

**ORDINANCE NO. 49**  
**BUSINESS LICENSE ORDINANCE**

*Williamstown Township  
Ingham County, Michigan*

**Adopted by the Township Board on  
January 10, 2012**

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**Williamstown Township  
Ingham County, Michigan**

**ORDINANCE TO REQUIRE A BUSINESS LICENSE**

**Ordinance No. 49**

*An Ordinance to require a license for businesses operating in the Township, to acquire information about Township businesses to aid in the delivery of a variety of municipal services, to establish conditions and procedures for approval of licenses, and to prescribe penalties for violations of the Ordinance.*

THE WILLIAMSTOWN TOWNSHIP BOARD, INGHAM COUNTY, MICHIGAN, ORDAINS:

**Article I  
TITLE**

This Ordinance shall be known as the "Business License Ordinance."

**Article II  
PURPOSE**

The purpose of this Ordinance is to assist the Township to acquire information to provide more adequate police and fire protection; for efficiency and economy in furnishing public services within the Township; for general planning purposes; and to establish a registry of businesses operating within the Township for the general information of the public and for the promotion of the health, safety and welfare of the residents of the Township. This Ordinance shall be applicable in the following districts only: B-1, B-2, OS-1, I-1, and AG-C.

**Article III  
DEFINITIONS**

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them:

- a. **Business:** Any trade, transient merchant, occupation, profession, work, commerce or other activity owned or operated within the Township by any person excluding, however, governmental facilities, home occupations and home-based businesses.
- b. **Home Occupation:** An occupation or profession undertaken entirely within a dwelling unit by one or more resident occupants of that dwelling unit. A home occupation must be clearly secondary to the use of the dwelling unit for residential purposes.
- c. **Home-Based Business:** A commercial use of greater intensity than a home occupation and that is undertaken by the resident occupants of the dwelling unit, plus not more than one full-time equivalent non-resident employee or independent contractor. A home-based business must be clearly secondary to the use of the dwelling unit for residential purposes.
- d. **Person.** Any individual, partnership, association, corporation, or other legal entity.

- e. **Registration Agent.** The Township Supervisor of Williamstown Township, Ingham County, Michigan, or his/her designee.
- f. **Township.** Williamstown Township, Ingham County, Michigan.

**Article IV**  
**REGISTRATION FOR A LICENSE**

**Section 4.01 – License Registration Requirements**

- a. No Person may commence or continue a business within the Township without first having obtained a Township business license, as provided herein, and without maintaining a current license registration during any business operation or activity.
- b. The fact that a permit has been granted to any Person by the state or county to engage in the operation, conduct, maintenance or management of any business, shall not exempt such Person from the necessity of registering for a license with the Registration Agent as required by this Ordinance.

**Section 4.02 – Procedure for License Registration**

- a. Township will use reasonable efforts to provide written notification of the requirements of this Ordinance to all Persons known to the Township to be transacting business within the Township as of the effective date of this Ordinance. All Persons doing business within the Township shall comply with the requirements of this Ordinance within ninety (90) days of the effective date of the Ordinance, regardless of whether the written notice described in this section is actually received.
- b. No license registration to commence or continue a business shall be issued or renewed until the owner or operator has first submitted an application to the Registration Agent of the Township on a form provided by the Township for such purposes. Upon the filing of a properly completed application and upon payment of the fee (if applicable), the Registration Agent shall issue a license to the Person to commence or continue the business designated in the application if the business complies with the terms of this Ordinance.
- c. The application may contain the full names, business addresses, business phone numbers, and residential addresses of the owners, proprietors, officers, and local addresses of all owners, proprietors, officers and manager of the applicant’s business; the names and addresses of each officer if the applicant is a corporation; the names and addresses of all partners if a partnership; and all managers and members if a limited liability corporation.
- d. The application shall contain a list of all assumed, trade or firm names under which the registering applicant intends to do businesses.
- e. If the business was not previously registered, a fully completed hazardous chemical survey shall be submitted, unless such survey has been provided as part of site plan review. The business license registration application shall require the applicant to submit copies of state hazardous chemical licenses or permits, where applicable.

- f. The Registration Agent shall not accept any application for license registration unless the application is complete and the applicant has complied with the requirements of Section 4.04.
- g. The Building Inspector shall have the right to conduct an inspection of the premises to determine that it complies with all laws, codes and ordinances, as a condition of obtaining a business license.
- h. Any false statements or false affirmations made in connection with an application shall be cause for revocation of such license.

#### **Section 4.03 – Prerequisites for Issuance of a License**

- a. If the applicant for a business license has a business in the Township, no license shall be issued until the place the applicant will conduct business has been inspected and the applicant has obtained a certificate of occupancy for such premises. No business license shall be issued until the applicant has complied with all of the provisions of this Ordinance and every other Ordinance of the Township pertaining to the business for which the application is made.
- b. The granting of a license to any person operating, conducting, or carrying on any trade, profession, or business that contains within itself or is composed of trades, professions, or businesses, which are required by this ordinance to be licensed, shall not relieve the person to whom such license or permit is granted from the necessity of securing individual licenses or permits for each such trade, profession, or business, except as specifically provided elsewhere in this Ordinance.
- c. No application for an initial or renewal license registration shall be issued until all delinquent personal property taxes due are paid in full.

