

CHAPTER 10

LICENSES

State law references--Authority of city to license businesses, etc., G.S., §§ 160A-194; taxation by cities generally, G.S., §§ 160A-206 to 160A-215.2.

Cross references--Licenses for massage parlors, health salons, etc., §§ 11-8 to 11-12; Licensing of mobile home parks, 12-5 to 12-14; registration of vehicles, 13-52 to 13-56; taxicabs generally, Ch. 18.

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Sec. 10-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Agent. The person having the agency for the manufacturer, producer or distributor.

Business. Any business, trade or profession.

Engaged in business. As either owner or operator.

Fiscal year. The period beginning with the first day of July and ending the thirtieth day of June next following.

Quarter. Any three (3) consecutive months. (Code 1961, § 9-2)

Sec. 10-2. Construction of chapter.

This entire chapter is based upon and shall be construed in accordance with the state revenue act and other state laws. In case of doubt as to the proper construction of any part of this chapter the state law, if any, as to the particular matter in question, shall govern; otherwise, this chapter shall govern. (Code 1961, § 9-1)

Sec. 10-3. Tax imposed; license year; payment.

Repealed effective July 1, 2015.
(Former Sec. 10-3, Code 1961, § 9-3)

Sec. 10-4. Proration.

Repealed effective July 1, 2015.
(Former Sec. 10-4, Code 1961, § 9-4)

Sec. 10-5. Required; application; display; transfer.

All persons before doing, entering or engaging in any business, trade, profession, calling, or occupation shall, except as hereinafter provided, apply to the city manager or his designee for license. All persons holding a license issued by an occupational licensing board of this State shall be exempt from this licensing requirement as to the profession or trade that he or she has been licensed to practice or pursue by the State. Also exempt from this licensing requirement are digital dispatching services for prearranged transportation services for hire. Except as set forth in Section 10-7, and upon payment of the application fee, a license shall be issued to such applicant. Such license must be conspicuously posted in the place of business licensed, and if the licensee has no regular place of business, the license must be kept where it may be inspected at any and all times by the proper city officials. No license shall be transferable or assignable, except as provided in section 10-9. (Code 1961, § 9-5) (Amended 6-22-2015.) (Amended 7-27-2015.)

Sec. 10-5A. Public dances.

Repealed.
(Former Sec. 10-5A, 6-9-80) (Repealed 6-22-2015.)

Sec. 10-6. Applicants required to appear and testify before the city council.

Repealed.

As to zoning regulations, see § 20 of this Code. As to a table of Permitted and Special Uses, see § 20, Article 6. As to applications for Special Use Permits, see § 20, Article 12.

(Former Sec. 10-6, Code 1961, § 9-6; Mo. of 7-14-75) (paragraph (o) added on 6-14-82) (Repealed 6-22-2015.)

Sec. 10-7. Denial for cause.

- (a) A license may be refused, after a hearing before the city manager, for any occupation, business, trade, or profession that the city manager determines would be harmful to the public health, welfare, safety, order, or convenience. Upon the denial for cause of any such license it shall be unlawful for the applicant to conduct the business which was the subject of the application. (Code 1961, § 9-7) (Amended 6-22-2015.)
- (b) To be eligible for a pawnbroker's license, an applicant must satisfy the requirements of NCGS 66-390 and appear before the city council, if it so requests, to determine the eligibility of such applicant for a pawnbroker's license. Any such license issued by the City to a pawnbroker may be revoked in accordance with the provisions of NCGS 66-390(d). (Code 1961, § 9-7) (Amended 6-22-2015.)

Sec. 10-8. Revocation; suspension.

Any license issued under this chapter shall be subject to revocation or suspension for a definite period of time by the city manager without a refund of any part of the application fee paid, if the licensee or manager or person in charge of the business, or employees in the business, shall violate any provision of this Code or other ordinance of the city relative to such business, or if, in the judgment of the city manager, the licensed business does, by reason of its nature or the manner or place in which it is conducted, constitute a nuisance or is a menace to good order or to public health, safety or morals. Upon the revocation or suspension of any such license it shall be unlawful for the person to whom such license was granted to continue to conduct such business. (Code 1961, § 9-8) (Amended 6-22-2015.)

