

VILLAGE OF BEECH BOTTOM - ORDINANCE #35 : BUSINESS LICENSES

35.1 Scope & Purpose

35.2 Definitions

35.3 Process for obtaining a business license

35.4 Fees

35.5 Display of license

35.6 Violations

Appendix A: Fees

35.1 SCOPE & PURPOSE

35.1.1 The provisions of this article shall apply to any corporation, partnership, and sole proprietorship (hereby after referred to as 'business') either physically located in, and/or doing business in the Village of Beech Bottom (hereafter referred to as 'Village') unless otherwise specified in this ordinance

35.1.2 The purpose of this ordinance shall be to provide a vehicle to provide confidence to residents of the Village that businesses are authorized to perform business activities within the Village and provide the Village with a method of tracking businesses that may have financial obligations to the Village as stated in this or other ordinances currently adopted.

35.2 DEFINITIONS

35.2.1 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

35.2.2 Terms not defined. Where terms are not defined specifically in this ordinance, such terms shall have ordinarily accepted meanings such as the context implies.

35.2.3 Types of Business

35.2.3.1 Permanent Business. Defined as any business that has a permanent structure or presence located within the corporate limits of the Village of Beech Bottom.

35.2.3.2 Contractor. Defined as any business that performs work on a contract basis within the Village of Beech Bottom.

35.2.3.3 Exempt. Defined as all businesses (such as education, community, and religious organizations) that are determined by the IRS to be non-profit entities. Further defined as all Village residents that as private individuals engage in occasional business activities that are not required to be reported to the IRS as generating income earned.

35.2.4 "Licensee" means the holder of a license granted under the provisions of this Ordinance, which license shall remain unexpired, unsuspended and unrevoked.

35.2.5 "Applicant" means a private club, person, business, or legal entity applying for a license under the provisions of this Ordinance.

35.2.6 Types of License

35.2.6.1 Annual Business License. Defined as a license issued by the Village of Beech Bottom to a business permitting it to locate its physical operation and/or engage in business activity within the corporate limits Village of Beech Bottom. Annual Business Licenses are issued on July 1st (or initial request) and are good until the following June 30th. Conditions for receiving a business license may be contingent upon any language contained within currently adopted ordinances of the Village of Beech Bottom and/or included in the State Code of West Virginia.

35.3 PROCESS FOR OBTAINING BUSINESS LICENSE

35.3.1 Annual Business License.

35.3.1.1 Initial Application. Application can be made either by mail, or in person at the Village office during regular business hours. Allow two(2) weeks from date of receipt for processing and approval by Village Council and Zoning Board. If business activity is occurring before the approval date,

35.3.1.2 Renewal Application. Application can be made either by mail or in person at the Village office during regular business hours. Applications should be received by June 1st immediately preceding the expiration date of the current license.

35.4 FEES.

35.4.1 Fees for business licenses shall be set by Village Council and included as appendix A to this ordinance.

35.4.2 Fees for private club licenses shall be set by Village Council and included as appendix A to this ordinance.

35.5 DISPLAY OF LICENSE

35.5.1 Visibility.

35.5.1.1 Annual Business License. The certificate issued shall be displayed in a glass covered picture frame in a prominent place at the business.

35.6 VIOLATIONS

35.6.1 Failure to obtain the appropriate business license. Failure to obtain the appropriate business license will result in a written warning with seven (7) business days given to obtain the license. Failure after that will result in closure of said business and a five hundred dollar (\$500.00) fine. Said business if

Copyright © 2014

Quill.com

fined and found guilty forfeits the right to apply for any business license within the Village of Beech Bottom for one year after date said fine shall be imposed.

35.6.2 Failure to pay Business and Occupation Tax. Failure to pay Business and Occupation tax in a timely manner will result in the suspension and/or loss of the business license.

35.6.3 WVABCC Rule Violation Penalty: No licensee, agent, employee or member thereof on the licensee's premises shall perform, authorize or permit any of the acts specified as unlawful in West Virginia Code 60-7- 12. No licensee, agent, employee or member thereof on such licensee's premises shall violate any of the rules and regulations legally Issued by the West Virginia Alcohol Beverage Control Commissioner. Any person who violates the provisions of such statute or any of such rules and regulation, shall violate the provisions of this Ordinance and shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

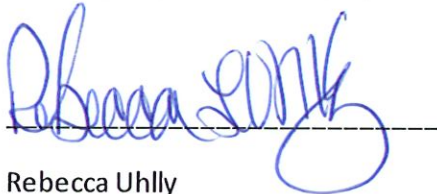
APPENDIX A: Current Fees

Annual Business License: The cost shall be twenty-five dollars (\$25.00). There shall be no pro-rating for portions of a calendar year. This fee shall supersede all fees set prior to January 1, 2025.

First Reading : 11/19/2024

Second Reading: 12/3/2024

Third reading : 12/17/2024


Rebecca Uhly

Mayor


Joyce Painter

Recorder

