

CHAPTER 6-1

GENERAL PROVISIONS WITH REGARD TO LICENSES

6-1-1 LICENSES REQUIRED

It shall be unlawful within the City of Brandon to engage in, pursue or transact in any business, trade, calling, profession, occupation or avocation or to do any act or carry on any business therefore without complying with the regulations herein after provided in this title.

Legislative History:
1990 Revisions.

Authority:
SDCL § 9-34-1.

Collateral References:
Illegal business, occupation or license tax upon business or activities that are in violation of law, 118 ALR 827.

6-1-2 PROCEDURES FOR OBTAINING LICENSES

Any person required to obtain a license under and by virtue of this title, unless otherwise specified, shall make application to the City Council in writing by filing the same with the City Auditor and tendering with said application, the amount specified for such license; upon receipt of the application and license fee, the City Auditor shall give the applicant a receipt for the license fee and shall place the application before the City Council at its next regular or special meeting; if such application is granted by the City Council a record thereof shall be made in its minutes and thereafter, the City Auditor shall issue the license applied for; however, the City Council shall use discretion in the granting of licenses and may refuse to do so, in which case the license fee received by the City Auditor shall be returned to the applicant upon his return of the receipt issued therefor and the fact that an applicant may have the City Auditor's receipt for the license fee shall not be sufficient to authorize him to operate until a license is granted and delivered to him.

Legislative History:
1990 Revisions.

Authority:
SDCL § 9-34-1.

Collateral References:
Change in law pending application for permit or license, 169 ALR 584. "Grandfather Clause" of statute or ordinance regulating or licensing business or occupation, 4 ALR2d 667. Municipality's liability in damages for its refusal to grant permit, license or franchise, 37 ALR2d 694. Notice, applicability of license regulations as affected by motive other than that of commercial gain on advantage, 69 ALR 1102.

6-1-3 TERMS OF LICENSE

Unless otherwise specified, any license issued pursuant to this title shall be for the terms specified, within the license.

Legislative History:
1990 Revisions

Authority:
SDCL § 9-34-1.

6-1-4

LICENSE FEES

License fees are determined by the City Council according to an annual or occupationally based definition, which may cover either one payment or several, depending upon the circumstances involved.

Legislative History:
1990 Revisions

Authority:
SDCL § 9-34-1.

6-1-5

LICENSES TO BE POSTED

All occupational licenses issued under this title shall be posted in a conspicuous place at the business premises involved, or if no such place exists, they shall be kept upon the licenses person, available for inspection by the proper authority.

Legislative History:
1990 Revisions.

Authority:
SDCL § 9-34-1.