

**Sec. 11-31. - License required; exceptions.**

- (a) Every person engaged or intending to engage in any calling, business, occupation or profession, except those as noted in subsection (b) of this section, whether or not it is listed in the rate classification index portion of this article, in whole or in part within the limits of the city, is required to pay an annual license fee and obtain a business license as provided in this article.
- (b) Any person involved in or promoting a single annual event not more than ten days in length may purchase a permit in lieu of the license required by subsection (a) of this section as outlined within the provisions of this article. For purposes of this subsection, an event is defined as participation by a group of exhibitors or others where displays are established in individual booths or stalls for the purpose of presenting to the audience goods, wares, merchandise or services offered for sale, rent or promotional purposes or for the general good will of the exhibitors. An event may be a trade show, an antique show, a craft show or any other type show fitting this definition.

*(Code 1979, § 8-1001; Ord. No. 93-96, § 1, 1-5-94)*

**Sec. 11-32. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Boardinghouse and Roominghouse* mean any dwelling, other than a hotel or motel, in which more than three persons who are not members of the owner's or operator's family are housed or lodged in rooms used or intended to be used for living and sleeping but not for cooking or eating purposes, for compensation, with or without meals being provided. Any dwelling in which such accommodations are offered in ten or more rooms shall be considered to be a hotel or motel.

*Business* means a calling, occupation, profession or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly. A charitable organization shall be deemed a business unless the entire proceeds of its operation are devoted to charitable purposes.

*Charitable Purpose* means any purpose described in Section 501(c)(3) of the Internal Revenue Code, or any benevolent, philanthropic, patriotic, or eleemosynary purpose which does not result in personal gain to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization. A charitable organization shall be deemed a business subject to a license tax unless the entire net proceeds of its operation, after necessary expenses, are devoted to charitable purposes. Compensation in any form to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization shall not be deemed a necessary expense of operation.

*Gross Income* means the total revenue of a business, received or accrued, for one calendar or fiscal year collected or to be collected by the business excepting income from business done wholly outside of the County on which a license tax is paid to some other City or a county and fully reported to the City or County. The term "gross receipts" means the value proceeding or accruing from the sale of tangible personal property, including merchandise and commodities of any kind and character and all receipts, by the reason of any business engaged in, including interest, dividends, discounts, rentals of real estate or royalties, without any deduction on account of the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, or any other expenses whatsoever and without any deductions on account of losses. Gross income for insurance companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

*Person* means any individual, firm, partnership, cooperative nonprofit membership, corporation, joint venture, professional association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

*(Code 1979, § 8-1002; Ord. No. 93-98, 1-5-94; Ord No. 2011-093, 12-20-11)*

**Sec. 11-33. - Purpose; expiration of license.**

The business license levied by this article is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one calendar year and shall expire on December 31. The provisions of this article and the rates set out in this article shall remain in effect from year to year as amended by the council.

*(Code 1979, § 8-1003)*

**Sec. 11-34. - License fee.**

(a) The required license fee shall be paid for each business subject to this article, according to the applicable rate classification, on or before April 15 in each year, except for businesses physically located outside the city limits which are required to make applications for business licenses prior to operation within the city limits. A separate license shall be required for each place of business and for each classification of business conducted at one place. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a 12-month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the calendar year. No license fee shall be prorated.

(b) Unless otherwise specifically provided, all minimum fees and rates shall be multiplied by 200 percent for nonresidents and itinerants having no fixed principal place of business within the city.

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*(Code 1979, § 8-1004; Ord. No. 95-41, 6-21-95; Ord No. 2011-093, 12-20-11)*

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**Sec. 11-35. - Registration of businesses; application for license.**

The owner, agent or legal representative of every business subject to this article, whether listed in the classification index or not, shall register the business and make application for a business license on or before April 15 of each year, except for businesses physically located outside the city limits which are required to make applications for business licenses prior to operation within the city limits. A license for a bar must be issued in the name of the individual who has been issued a State Alcohol License and will have actual control and management of the business.

A new business shall be required to have a business license and obtain all necessary approvals and clearances as required by city ordinances prior to operation within the city.

Application shall be on a form provided by the license inspector, which shall contain the social security number and/or the federal employer's identification number, the business name as reported on the South Carolina income tax return, and all information about the applicant and the business deemed necessary to carry out the purposes of this article by the license inspector. The applicant shall certify under oath that the information reported or estimated is true, that the gross income is accurately reported or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes due and payable to the city have been paid. Insurance agents employed by more than one company shall be licensed as brokers.

Business License renewal applicants within the municipal limits shall be required to submit copies of portions of state and federal income tax returns reflecting gross income figures.

Business License renewal applicants within the municipal limits shall be required to submit proof of payment of any business-related fees, assessments, and/or personal property taxes, including any late fees or penalties.

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*(Code 1979, § 8-1005; Ord No. 2011-093, 12-20-11)*

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**Sec. 11-36. - Deductions from gross income; exemptions; determination of classification.**

(a) No deductions from gross income shall be made by businesses subject to this article except for income from business done wholly outside of the city on which a license tax is paid to some other municipality or a county, or income which cannot be taxed pursuant to state law. The applicant for a license under this article shall have the burden to establish the right to a deduction by satisfactory records and proof.

(b) No person shall be exempt from the requirements of this article by reason of the lack of an established place of business within the city, unless exempted by state or federal law. The license inspector shall determine the appropriate classification for each business. No person shall be exempt from this article by reason of the payment of any other tax, unless exempted by state law, and no person shall be relieved of the liability for the payment of any other tax by reason of the application of this article.

