

BUSINESS LICENSING

Section 1 – Identification

An ordinance to protect the health, safety and welfare of the citizens of Tittabawassee Township, Saginaw County, Michigan. This ordinance shall hereafter be known as the “Tittabawassee Township Business Licensing Ordinance”.

Section 2 – Purpose

This ordinance shall provide for the annual registration of all businesses, with stated exceptions, with the Township Clerk. Information shall be collected for the following purposes:

1. Provide more adequate police and fire protection
2. Provide more equal and equitable real and personal property taxation
3. Planning for public utility installations
4. Planning and zoning decision making
5. Provide information to the public on available services

Section 3 – Definitions

As used in this Ordinance:

BUSINESS: Means any trade, occupation, profession, work, commerce or other activity owned or operated by any person within the Township of Tittabawassee.

BUSINESS LICENSE: A document issued by the licensing agent to businesses that are in compliance with the terms of this ordinance.

HOME OCCUPATION: Means any business carried on by one or more members of a family legally residing on the premises and operated in compliance with the Tittabawassee Township Zoning Ordinance.

LICENSING AGENT: Means the Township Clerk or such other Township official or employee as may be designated by resolution of the Township Board.

LICENSE RENEWAL DATE; April 1st.

PERSON: Means any individual, partnership, association or corporation.

TOWNSHIP: Means the Township of Tittabawassee.

Section 4 – License

A. No person may commence or continue a “business”, as herein defined, within the Township without having first obtained a Township Business License as hereinafter provided and without maintaining such license in current effect during any business operation or activity.

B. No Business License shall be issued to a new business and/or an existing business under new ownership until said business is in compliance with all of the following:

1. The owner or operator thereof shall have submitted a completed application to the licensing agent of the Township on a form provided by the licensing agent for such purposes.

2. All required fees owed to the township have been paid. This includes, but is not limited to any fee associated with the Business License, building permit fees, electrical permit fees, mechanical permit fees, water connection and usage fees, sewer connection and usage fees and storm water connection fees.

3. A zoning permit is issued by the Zoning Administrator showing that the business is in compliance with all current zoning laws.

4. A compliance review has been performed by the Building Official and the property is found to be in compliance with applicable building codes. A compliance review may include an inspection by a township building inspector, or other official as designated by the Building Official. Inspections are at the sole discretion of the building official.

C. No Business License or Business License renewal shall be issued to an existing business until the business is in compliance with all of the following:

1. The owner or operator thereof shall have submitted a completed application to the licensing agent of the Township on a form provided by the licensing agent for such purposes.

2. All required fees owed to the township have been paid. This includes, but is not limited to any fee associated with the Business License, building permit fees, electrical permit fees, mechanical permit fees, water connection and usage fees, sewer connection and usage fees and storm water connection fees.

D. No license shall be issued by the licensing agent where the existing or proposed business would be illegal under any law or ordinance of the United States of America, the State of Michigan, the County of Saginaw, or the Township.

E. The license shall be prominently displayed to public view.

Section 5 – Exemptions

- A. No license shall be required of any political or religious establishment situated within the Township.
- B. The provisions of this ordinance are not applicable to any agency of the United States of America, the State of Michigan or any political subdivision thereof.
- C. No license shall be required of Home Businesses as defined in this ordinance.
- D. No Business License shall be required of peddlers or temporary businesses if all other permits and licenses required by the Township are properly obtained.
- E. No Business License shall be required of any agricultural operation as defined in the Michigan Right to Farm Act.

Section 6 – Fees

A fee as determined and set from time to time by resolution of the Township Board shall accompany the original application and all renewals.

A late fee as determined and set from time to time by resolution of the Township Board shall accompany all original applications and renewals filled after the deadlines specified in this ordinance.

Section 7 - Process

- A. Within ninety (90) days of the effective date of this ordinance, all existing businesses shall submit a completed application for a business license on a form provided by the Township, along with all required fees. Applications will be reviewed and licenses issued within one hundred eighty (180) days of the effective date of this ordinance.
- B. New businesses shall submit a completed application for a business license on a form provided by the Township, along with all required fees, prior to commencing business operations. No business shall commence business operations until it has received a properly issued business license.
- C. Existing business license holders shall submit a completed application for renewal, on a form provided by the Township, not less than thirty (30) days before the renewal date.

- D. Business Licenses are valid for one (1) year beginning on the renewal date of the appropriate year. Fees are not pro-rated for applications received mid-year.
- E. New businesses which begin operation prior to obtaining a Business License and existing businesses that fail to make application for a renewal of their business license in a timely manner may have late fees assessed in an amount as determined by the Township Board.
- F. The Business License is non-transferrable.
- G. The licensee shall notify the licensing agent prior to any termination of the business for which the license is issued but no part of the license fee shall be refunded.
- H. The licensing agent or his designee shall have the right of inspection of the business premises to assure compliance with this Ordinance.
- I. Multiple businesses operating under the same ownership and Federal Tax ID number shall require one license. All business names must be provided with the application. Multiple businesses operating under the same ownership but separate Federal Tax ID numbers shall require a separate Business License for each Tax ID number.

Section 8 – REVOCATION:

- A. In the event of any noncompliance with the provisions of this Ordinance after a license has been issued, the same may be revoked by order of the licensing agent until the noncompliance has been corrected as determined by said agent.
- B. The licensee may appeal all revocations to the Township Board, which, for cause shown, may uphold the revocation, or reinstate the license after giving the licensee reasonable notice and after holding a hearing, at which licensee shall have an opportunity to be heard.
- C. In the event of revocation, the license fee shall not be refunded.

Section 9 – SANCTIONS FOR VIOLATION:

Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine as defined in the Tittabawassee Township Sanctions for Ordinance Violations Ordinance. A violator of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Section 10 – SAVING PROVISIONS:

Should any portion of this Ordinance be declared unconstitutional, illegal or of no force and effect by any court of competent jurisdiction such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

Section 11 – EFFECTIVE DATE:

This Ordinance shall take effect on January 1st, 2018.