoing is in the best interests of the Town of St. John, Lake County, Indiana, and its residents.

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of St. John, Lake County, Indiana, that all businesses and commercial establishments operating within the Town limits of the Town of St. John, Lake County, Indiana, shall be required to obtain a license from and pay a fee to the Town of St. John in accordance with the following:

1. Persons subject to license.

A license shall be required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, and any person shall be subject to the requirement if by himself or through an agent, employee or partner, he holds himself forth as being engaged in the

business or occupation; or solicits patronage therefore, actively or passively; or performs or attempts to perform any part of such business or occupation within the Town limits of the Town of St. John, Lake County, Indiana.

2. Applications.

Applications for all licenses required by this ordinance shall be made in writing to the Town Zoning Administrator in the absence of provisions to the contrary. Each application shall state the name of the applicant, the license desired, the location to be used, if any, the time covered and the fee to be paid; and each application shall contain such additional information as may be needed for the proper guidance of the town officials in the issuing of the license applied for.

3. Forms.

Forms for all licenses and applications therefore, shall be prepared and kept on file by the Town Zoning Administrator.

4. Investigations.

Upon the receipt of an application for a license, the Town Zoning Administrator may refer such application to the proper officer for making an investigation within forty-eight (48) hours of the time of such receipt. The officer charged with the duty of making an investigation or inspection may make a report thereon, favorable or otherwise, within ten days after receiving the application or a copy thereof. The officer may make or cause to be made an investigation in regard to such licenses in connection with the care and handling of food and the prevention of nuisances and the spread of disease, for the protection of health; and the Building Inspector shall make or cause to be made any such inspections relative to the construction of buildings or other structures. All other investigations except where otherwise provided shall be made by the Zoning Administrator, or some other officer designated by the Town Board, which may include the Director of Public Works.

5. Fees.

In the absence of provisions to the contrary, all fees and charges for licenses shall be paid in advance at the time application therefor is made to the Clerk Treasurer. Except as otherwise provided all license fees shall become part of the general fund of the Town of St. John, and said fees shall be remitted to the Clerk-Treasurer.

6. Termination and commencement of licenses.

All annual licenses shall commence on the 1st day of January of each year and terminate on the last day of each calendar year (December 31), where no provision to the contrary is made.

7. Building and premises.

No license shall be issued for the conduct of any

business or for any thing or act, if the premises and building to be used for the purpose do not fully comply with the ordinances of the Town. No such license shall be issued for the conduct of any business or performance of any act which is in violation or which would involve a violation of any ordinance of the Town of St. John or law, rule or regulation of the State of Indiana or of the United States of America.

8. Inspection.

Whenever an investigation of the premises used for or in connection with the operation of a licensed business or occupation is provided for or allowed herein, or is reasonably necessary thereto to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee, or the person in charge of the premises to be investigated, to admit thereto for the purpose of making an inspection, any officer or employee of the Town, who is authorized or directed to make such investigation at any reasonable time that admission is requested.

9. Schedule of fees and charges.

Any person, firm, partnership, corporation, association, agent, or the like maintaining, operating or conducting any business or establishment or doing business or engaging in any activity or occupation in the Town of St. John, Indiana shall pay an annual license fee of \$ 10.00.

10. Penalty.

Any violation of any provision of this ordinance shall be subject to a fine of not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars. Each day of violation shall constitute a separate offense.

Nothing herein shall limit the right of the Town of St. John to enjoin or restrain the maintenance, operation or conduct of any business or occupation for which a license has not been obtained in the manner provided in this ordinance.

BE IT FURTHER ORDAINED that all other ordinances and resolutions of the Town of St. John that are in conflict with this ordinance are hereby repealed to the extent of such conflict; however, notwithstanding the foregoing, all other ordinances and resolutions not in conflict herewith shall remain in full force and effect;

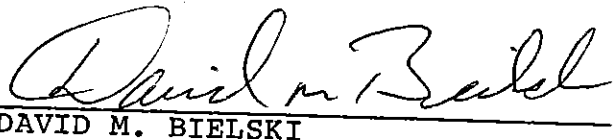
BE IT FURTHER ORDAINED that if any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not effect the remaining part of this ordinance; and that if this ordinance or any part hereof

shall be held invalid, it shall not effect any other ordinances.

BE IT FURTHER ORDAINED that an emergency exists for the immediate taking effect of this ordinance and the same shall take effect immediately upon its passage by the Board of Trustees and posting as required by law.

Passed and adopted by the Board of Trustees of the Town of St. John, Lake County, Indiana this 14th day of Nov, 1988.


BOARD OF TRUSTEES, TOWN OF
ST. JOHN, LAKE COUNTY, INDIANA


DAVID M. BIELSKI


RANDALL S. HARMON

DOUGLAS PATTERSON

ATTEST:


BETTY L. SIEDELMANN
Clerk-Treasurer