(c) Charitable organizations which have exemptions from state and federal income taxes shall be exempt from a business license tax only in cases where the sponsors, organizers, directors, trustees, or persons who exercise ultimate control of the organization receive no part of the proceeds of operation, and all proceeds are devoted to charitable purposes as defined by this ordinance and by Section 501(c)(3) of the Internal Revenue Code. Payment of necessary costs of operation and wages to non-management employees will not disqualify a charitable organization from exemption.

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*(Code 1979, § 8-1006; Ord No. 2011-093, 12-20-11)*

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**Sec. 11-37. - Submitting false information.**

It shall be unlawful for any person subject to the provisions of this article to make a false application for a business license, or to give or file, or direct the giving or filing, of any false information with respect to the license or fee required by this article.

*(Code 1979, § 8-1007)*

**Sec. 11-38. - Display of license; change of address; transfer of license.**

All persons shall display the license issued to them under this article on the original form provided by the license inspector in a conspicuous place in the business establishment at the address shown on the license. A transient or nonresident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the city. Authenticated copies shall be available at an additional cost per copy. A change of address must be reported to the license inspector within ten days after removal of the business to a new location and the license will be valid at the new address upon written notification of the license inspector and compliance with zoning and building codes and approval of other departments as determined by the license inspector. Failure to obtain the approval of the license inspector for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable, and a transfer of ownership shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

*(Code 1979, § 8-1008)*

**Sec. 11-39. - Administration of article; duties of license inspector.**

The license inspector shall administer the provisions of this article, collect license fees, issue licenses, make or initiate investigations and audits to ensure compliance, initiate denial or revocation procedures, report violations to the police department and assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this article, and perform such other duties as may be assigned by the city manager.

*(Code 1979, § 8-1009)*

**Sec. 11-40. - Inspections and audits.**

For the purpose of enforcing the provisions of this article, the license inspector or other authorized agent of the city is empowered to enter upon the premises of any person subject to this article to make inspections and examine and audit books and records, and it shall be unlawful for any person to fail or refuse to make available the necessary books and records. If an audit or inspection reveals that false information has been filed by the licensee, the costs of the audit shall be added to the correct license fee and late penalties in addition to other penalties provided in this article. Each day of failure to pay the proper amount of license fee shall constitute a separate offense. The license inspector shall make systematic inspections of all businesses within the city to ensure compliance with this article. Records of inspections and audits shall not be deemed public records. The license inspector shall not release the reported gross income of any person by name without permission of the licensee, provided that statistics compiled by classifications may be made public.

*(Code 1979, § 8-1010)*

**Sec. 11-41. - Assessments.**

When any person shall have failed to obtain a business license or to furnish the information required by this article or the license inspector, the license inspector shall proceed to examine the records of the business or any other available records as may be appropriate and to conduct investigations and statistical surveys as he may deem appropriate to assess a license tax and penalties as provided in this article. A notice of assessment shall be served by certified mail, and an application for adjustment of the assessment may be made to the license inspector within five days after the notice is mailed or the assessment will become final. The license inspector shall establish by regulation the procedure for hearing an application for adjustment of assessment and issuing a notice of final assessment. A final assessment may be appealed to the city council only by payment in full of the assessment under protest within five days and the filing of a written notice of appeal within ten days after payment pursuant to the provisions of this article relating to appeals to the city council.

*(Code 1979, § 8-1011)*

**Sec. 11-42. - Delinquent license fees.**

For nonpayment of all or any part of the correct license fee under this article, the license inspector shall levy and collect a late penalty of five percent of the unpaid fee for each month or portion thereof after the due date until paid. If any

license fee shall remain unpaid for 60 days after its due date, the license inspector shall issue an execution, which shall constitute a lien upon the property of the licensee for the tax, penalties and costs of collection, and he shall proceed to collect such amounts in the same manner as prescribed by law for the collection of other taxes.

(Code 1979, § 8-1012)

### **Sec. 11-43. - Notice that license fees are due.**

The license inspector may but shall not be required to serve or mail written notices that license fees are due under this article, but he shall publish a notice of the due date in a newspaper of general circulation within the city three times prior to the due date in each year.

(Code 1979, § 8-1013)

### **Sec. 11-44. - Denial of license.**

The license inspector shall deny a license to an applicant under this article when the application is incomplete or contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact, or when the activity for which a license is sought is unlawful or constitutes a public nuisance. A decision of the license inspector shall be subject to appeal to the city council as provided in this article. Denial shall be written, with the reasons stated.

(Code 1979, § 8-1014)

### **Sec. 11-45. - Suspension or revocation of license.**

(a) *Authority of license inspector.* When the license inspector determines that:

- (1) A license issued under this article has been mistakenly or improperly issued or issued contrary to law;
- (2) A licensee has breached any condition upon which his license was issued or has failed to comply with the provisions of this article;
- (3) A licensee has obtained a license through fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application, or has given a bad check or tendered illegal consideration for any license fee;
- (4) A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
- (5) A licensee has engaged in an unlawful activity or nuisance related to the business;

the license inspector shall give written notice to the licensee or the person in control of the business within the city by personal service or registered mail that the license is suspended pending a hearing before the city council for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special council meeting within 30 days from the date of service of the notice. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this article.

(b) *Authority of chief of police.* When the chief of police determines, upon investigation, that:

- (1) A business license has been mistakenly or improperly issued or issued contrary to law;
- (2) A business licensee has breached any condition upon which his business license was issued or has failed to comply with the provisions of this article;
- (3) A business licensee has obtained a business license through fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the business license application;
- (4) A business licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude or an unlawful sale of merchandise or prohibited goods; or

- (5) A business licensee has engaged in an unlawful activity or nuisance related to the business; he may direct that the city business license inspector revoke or suspend the business license in the manner provided in this article.

