

TITLE XI: BUSINESS REGULATIONS

Chapter

110. BUSINESS LICENSES

111. JUNK AND SECONDHAND GOODS

112. BILLIARD HALLS AND AMUSEMENTS

113. PEDDLERS AND SOLICITORS

CHAPTER 110: BUSINESS LICENSES

Section

- 110.01 Definitions
- 110.02 License tax on certain trades and businesses
- 110.03 License required for business operation
- 110.04 Separate licenses required
- 110.05 Display of license on premises
- 110.06 No abatement of license tax
- 110.07 Schedule of annual privilege license taxes

§ 110.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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

BUSINESS. Any business, trade, occupation, profession, avocation, or calling of any kind, subject to a license tax by the provision of this subchapter.

ENGAGED IN THE BUSINESS. Engaged in the business as owner or operator.

FISCAL YEAR. The period beginning with July 1 and ending with June 30 next following.

PERSON. Any person, firm, partnership, company, or corporation.

QUARTER. Any three consecutive months.
(’82 Code, Art. H-I, § 1)

§ 110.02 LICENSE TAX ON CERTAIN TRADES AND BUSINESSES.

(A) All taxes provided for and fixed in the following sections and schedule shall be for 12 months, unless otherwise specified, and shall so remain for 12 months beginning July 1 and ending June 30,

provided that where the license is issued after January 1, then the licensee shall be required to pay one-half the tax prescribed, except where otherwise specifically provided for. ('82 Code, Art. H-I, § 4)

(B) In addition to the tax on property and polls, as otherwise provided for, and under the power and authority conferred in the laws of North Carolina shall be levied and collected annually or more often, where provided for, privilege license tax on trades, professions, business operations, exhibitions, circuses, and all subjects authorized to be licensed, as set out the following sections and schedule. All licenses shall be a personal privilege and shall not be transferable. Nothing herein contained shall be construed to prevent the Board of Commissioners from imposing from time to time as they may see fit, such license taxes as are not specifically herein defined or from increasing or decreasing the amount of any special license tax from prohibiting or regulating the business or acts licensed, and all licenses are granted subject to the provisions of existing ordinances for those hereafter enacted. ('82 Code, Art. H-I, § 2)

§ 110.03 LICENSE REQUIRED FOR BUSINESS OPERATION.

It shall be unlawful for any person or his agent or servant to engage in or carry a business in the town for which there is required a license without first having paid the license tax and obtained the license. For the purpose of this section, the opening of a place of business or offering to sell followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business; and each day that such person, firm, or corporation shall engage in or carry on such business as aforesaid, shall be construed to be a separate offense. ('82 Code, Art. H-I, § 3) Penalty, see § 10.99

§ 110.04 SEPARATE LICENSES REQUIRED.

(A) *License required for every separate business.* The payment of any particular tax imposed by this subchapter shall not relieve the person paying the same from the payment of any other tax imposed by this subchapter for any other business he may carry on, unless so provided by the section imposing such tax; it being the intent of this subchapter that license taxes prescribed by various sections, or subsections of this subchapter applicable to any business shall be cumulative except where otherwise specifically provided. ('82 Code, Art. H-I, § 5)

(B) *License required for every place of business.* A license issued for the privilege of conducting a business is only valid for the business conducted at the place and by the licensed named therein. Every person doing business in more than one factory, mill, warehouse or store, stall or stand, or other place of business, shall secure a separate license for each such place of business, unless such places of business are contiguous to each other, communicate directly with an opening into each other and are operated as a unit. If the business is moved or if the licensee sells to another, then a new license is necessary, unless a special permit to continue business under the original license is obtained from the Board of Commissioners. ('82 Code, Art. H-I, § 6)
Penalty, see § 10.99

§ 110.05 DISPLAY OF LICENSE ON PREMISES.

Every license must be kept prominently displayed at the place of business of the licensee named in the license, or, if the licensee has no fixed place of business, such licensee must keep the same wherever such business is being operated and where it can be inspected at any time by the proper municipal official.

('82 Code, Art. H-I, § 7) Penalty, see § 10.99

§ 110.06 NO ABATEMENT OF LICENSE TAX.

No license tax shall be abated nor shall any refund of any part thereof be made in any case where the licensee discontinues his business before the end of the period for which such license was issued.

('82 Code, Art. H-I, § 8)

§ 110.07 SCHEDULE OF ANNUAL PRIVILEGE LICENSE TAXES.

The current schedule is available for public inspection on file in the office of the Town Clerk.

('82 Code, Art. H-I, § 9)

CHAPTER 111: JUNK AND SECONDHAND GOODS

Section

111.01 Operation of junkyard; maintenance of premises

§ 111.01 OPERATION OF JUNKYARD; MAINTENANCE OF PREMISES.

(A) Every person owning or occupying any premises within the corporate limits and operating thereon a junk yard shall keep the said premises clean and free from noxious weeds, garbage, trash, straw, or other debris; shall not burn auto tires, paint from auto bodies, or other metals or objects thereon, or do or cause to be done or permitted other things to create noxious smoke, fumes, or other offensive conditions; or cause or allow loud noises to emanate therefrom.

(B) Every person owning or occupying any premises within the corporate limits and operating a junkyard thereon shall not permit any old or dilapidated building to stand or exist on the premises; and shall fence in said premises along streets, or vacant lots, or creeks, branch or ditches that front upon or are open towards streets on which residences are located, by board or wire fences of sufficient height to conceal such junk yard from view, said fences to be set back at least 20 feet from the street and be so constructed as to keep trash, metal, and other debris and materials from spilling over into the street or streets or onto the sidewalks thereof.

(Ord. passed - -) Penalty, see § 10.99

CHAPTER 112: AMUSEMENTS

Section

112.01 Games of chance regulated

112.02 Pool and billiard halls regulated

§ 112.01 GAMES OF CHANCE REGULATED.

It shall be unlawful for any person, firm, or corporation to engage in any game of chance, lottery or raffle for money, goods, or other things of value within the town, provided, however, that nothing herein shall prohibit nor regulate the playing of the game of bingo by persons at a church or other regular place of assembly of a bona fide religious organization or nonprofit operation chartered by the State of North Carolina which has its principal meeting place in the Town of Broadway and has a continuous existence of at least one year prior to the sponsoring of such event.

(Ord. passed 8-8-) Penalty, see § 10.99

§ 112.02 POOL AND BILLIARD HALLS REGULATED.

No person or owner of any pool room or billiard room shall allow any person under 18 years of age to play at games or to loiter in public pool rooms in the Town of Broadway.

('82 Code, Art. H-II, § 14) Penalty, see § 10.99

CHAPTER 113: PEDDLERS AND SOLICITORS

Section

113.01 Going on private residences

§ 113.01 GOING ON PRIVATE RESIDENCES.

No solicitor, peddler, hawker, itinerant merchant or transient vendor shall go in or on private residences in the town without having been requested or invited to do so by the owner or occupant thereof, for the purpose of soliciting orders for the sale of, disposing of, or peddling or hawking of goods, wares and merchandise, except for farm produce produced by the seller, and religious, educational and nonprofit groups and organizations. Permitted solicitations are to be made between the hours of 9:00 a.m. and 6:00 p.m.

(Ord. passed 8-27-12)

