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Updates to Licensing Requirements


CITY COUNCIL MEETING – December 5, 2023

City Staff Representatives: Alicia R. Calderón, City Attorney, Shannon McDowell, Interim Assistant Community Development Director, Police Chief Matt Domenico, Catrina Asher, Finance Director, Ana LeScoeze, Revenue Manager, Travis Haines, P&R Director, Natalie Hoel, City Clerk, Erin Kelm, Deputy City Clerk

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Comprehensive Review of Licensing

- Identification of unnecessary licenses
- Comprehensive amendments needed to reflect current practice and changes in the law
- Addition of process for denial, suspension, or revocation of a license
- Locating licensing requirements in one location in the Code

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Unnecessary Licenses


Cabarets are currently defined as a café, restaurant, or tavern where patrons are entertained by performers who dance, sing, or have vaudeville acts for the entertainment of patrons. This use is also defined and regulated in the Land Use and Development Code (LUDC) as a restaurant or sexually oriented business, so it does not need to be separately defined or licensed.

Circuses and Carnivals are a transient use that is regulated by the LUDC. This type of use will be reviewed as a Temporary Use under the LUDC and does not need a separate license.

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Comprehensive Changes

- Merchant Guards and Patrols and Industrial Guards: The City has been licensing individuals who are hired to protect persons or property within the City. The language has been updated to use the term "security guard" or "security services", and instead of licensing individuals, this will become a business license. The requirements for individuals will be addressed by their employer, and the business will submit for approval photos or drawings of vehicle, uniforms, and logos. The business may not say they are law enforcement or look like law enforcement. The police department will be involved in the review of these licenses.
- Pawnbrokers: The municipal code has been updated to mimic the requirements in state statute and to cite to the correct state statute. The police department will continue to be involved in the review of these licenses and the ongoing regulation of them.

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Amendments

- Tree Care: This business license requires a demonstration of competency that the City arborist reviews. The amendment to the code reflects current practice that had been included in the application for the license and allows reciprocity with certain municipalities and certifications accepted in the field.
- Group Homes: These can no longer be regulated locally and only have to comply with state regulations. This license has been removed. Staff learned that Sober Living Homes were operating in the City without any state or local regulations. The State certification agency informed staff they had no enforcement mechanism. The ordinance adds a requirement that Sober Living Homes operating within the City obtain the State certification.

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Procedure for Denial, Suspension, or Revocation of a License

Licenses are valid for one year.

- Prior to revocation or suspension of a license, the City will issue a notice outlining reasons for denial, suspension, or revocation.
- Applicant or Licensee has 14 days to respond.
- Grounds for denial or revocation include property is not zoned for such a business, fraud or misrepresentation on application, or delinquent taxes.
- If City proceeds with denial, suspension, or revocation, the matter will be set for a hearing with an impartial hearing officer.
- Hearing officer issues written decision.


Moved business licensing requirement to Chapter 5 from Chapter 3



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Options for City Council

- Approve the Ordinance as presented.
- Amend the Ordinance.
- Deny approval of the Ordinance.

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