(Code 1979, §§ 2-2003, 8-1015)

**Sec. 11-46. - Appeals.**

- (a) Any person aggrieved by a final assessment or a denial of a business license by the license inspector may appeal the decision to the city council by written request stating the reasons therefor filed with the license inspector or city clerk within ten days after the payment of the assessment under protest or notice of denial is received.
- (b) An appeal or a hearing on revocation shall be held by the city council within 30 days after receipt of a request for appeal or service of notice of suspension at a regular or special meeting of which the applicant or licensee has been given written notice. At the hearing, all parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by the city council shall govern the hearing. The city council shall, by majority vote of the members present, render a written decision based on findings of fact and the application of the standards in this article, which shall be served upon all parties or their representatives and shall be final unless appealed to a court of competent jurisdiction within ten days after service.
- (c) No person shall be subject to prosecution for doing business without a license until the expiration of ten days after notice of denial or revocation which is not appealed or until the final judgment of a court upholding denial or revocation.

(Code 1979, § 8-1016)

**Sec. 11-47. - Confidentiality of information.**

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee of the city to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this article. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns.

(Code 1979, § 8-1017(a))

**Sec. 11-48. - Penalty.**

Any person violating any provision of this article shall be deemed guilty of an offense and shall be subject to punishment under section 1-5 upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent penalties and costs provided for in this article.

(Code 1979, § 8-1017(b))

**Sec. 11-49. - Classification rate schedules.**

The license fee for each class of business shall be computed in accordance with the following rates:

Code	SIC Code	Business	Rate
001	2014	<b>ABATTOIRS:</b>	
		<del>On gross income not exceeding \$5,000.00</del>	<del>30.25</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>
A99	6541	ABSTRACTORS, LAND TITLE COMPANIES OR AGENTS: See Professional rate.	
B99	8931	ACCOUNTANTS, AUDITORS AND AUDIT COMPANIES: See Professional rate.	
	7312	ADVERTISING:	
003		Outdoor billboards, signs or other devices:	
		On gross receipts not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20

A03	7313	Advertising by motion picture machine, in addition to theater license: On gross receipts not exceeding \$5,000.00	18.15
		On each additional \$1,000.00 or fraction thereof	1.20
B03	7312	Advertising by vehicles, both interior and exterior: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
C03	7319	Dissemination of advertising material such as samples, handbills, circulars and any other material of a similar nature. This subsection is not applicable to merchants or companies advertising their own business when paying the regular license fee. On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
D03	7311	Advertising agencies: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
E03	7319	Advertising not otherwise classified: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
004	4119	AMBULANCE SERVICE, when not included in funeral home receipts: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
A04	7993	AMUSEMENTS: Places of business for amusement only (including coin-operated machines, bowling alleys, skating rinks, pool or billiard parlors, etc.): On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
A05		AMUSEMENTS MACHINES, coin operated (except gambling) Music machines, juke boxes, kiddie rides, video games, pool tables, pin tables, with levers and other amusement machines without free play feature licensed by SC Dept of Revenue pursuant to SC Code 12-21-2720(A)(1) and (A)(2) [Type 1 and Type II] Operator of machine \$12.50 per machines PLUS \$12.50 business license for operation of all machines (Not on gross income) [SC Code 12-21-2746]	
E99	6531	APPRAISERS: See Professional rate.	
F99	8911	ARCHITECTS: See Professional rate.	
005	7393	ARMORED CAR SERVICE: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
G99	8999	ARTISTS: See Professional rate.	
077E	5999	ARTS AND CRAFTS: On gross receipts not exceeding \$10,000.00	5.50
		On each additional \$1,000.00 or fraction thereof	1.20
		This shall be a special license issued only for special events sanctioned as such by the city and shall be valid for the time period stated thereon and must be applied for and obtained before commencement of the event for which it is to be used. Applicants must be the creators of the art or craft which is to be sold; goods purchased for sale or resale cannot be vended on this special license. Husband and wife shall be considered as an individual for the purpose of this license. Inspections usually required before a license is issued shall be waived, but inspections will	

be made on-site during the sale.

Other merchants and vendors at such special events, not qualifying for licensing under arts and crafts, shall be required to obtain a regular business license.

Merchants and vendors now operating under valid licenses shall be allowed to operate on those licenses, incorporating such gross sales in the annual gross sales to be reported on the succeeding year's application.

In lieu of the special license described in this subsection, a participant in a single annual event of not more than ten days in length may be issued a permit at the rate of \$10.00 on gross receipts of not more than \$10,000.00 and \$1.20 on each additional \$1,000.00 of gross receipts or fraction thereof. This permit will be valid only for the time period specified thereon and can be obtained for one event annually. Inspections prior to the issuance of a permit will be waived, but inspections may be conducted during the event.

1771	ASPHALT SURFACING: See Contractors.	
	ASTROLOGERS: Astrologers, clairvoyants, fortunetellers, palmists, phrenologists and other similar callings are prohibited.	
7941	ATHLETIC EXHIBITIONS: See Promoter.	
H99	8111 ATTORNEYS: See Professional rate.	
	AUTOMOBILE ACCESSORY STORES:	
077	5531 Retail: See Merchants, Retail rate.	
078	5013 Wholesale: See Merchants, Wholesale rate.	
009	7512 AUTOMOBILES AND OTHER VEHICLE RENTERS, U-DRIVE-IT COMPANIES AND RELATED BUSINESSES:	
	On gross receipts not exceeding \$20,000.00	121.00
	On each additional \$1,000.00 or fraction thereof	1.80
105	7535 AUTOMOBILE PAINT SHOPS, UPHOLSTERY AND REPAIRS: See Repair Shop rate.	
010	7525 AUTOMOBILE PARKING AND STORAGE GARAGES, each:	
	On gross receipts not exceeding \$5,000.00	30.25
	On each additional \$1,000.00 or fraction thereof	1.20
011	5541 AUTOMOBILE SERVICE STATIONS:	
	On gross receipts not exceeding \$30,000.00	60.50
	On each additional \$1,000.00 or fraction thereof	1.20
012	5511 AUTOMOBILE, TRUCK TRAILER, FARM MACHINERY, CONSTRUCTION EQUIPMENT, HOUSE TRAILERS and any other type of motor vehicle or equipment dealer, including both new and/or used vehicles or equipment:	
	On gross receipts not exceeding \$50,000.00	121.00
	On each additional \$1,000.00 or fraction thereof	0.60
077	2394 AWNING AND TENT MAKERS AND DEALERS: See Merchants, Retail rate.	
077	5462 BAKERS, RETAIL: See Merchants, Retail rate.	
078	5462 BAKERIES, WHOLESALE: See Merchants, Wholesale rate.	
013	7241 BARBER AND/OR BEAUTY SCHOOLS:	
	On gross receipts not exceeding \$5,000.00	30.25
	On each additional \$1,000.00 or fraction thereof	1.20
014	7241 BARBERSHOPS:	
	On gross receipts not exceeding \$5,000.00	30.25
	On each additional \$1,000.00 or fraction thereof	1.20
015	<del>7999</del> BATHHOUSES:	
	On gross receipts not exceeding \$5,000.00	30.25
	On each additional \$1,000.00 or fraction thereof	1.20

