

**AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTION 605.200 AND SECTION 605.230 REGARDING BUSINESS LICENSE ENFORCEMENT AND PENALTIES**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI AS FOLLOWS:

Section 1. That Parkville Municipal Code Section 605.200, Subsection B is hereby amended to read as follows:

- B. All businesses shall maintain proper licensing issued through the City of Parkville while conducting business within the city limits. Failure to renew or otherwise comply with this Chapter by June 1 shall result in the City Clerk sending notice of the violation and potential suspension or revocation, and shall afford the licensee fourteen (14) days for compliance. Such written notice shall be sent by certified or registered U.S. mail, and regular mail, postage paid, and deposited in the mail to the business address of the licensee on its application on file with the City Clerk. Upon the failure or refusal of the violator to comply, the City Clerk shall then have the authority to suspend or revoke the license.

Section 2. That Parkville Municipal Code Section 605.200, Subsection E is hereby amended to read as follows:

- E. *Grounds for Suspension or Revocation.* All licenses are revocable at any time by the City Clerk when he or she determines that a business has violated this Chapter or any other ordinance:
  - 1. Relating to the business or acts done under the license;
  - 2. Misrepresenting the goods or services sold or offered for sale in the City;
  - 3. Practicing any fraud upon the public or selling food to human beings or for animals which food shall contain any unwholesome or unfit substances;
  - 4. Conducting a business not covered by his or her license; and,
  - 5. Conducting any immoral or disorderly place of business or has been conducting any place of or business dangerous to public health or safety or detrimental to public morals.

Section 3. That Parkville Municipal Code Section 605.200 is hereby amended to add Subsection J to read as follows:

- J. *Calculation of days.* The number of days specified in this section shall include weekend days and holidays. The last day of the period shall be included in the computation, unless it is a Saturday, Sunday or a legal holiday, and if it is, the period runs until the end of the next day which is not a Saturday, Sunday or a legal holiday.

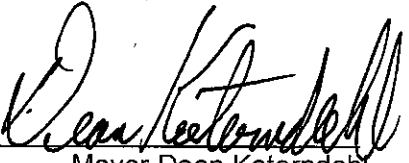
Section 4. That Parkville Municipal Code Section 605.230 is amended to read as follows:

**Section 605.230. Penalties for violations.**

- A. *Non-compliance or Violation.* Any person, partnership, association or corporation engaging in a business, trade or avocation as herein provided without first procuring a license therefor, shall be guilty of violating this Chapter and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days, or both, for each offense. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.
- B. *Unlawful Continuation — Further Remedies Authorized.* In the event any business, trade, occupation or service occupation which is required to obtain an annual license under this Chapter continues to operate after having received written notice of failure to obtain such license or in the event any business, trade, occupation or service occupation continues to operate following revocation or suspension of such license, the City has the following further remedies:
1. After not less than four (4) business days after service of the notice, the City Police Department shall affix a notice on the premises stating that "This Business is Closed, No Customer or Employee Trespassing." At that time, Police Officers shall order all customers and employees to leave the premises, allowing reasonable time for the employees to secure property and render the premises safe. The owner of the property and any residents may remain and may make use of the premises for any legal, non-commercial purpose, but may not conduct business there until the business is properly licensed. Customers, meaning persons on the premises for the purpose of buying goods or services, and employees, meaning persons on the premises who are employed to produce goods or services, are guilty of trespass, as defined by Section 215.140, if found to be on such premises after the notice has been affixed. The City Administrator may, upon written request, permit employees or agents of the owner or lease of the building to enter the building for repairs, to secure the building, or any other reasonable purpose.
  2. The City may seek injunctive relief from order of a court of competent jurisdiction to restrain, correct, abate or prevent such continued operation. In the event of the issuance of an injunction or order by a court of competent jurisdiction, costs of such enforcement proceedings, including reasonable attorney's fees, may be taxed against the offending party. The remedies provided for in this Subsection shall be in addition to all other costs and penalties prescribed under this Chapter.
  2. *Injunctive relief for unlawful continuation of business.* In the event any business which is required to obtain an annual license under this chapter after having received written notice of failure to obtain such license, or in the event the business continues to operate following suspension or revocation of such license, the city attorney may, at the direction of the license officer, seek injunctive relief from the circuit court or order of the municipal court to restrain, correct, abate or prevent further operation of any such business or nonprofit enterprise.

Section 5. This ordinance is effective upon its passage and approval.

PASSED and APPROVED this 18<sup>th</sup> day of April 2023.

  
Mayor Dean Katerndahl

ATTESTED:

  
City Clerk Pro Tempore Bonnie Buckmaster