Sec. 10-9. Separate license required for each place of business; sale or transfer of business.

If the business to be licensed under this chapter is carried on at two or more places, a separate license for each place or location of such business shall be required. License issued for the conduct of a business at a specified location shall, upon a sale or transfer of the business, be surrendered and application made by the succeeding purchaser for a new business license subject to the same procedures and requirements set forth for initial issuance, including payment of application fee. If the holder of a license under this chapter moves the business for which license has been issued to another

location, he shall, before moving to such new location, deliver his license to the city manager or his designee, together with a new application for a business license and an application fee. The city manager or his designee shall thereupon cancel the old license and a new license may be issued to the licensee at a new location subject to the same procedures and requirements set forth for initial issuance. (Code 1961, § 9-9) (Amended 6-22-2015.) (Amended 7-27-2015.)

Sec. 10-10. Valid only for place designated.

No license issued under the provisions of this chapter for the conduct of any business of a fixed place named therein shall be valid for the conduct of such business at any place other than that designated in such license. (Code 1961, § 9-10)

Sec. 10-11. Issuance of new license on change in nature of business.

When a license is issued to carry on a certain line of business and after the issuance of such license the licensee shall change the nature of his business, he shall, before making such change, deliver his license to the city manager or his designee, together with a new application for a business license and an application fee. The city manager or his designee shall thereupon cancel the old license and shall issue to the licensee a new and appropriate license subject to the same procedures and requirements set forth for initial issuance. (Code 1961, § 9-11.) (Amended 6-22-2015.)

Sec. 10-12. Free licenses.

Repealed effective July 1, 2015.
(Former Sec. 10-12, Code 1961, § 9-12.) (Repealed 6-22-2015.)

Sec. 10-13. Penalty for delinquency.

Repealed effective July 1, 2015. (Repealed 6-22-2015.)

Sec. 10-14. Receipt of approvals and bond prerequisite to issuance.

Repealed effective July 1, 2015.
(Former Sec. 10-14, Code 1961, § 9-15.) (Repealed 6-22-2015.)

Sec. 10-15. Information required of solicitors.

Every solicitor applying for a license shall furnish to the city manager or his designee the name and address of the person whom he represents, together with a description of the goods or services which he offers for sale, and must conspicuously display said license during any solicitation. (Amended 6-22-2015.)

Sec. 10-16. Form and contents.

Every license issued shall show on the face thereof the name of the licensee, the nature of the business and the location thereof (provided such business has a fixed location), and the time period for which issued. Any license requiring the approval of the city council or any board, commission or official shall show approval on the face of same. (Code 1961, § 9-17.) (Amended 6-22-2015.)

Sec. 10-17. Replacement of lost or destroyed license.

Upon satisfactory evidence that any licensee has lost any license issued to him or that the license has been destroyed, the city manager or his designee shall issue to such licensee a duplicate license upon the payment of a fee of five dollars. (Code 1961, § 9-19.) (Amended 6-22-2015.) (Amended 7-27-2015.)

Sec. 10-18. Schedule.

The application fee for a business license shall be as set forth in that regularly adopted City of Mount Holly Fee Schedule. (Amended June 12, 2000). (Amended 6-22-2015.)

Sec. 10-19. Insulation contractors licensing requirements.

Repealed.

(Former Sec. 10-19, Ord. of 11-28-77, §§ 1-10) (Repealed 6-22-2015.)

Editor's note--Ord. of Nov. 28, 1977, did not expressly amend the Code, hence codification herein as § 10-19 was at the discretion of the editor.

Cross reference--Buildings, Ch.4.

Sec. 10-20. Community Antenna Television Systems

Repealed. (Former Sec. 10-20, 10-8-79) (Repealed 6-22-2015.)