077	5531	BATTERY REPAIR AND SALES, exclusive of filling station: See Merchants, Retail rate.	
016	7231	BEAUTY PARLORS AND HAIR TREATING PORO SYSTEM:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
077	5941	BICYCLE AGENTS AND REPAIR SHOPS: See Merchants, Retail rate.	
017	7932	BILLIARD AND POOL TABLES: See Amusement rate.	
018	7699	BLACKSMITHS:	
		On gross receipts not exceeding \$5,000.00	12.10
		On each additional \$1,000.00 or fraction thereof	1.20
W99	7332	BLUEPRINTS, PLATS, TRACING: Professional rate applies.	
019	7021	BOARDINGHOUSES AND ROOMINGHOUSES:	
		On gross receipts not exceeding \$5,000.00	12.10
		On each additional \$1,000.00 or fraction thereof	1.20
020	7399	BONDSMEN AND BOND MAKERS:	
		On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	2.40
022	7251	BOOTBLACKS	
		On gross receipts not exceeding \$5,000.00	5.50
		On each additional \$1,000.00 or fraction thereof	1.20
023	2086	BOTTLERS AND WHOLESALE DISTRIBUTORS OF SOFT DRINKS:	
		On gross receipts not exceeding \$50,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	0.60
024	7933	BOWLING ALLEYS: See Amusements.	
	1741	BRICKLAYERS: See Contractors.	
		BROKERS AND FACTORS:	
025	6211	Stock, bond and security brokers:	
		On gross income not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.80
026	5152	Cotton buyers:	
		On gross income not exceeding \$20,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
027	6221	Cotton merchants and dealers in commodity futures:	
		On gross receipts not exceeding \$50,000.00	165.00
		On each additional \$1,000.00 or fraction thereof	2.40
028	5141	Merchandise and food brokers, without warehouse:	
		On gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
029	5141	Merchandise and food brokers, with warehouse:	
		On gross receipts not exceeding \$50,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20
030		Commission merchants, according to commodity:	
		On gross income not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
	1500	BUILDING CONTRACTORS: See Contractors.	
	1600		
	1700	BUILDING MATERIALS:	

078	5039	Wholesale: Merchants, Wholesale rate applies.	
077	5211	Retail: Merchants, Retail rate applies.	
031	4131	BUS COMPANIES, MUNICIPAL: Each bus, franchise	
032	8244	BUSINESS COLLEGES: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
077	5999	BUSINESS MACHINES, SAFES, CASH REGISTERS AND RELATED SALES: Merchants, Retail rate applies.	
078	5147	BUTCHERS, WHOLESALE: Merchants, Wholesale rate applies. CANDY DEALERS:	
077	5441	Retail: Merchants, Retail rate applies.	
078	5145	Wholesale: Merchants, Wholesale rate applies.	
075	2011	CANNING AND PROCESSING MEATS, FISH, FRUITS AND OTHER FOOD PRODUCTS: Manufacturing rate applies.	
033	7999	CARNIVALS: On gross receipts not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	0.60
		A bond must be posted in accordance with the city ordinance, and approval of the fire department, health department and police department must be obtained before beginning operation.	
011	7542	CARWASH BUSINESSES, not connected with service stations: Automobile Service Station rate applies.	
077	5999	CASH REGISTER DEALER: Merchants, Retail rate applies.	
199	5812	CATERING: Professional rate applies.	
	1741	CEMENT FINISHERS: See Contractors.	
034	6553	CEMETERIES AND BURIAL LOT OFFICES: On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.80
J99	8071	CHEMISTS: Professional rate applies.	
075	2121	CIGAR FACTORIES: Manufacturing rate applies.	
035	7999	CIRCUSES: Income not exceeding \$10,000.00	110.00
		Each additional \$1,000.00 or fraction thereof	2.75
		CLAIRVOYANTS: Prohibited.	
	1799	CLEANING OF BUILDINGS BY STEAM, DIRT OR SAND: See Contractors.	
		COAL OR COKE DEALERS AND VENDORS:	
077	5982	Retail: Merchants, Retail rate applies.	
078	5052	Wholesale: Merchants, Wholesale rate applies.	
037	7993	COIN-OPERATED MACHINES: Agents, dealers, lessors and operators of music, skill or amusement machines: On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
		Each machine in operation shall have affixed thereto at all times the licenses under which it is operated. It shall be the duty of the person in whose place of business the machine is operated or located to see that the proper city license is attached to the machine before its operation is commenced. Failure to do so shall make such person liable for penalties imposed in this article.	