#### **Section 4.04 – Conditions of Issuance of a License**

- a. No registration shall be issued by the Registration Agent where the existing or proposed business would be in violation of any law or ordinance of the United States of America, the State of Michigan, Ingham County or Williamstown Township. No license may be transferred by the holder to any other person. In the event of any non-compliance with the provisions of this Ordinance after a license has been issued, the license may be revoked by order of the Registration Agent until the non-compliance has been corrected as determined by said agent. Prior to license revocation, the Township shall notify the license holder by certified mail.
- b. The license shall be posted in a conspicuous place within the business so that a person entering the main entrance of the business can readily observe the business license.
- c. Any Person whose initial or renewal request for a license is denied by the Registration Agent shall have the right to meet with the Registration Agent to determine if any deficiency can be corrected and thereafter shall have a right to a hearing before the Township Board, provided a written request for hearing is filed with the Township Clerk within ten (10) days of the mailing date of the certified letter of the denial. The Township Board shall have the right to affirm any denial to grant or renew a license, or the Township Board may grant any license or renewal. The Registration Agent shall have the authority to bring a case to the Township Board for consideration at any time.

- d. Any applicant whose application for a license has been denied, or whose license has been suspended, revoked, or not renewed, may not establish that business and may not continue that business in Williamstown Township, unless the conditions that caused the denial, suspension, revocation, or non-renewal have been corrected.
- e. Any applicant whose application has been denied, or whose license has been suspended, revoked, or not renewed, shall have the right to apply to the appropriate Court for a Writ or Certiorari to correct errors of law. Application for review shall be made within twenty-one (21) days of the decision made by the Township Board.

## **Article V**

### **RENEWALS, EXEMPTIONS, TERMINATION OF BUSINESS, LEASED BUSINESS**

#### **Section 5.01 – License Renewal**

A license issued under this Ordinance shall be effective for not longer than one (1) calendar year and shall expire at midnight on December 31. Applications for license renewal for the following year shall be submitted to the Township on the appropriate form and with the specified fee on or before December 31. At the direction of the Township Supervisor, the Building Inspector shall have the right to conduct an inspection of the premises to determine that it remains in compliance with all laws, codes and ordinances, as a condition of renewal of a business license. Upon making a determination that the business is in compliance with all laws, codes, and ordinances, and that the application has been properly filed, the Registration Agent shall issue a business license renewal. The Township shall issue renewals or denials within thirty (30) calendar days after the application has been filed. Businesses may continue until their renewal or denial has been received from the Township.

#### **Section 5.02 – Exemptions**

The provisions of this Ordinance are not applicable to any agency of the United States of America, the State of Michigan or any political subdivisions thereof, or any charitable or religious establishment.

#### **Section 5.03 – Termination of Business**

Any person discontinuing or terminating any business, trade, or occupation covered in this Ordinance, shall notify the Registration Agent personally or by certified mail. When the discontinuance or termination is voluntary and where feasible, a minimum of thirty (30) days notice shall be required prior to the discontinuance or termination.

#### **Section 5.04 – Leased Business Premises**

The owner of any building within B-1, B-2, I-1, OS-1 and AG-C districts in the Township from which space is leased or any agent utilized by such an owner for such leasing activities, shall on an annual basis file with the Registration Agent, on a form prescribed by the Registration Agent, a list of all tenants in such building and the principal business of each tenant. Forms shall be available at the Registration Agent's office by December 1 of each year, and shall be completed and returned no later than December 31.

**Article VI**  
**PENALTY, FEES, SAVINGS CLAUSE, SEVERABILITY, EFFECTIVE DATE**

**Section 6.01 – Penalty**

Any violation of this Ordinance, or any part thereof, shall be deemed a civil infraction and is punishable by a fine not to exceed \$100.00. Each day that a violation exists or continues to exist shall constitute a separate offense.

**Section 6.02 – Fees**

In the event that the Township Board establishes a registration fee by resolution, then the required fee shall be paid at the office of the Registration Agent at time of application.

**Section 6.03 – Savings Clause**

This Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture, or punishment pending or incurred prior to the time of this Ordinance.

**Section 6.04 – Severability**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 6.05 – Effective Date**

This Ordinance shall become effective thirty (30) days after publication of a brief notice in the newspaper circulated in the Township, stating the date of the enactment and the effective date of the Ordinance, and that a copy of the Ordinance is available for public use and inspection at the office of the Township Clerk, and such other facts as the Township Clerk shall deem pertinent.

MADE, PASSED AND ADOPTED BY THE WILLIAMSTOWN TOWNSHIP BOARD, INGHAM COUNTY, MICHIGAN THIS 10<sup>th</sup> DAY OF JANUARY, 2012.

Date of Adoption:	JANUARY 10, 2012
Date of Publication and	JANUARY 15, 2012
Notice of Adoption:	FEBRUARY 14, 2012

**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing is a true and complete copy of the Ordinance passed at a meeting of the Williamstown Township Board of Trustees held on the 10<sup>th</sup> day of JANUARY, 2012.

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ERNIE GAFFNER, Township Clerk