		Video poker machines licensed pursuant to S.C. Code 1976, § 12-21-2720(a)(3), per machine	180.00
		All other coin-operated amusement machines	12.50
M37	5962	COIN-OPERATED VENDING MACHINES: Every agent, dealer, lessor or operator of coin-operated vending machines who maintains an office or place of business in the city shall pay an annual business license for the privilege of doing business in the city as follows:	
		Gross receipts of not more than \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
		No license issued under this subsection shall be prorated.	
		Any vending machine operator who operates amusement machines also shall have separate licenses for each operation, and his records shall be kept in such a manner as to reflect the correct amount of gross receipts for each operation. This shall also apply to amusement machine operators who also operate vending machines.	
		This subsection shall not apply to a person who actually owns the vending machines and operates such machines in his place of business where the revenue from such machines is included in the gross sales of this business and a license fee is duly paid thereon.	
		All such machines shall at all times display, in a conspicuous place, the name and address of the owner thereof, and shall not be operated on any street right-of-way. Any machines operated in the city in violation of any provisions of this subsection shall be subject to summary confiscation by the city.	
038	7321	COLLECTION AGENCIES:	
		On gross income not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	2.40
		CONFECTIONERS:	
077	5441	Retail: Merchants, Retail rate applies.	
078	5145	Wholesale: Merchants, Wholesale rate applies.	
		CONSTRUCTION CONTRACTORS: See Contractors.	
	1500	CONTRACTORS:	
	1600	Every person undertaking the following types of services shall 1. be considered a	
	1700	contractor for the purposes of this article:	
	1711	Air conditioning	
	1791	Asphalt surfacing	
	1741	Bricklayers	
	1521	Building contractors	
	1771	Cement finishers	
	1799	Cleaning of buildings by steam, dirt or sand	
	1521	Construction contractors	
	1794	Dirt, sand or rock haulers	
	1731	Electrical	
	1796	Elevators	
	1794	Excavating and grading	
	7342	Exterminators	
	3441	Fabricators	
	1752	Floor finishers	
	1711	Furnace installation	
	1521	General contractors	
	1793	Glass	
	1711	Heating, plumbing, steamfitting or other pipe fitters	

- 1799 Home insulating
- 1795 House moving or demolishing
- 1742 Lathers
- 1721 Painters
- 1721 Paper hangers
- 1771 Paving and grading
- 1623 Pipelaying
- 1742 Plasterers
- 1721 Refractories
- 1761 Roofing
- 1711 Septic tank installation and repairing
- 1711 Sprinklers
- 1743 Tiling, any kind
- 1761 Tin and metal works
- 1799 Waterproofing
- 1799 Weatherstripping

Any other type of contract not specifically listed

Every contractor as defined in this subsection maintaining an 2. office or place of business in the city, who for a fixed price, commission, fee or wage, or other consideration undertakes to construct or supervise the construction, alteration or repair of any building or to provide any type of contractual services whatsoever, shall pay a license fee as follows on his gross contract business done inside and outside the city:

039	1521	On gross contract business not exceeding \$25,000.00 (a)	60.50
		On each additional \$1,000.00 or fraction thereof of gross (b) contract business physically performed within the city	0.90
		On each additional \$1,000.00 or fraction thereof of gross (c) contract business physically performed outside the city on which a license fee has not been paid to a city or town	0.12
		Contractors, itinerant: Every itinerant contractor, in the 3. categories as defined in this subsection, who for a fixed price, commission, fee or wage or other consideration undertakes to construct or supervise the construction, alteration or repairs of any building or to provide any type of contractual services whatsoever, shall pay a license fee as follows on his gross contract business performed within the corporate limits of the city. An itinerant contractor is hereby defined as any person who is not a bona fide resident of the city.	
A39	1521	On gross contract business not exceeding \$25,000.00 (a)	90.75
		On each additional \$1,000.00 or fraction thereof of gross (b) contract business	1.80
		The total license fee for the full amount of the contract shall be paid to the city before any part of the contract is executed. The license that is issued will permit the contractor to complete the job for which the original license was issued even though work is continued after December 31 of any year.	
		Bricklayers, painters, plasterers, paper hangers, interior 4. furnishers, decorators, floor finishers, or other building or construction contractors whose contract price shall not exceed \$200.00 on any one project and whose gross contract business shall not exceed \$2,500.00 per year shall pay a license fee as follows:	
<del>B39</del>	<del>1521</del>	<del>On gross contract business not exceeding \$1,000.00 (a)</del>	<del>12.10</del>
		<del>On each additional \$500.00 or fraction thereof of gross (b) contract business</del>	<del>6.05</del>
		<del>Not to be prorated.</del>	
		Before any electrical or plumbing contractor shall be issued a 5. business license, he must obtain a master's license in his respective field.	
		Subcontractors furnishing labor for and/or supervision over construction or providing any	

type of contractual service shall be held liable for payment of the license fees set forth in this section on the same basis as are prime contractors.

Where a permit is required to be issued by the inspection division before work can be undertaken, no such permit shall be issued unless the contractor seeking the permit has filed an application for a business license with the city and paid a license fee in accordance with the provisions of this article.

It shall be necessary on each job for the contractor to do the 6. following:

Post in plain view a sign identifying the contractor with the (a) job; and

If applicable, provide proper decals for each and every (b) vehicle at the job site as provided in this section.

~~In accordance with section 11-72,~~ It shall be required of each 7 electrical, plumbing, mechanical, general or service contractor who shall individually or through an entity construct, service or repair buildings of any type within the city limits to purchase two decals for each and every vehicle used at a job site at a cost as set forth in Section 11-72.

Decals will be issued annually in conjunction with the renewal of business licenses and may be purchased throughout the year as circumstances may dictate.

026	5152	COTTON BUYERS: Cotton Brokers rate applies.	
040	2211	COTTON AND TEXTILE MILLS:	
		On gross receipts not exceeding \$50,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	0.60
075	2074	COTTON SEED OIL MILLS: Manufacturing rate applies.	
042	7319	COUPON OR STAMP SALES PROMOTIONAL ORGANIZATIONS:	
		Each organization which does not have a regular established place of business in the city:	
		On gross receipts not exceeding \$10,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20
A42	7396	Each organization with a regular established place of business for redemption in the city:	
		On gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.80
041	5143	CREAMERIES AND DAIRIES:	
		On gross receipts not exceeding \$10,000.00	24.20
		On each additional \$1,000.00 or fraction thereof	1.20
043	7321	CREDIT RATING BUREAUS:	
		On gross receipts not exceeding \$50,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20
041	5143	DAIRIES AND DAIRY PRODUCTS: Creameries and Dairies rate applies.	
044	7911	DANCE SCHOOLS:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
085	8351	DAY CARE CENTERS, EACH: See Nurseries.	
045	4212	DELIVERY, MESSENGER AND PARCEL SERVICE:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
078	8072	DENTAL LABORATORIES: Merchants, Wholesale rate applies.	
046	7393	DETECTIVE AGENCIES:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	2.40

~~Application must be approved by the city council before a license may be issued.~~

047	7399	DIRECTORIES, CITY:	
		On gross receipts not exceeding \$5,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.80
		The gross receipts reported shall include all receipts received from the sale of directories and advertising contained in the directories.	
		DIRT, SAND OR ROCK HAULERS: See Contractors.	
		DOUGHNUT DEALERS AND MANUFACTURERS:	
077	5462	Retail: Merchants, Retail rate applies.	
078	5149	Wholesale: Merchants, Wholesale rate applies.	
048	4212	<del>DRAWING, each vehicle:</del>	
		<del>On gross receipts not exceeding \$5,000.00</del>	<del>12.10</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>
077	5912	DRUGSTORES AND APOTHECARIES: Merchants, Retail rate applies.	
049	7216	DRY CLEANING AND LAUNDERING:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
A49	<del>7216</del>	<del>On each pickup station:</del>	
		<del>If the main plant is in the city</del>	<del>12.10</del>
		<del>If the main plant is outside the city:</del>	
C49	<del>7216</del>	<del>On gross receipts not exceeding \$10,000.00</del>	<del>30.25</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>
		<del>The term "pickup station" as used in this subsection shall include all business establishments where clothing and/or linen may be left by persons to be taken to a dry cleaning or laundry plant to be laundered, cleaned or pressed.</del>	
050		ELECTRIC LIGHT COMPANIES, franchise	
		ELECTRICIANS: Contractors rate applies.	
		ELEVATORS: See Contractors.	
051	7361	EMPLOYMENT AGENCIES:	
		On gross receipts not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
		<del>A \$1,000.00 fidelity bond must accompany the application for a license.</del>	
099	8911	ENGINEERS, CIVIL: Professional rate applies.	
052	2753	ENGRAVERS:	
		On gross receipts not exceeding \$50,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20
		EXCAVATING AND GRADING: See Contractors.	
	7941	EXHIBITIONS, THEATRICAL, MUSIC OR OTHER: See Promoter.	
053	4041	EXPRESS COMPANIES:	
		On gross receipts not exceeding \$100,000.00	605.00
		On each additional \$1,000.00 or fraction thereof	1.20
	7342	EXTERMINATORS: Contractors rate applies.	
		FABRICATORS: See Contractors.	
054	5191	FERTILIZER DEALERS AND MANUFACTURERS, and office of manufacturers located in the city:	
		On gross receipts not exceeding \$50,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20

055	6145	FINANCE COMPANIES, MONEY LENDERS, WAGE ASSIGNEES, and any other similar agencies lending money: On each \$1,000.00 of gross income or fraction thereof In all events, the minimum license fee shall be not less than \$220.00. FLOOR SANDING AND REFINISHING: Contractors rate applies. FLORISTS:	3.60
077	5992	Retail: Merchants, Retail rate applies.	
078	5199	Wholesale: Merchants, Wholesale rate applies. FORTUNETELLERS: Prohibited.	
057	3312	FOUNDRIES AND MACHINE SHOPS: On gross receipts not exceeding \$5,000.00 On each additional \$1,000.00 or fraction thereof	30.25 1.80
058	5261	PUMPKIN STANDS, CHRISTMAS TREES & FIREWORKS (SEASONAL): On gross receipts not exceeding \$10,000.00 On each additional \$1,000.00 or fraction thereof <del>Health department approval is necessary before issuing a new or renewal license.</del>	24.20 1.20
059	7261	FUNERAL HOMES AND UNDERTAKERS: On gross receipts not exceeding \$25,000.00 On each additional \$1,000.00 or fraction thereof FURNACE INSTALLATION: See Contractors.	60.50 1.80
105	7538	GARAGES AND AUTOMOBILE REPAIR SHOPS: Repair Shop rate applies.	
060	4922	GAS COMPANIES delivering gas through mains or pipes, franchise	
061	2984	GAS, BUTANE, COMPANIES: On gross receipts not exceeding \$10,000.00 On each additional \$1,000.00 or fraction thereof GASOLINE AND OIL DEALERS AND DISTRIBUTORS:	60.50 1.20
011	5541	Retail: Auto Filling Station rate.	
062	5172	Wholesale: On gross receipts not exceeding \$50,000.00 On each additional \$1,000.00 or fraction thereof	121.00 1.20
011	5933	Fuel oil and kerosene dealers: Auto Service Station rate applies. GENERAL CONTRACTORS: See Contractors. GLASS: See Contractors.	
A04	7999	GOLF COURSE: MINIATURE OR DRIVING RANGE: Merchant, Retail rate applies.	
075	2041	GRAIN PRODUCTS MANUFACTURERS: Manufacturing rate applies.	
079	5039	GRANITE, MARBLE OR MONUMENT DEALERS AND AGENTS: On gross income not exceeding \$10,000.00 On each additional \$1,000.00 or fraction thereof	60.50 1.20
077	5411	GROCERY STORES: Merchant, Retail rate applies.	
105	7699	GUNSMITHS: Repair Shop rate applies.	
016	7231	HAIR TREATING PORO SYSTEMS, ETC.: Beauty Parlors and Hair Treating Poro Systems rate applies.	

063		HARNESS SHOPS, SALES AND SERVICE:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
049	7216	HAT CLEANERS AND BLOCKERS: Dry Cleaning and Laundering rate applies.	
A69	7299	HEALTH CLUBS:	
		On gross receipts not exceeding \$10,000.00	242.00
		On each additional \$1,000.00 or fraction thereof	2.40
		HEATING, PLUMBING, STEAMFITTING OR OTHER PIPEFITTERS: See Contractors.	
H63	6711	HOLDING, INVESTMENT AND DEVELOPMENT COMPANIES (proprietorships with five or more units, joint ventures, partnerships, trusts and corporations). A unit is a single-family quarters or office space.	
		On gross receipts not exceeding \$250,000.00	11.00
		On each additional \$1,000.00 or fraction thereof (rental property located in city limits)	1.65
		On each additional \$1,000.00 or fraction thereof (rental property outside city limits)	.28
		HOME INSULATION: See Contractors.	
H65	4789	HORSE-DRAWN CARRIAGES:	
		On gross receipts not exceeding \$10,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20
064	8062	HOSPITALS AND SANATORIUMS (PRIVATE):	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
065	7011	HOTELS/MOTELS:	
		On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
		A separate license shall be purchased for the operation of restaurants and other business activities.	
		HOUSE MOVING OR DEMOLITION: See Contractors.	
066	<del>5963</del>	<del>HUCKSTERS (SEE PEDDLERS):</del>	
		<del>On gross receipts not exceeding \$5,000.00</del>	<del>30.25</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>
		<del>No license shall be prorated. Health department approval is necessary before issuing a new or renewal license.</del>	
		ICE CREAM DEALERS:	
077	5451	Retail: Merchants, Retail rate applies.	
067	5143	Wholesale:	
		On gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
A67	<del>5963</del>	<del>ICE CREAM VENDORS (SEE PEDDLERS):</del>	
		<del>On gross receipts not exceeding \$2,500.00</del>	<del>30.25</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>
		<del>For sale of prepackaged ice cream and frozen dessert only. Health department approval is necessary before issuing a new or renewal license.</del>	
077		ICE FACTORIES AND DEALERS:	
	5982	Retail	
068	5199	Wholesale:	
		On gross receipts not exceeding \$50,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	1.20

INSURANCE:

- C99 6411 Adjuster, not regular employees of insurance companies:  
6531 Professional rate applies.  
7399 Professional rate applies.
- 069 6411 Agents, brokers or agencies for companies licensed in South Carolina, each: Professional rate applies. (Only one license is required for each agency, except that a separate license is required for brokers engaged in placement of policies for non-admitted insurers. Life insurance agents and agencies are exempt.)  
Fire and casualty, non-admitted: On gross premiums collected on policies of companies licensed in South Carolina, the agent or broker shall pay annually, with a copy of the report required by the insurance commission showing locations of the risks insured, 2.00 percent  
(Premiums for non-admitted business are not included in gross commission for this professional license.)
- 063 5241 Insurance Companies: Except as to fire insurance, "gross premiums" means gross premiums collected (1) on policies on property or risks located in the municipality, and (2) on policies, wherever the insured property or risk is located, that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by the insurance company's office located in the municipality or by the insurance company's employee doing business within the municipality or by the office of the insurance company's licensed or appointed producer (agent) located in the municipality or by the insurance company's licensed or appointed producer (agent) doing business within the municipality. As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality. Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit. Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute doing business within the municipality whether or not an office is maintained therein. A premium collected on property or a risk located within the municipality shall be deemed to have been collected within the municipality. Declining rates shall not apply.
- 631— 52411 Life, health and accident—0.75% of gross premiums  
632
- 633— 524126 Fire and casualty—2% of gross premiums  
635
- 636 524127 Title Insurance—2% of gross premiums
- 6411 524210 Brokers for fire and casualty insurers—Non-admitted: As to brokers for non-admitted fire and casualty insurers, "gross premiums" means gross premiums collected by or for fire and casualty insurers not licensed in South Carolina (1) on policies on property or risks located in the municipality and/or (2) on policies, wherever the insured property or risk is located, that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by a broker located in or doing business within the municipality. Brokers shall provide, with their payment of the tax, a copy of the report required by the State Department of Insurance showing the locations of the property or risks insured. 2% of gross premiums  
[Premiums for non-admitted business are not included in broker's gross commissions for other business. Declining rates shall not apply.]
- ~~C69 6411 Transients agents:  
On gross premiums not exceeding \$25,000.00 242.00  
On each additional \$1,000.00 or fraction thereof 2.40  
For the purpose of computing and collecting the license fee on any insurance company, other than life, having an agent in the city or issuing policies of any nature~~

~~covering any property, real or personal, or covering any risk: (a) the city shall compute and collect 1.2 percent of the gross amount of all premiums collected by the agent of fire companies, whether the property or risk is located in the city or not, and (b) the city shall compute and collect 1.2 percent of the gross amount of all premiums collected by the agents of other insurance companies, whether the property or risk is located in the city or not. The gross referred to in this subsection shall include new and renewal business, and include all premiums received either in cash or by note, draft or other acceptance in lieu of cash without deduction from gross premiums for any dividend or return or deposit premium or any part thereof or for credit on premiums for any reason whatsoever; provided that no such computation or collection shall be made on any premium collected upon a risk located in another municipality within the state, upon which any other municipality assesses or collects a business license fee.~~

~~Any person who solicits insurance in behalf of any insurance or bonding company or who takes or transmits, other than for himself, any application for insurance or any policy of insurance to or from the company or who advertises or otherwise gives notice that he will receive or transmit such applications, or who shall receive or deliver a policy or certificate of insurance of any company or shall examine or inspect any risk, or receive or collect or transmit any premium or do or perform any other act or thing in the making or the consummating of any contract of insurance for or with any such company, other than for himself, or who shall examine into and adjust or aid in the adjusting of any~~

~~loss for or on behalf of any insurance company, whether such acts are done at the instance or request or by the employment of such insurance company or not, shall be held to be acting as the agent of the company for which the act is done or the risk is taken and shall be deemed to engage in the insurance business in the city within the meaning of this article.~~

~~It is hereby declared that it shall be conclusively presumed that the premium charged for the issuance of any policy covering any property real or personal or risk located within the city was collected within the city.~~

077	7399	INTERIOR DECORATORS: Merchants, Retail rate applies.	
077	5944	JEWELRY STORES: Merchants, Retail rate applies.	
070	5093	JUNK DEALERS:	
		On gross receipts not exceeding \$200,000.00	242.00
		On each additional \$1,000.00 or fraction thereof	1.20
P99	7397	LABORATORIES, not otherwise listed in this section: Professional rate applies.	
071	0781	LANDSCAPING AND LAWN SERVICE:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
		LATHERS: See Contractors.	
049	7215	LAUNDRIES AND DRY CLEANING: See Dry Cleaning and Laundries.	
H99		LAWYERS: Professional rate applies.	
077	7394	LEASED EQUIPMENT, not otherwise listed:	
		On gross receipts not exceeding \$10,000.00	24.20
		On each additional \$1,000.00 or fraction thereof	1.20

124	4119	<b>LIMOUSINES:</b>	
		Each vehicle registered in the city, per vehicle	110.00
		On each additional \$1,000.00 of gross receipts above \$10,000.00	1.20
		Each vehicle registered outside the city, per vehicle	165.00
		On each additional \$1,000.00 of gross receipts above \$10,000.00	1.80
		On base registration fee of multiple vehicles:	
		6–10 limousines: 25% discount.	
		11 or more: 50% discount.	
049	7215	<b>LINEN SUPPLY SERVICE:</b> Dry Cleaning and Laundry rate applies.	
055	6145	<b>LOAN COMPANIES:</b> Finance Company rate applies.	
105	7699	<b>LOCKSMITHS:</b> Repair Shop rate applies.	
		<b>LUMBERYARDS:</b>	
077	5211	Retail: Merchants, Retail rate applies.	
078	5031	Wholesale: Merchants, Wholesale rate applies.	
073	3599	<b>MACHINERY, ENGINES, BOILERS, COTTON GINS and other similar businesses (sales and service):</b>	
		On gross receipts not exceeding \$75,000.00	90.75
		On each additional \$1,000.00 or fraction thereof	1.20
057	3312	<b>MACHINE SHOPS:</b> Foundry rate applies.	
074	2721	<b>MAGAZINE PUBLISHERS:</b>	
		On gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
075		<b>MANUFACTURING, all classes not specifically listed:</b>	
		On gross receipts not exceeding \$50,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	0.60
076	7699	<b>MATTRESS FACTORIES AND RENOVATORS:</b>	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
078	5147	<b>MEAT DEALERS AND BUTCHERS, WHOLESALE:</b>	
		On gross receipts not exceeding \$50,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	0.60
030		<b>MERCHANTS, COMMISSION:</b> See Brokers rate.	
077		<b>MERCHANTS, RETAIL:</b>	
	5531	Automobile accessory stores	
	5999	Awning and tent makers and dealers	
	5462	Bakeries, retail	
	5521	Battery repairs and sales, exclusive of filling stations	
	5941	Bicycle agents and repair shops	
	5211	Building materials, retail	
	5999	Business machines, safes, cash registers and related sales	
	5441	Candy dealers, retail	
	5999	Cash register dealers	
	5982	Coal dealers and vendors, retail	
	5441	Confectioners, retail	
	5651	Clothing, retail	
	5462	Doughnut shops, retail	

5912	Drugstores and apothecaries	
5651	Dry goods, retail	
5411	Grocery stores	
5451	Ice cream dealers, retail	
7399	Interior decorators	
5944	Jewelry stores	
5211	Lumberyards, retail	
5399	Military stores	
5994	Newsstands	
5399	Novelties, all types	
5261	Nurseries, plants and flowers, retail	
5999	Pet shops	
7395	Photograph and picture developers, not licensed as photographers	
5499	Poultry and produce dealers, retail	
5211	Sashes, blinds, metal awnings or other related products	
5722	Sewing machine dealers	
5812	Soda fountains	
5699	Tailors	
5531	Tire dealers, retreading and recapping	
	Other related types of retail sales not listed in this section	
	On gross receipts not exceeding \$10,000.00	24.20
	On each additional \$1,000.00 or fraction thereof	1.20
077E	SINGLE EVENT PERMIT: In lieu of the license described in this subsection, a participant in a single annual event of not more than ten days in length may be issued a permit at the rate of \$10.00 on gross receipts of not more than \$10,000.00 and \$1.20 on each additional \$1,000.00 of gross receipts or fraction thereof. This permit will be valid only for the time period specified thereon and can be obtained for one event annually. Inspections prior to the issuance of a permit will be waived, but inspections may be conducted during the event.	
078	MERCHANTS, WHOLESALE:	
5013	Automobile accessory stores, wholesale	
5149	Bakeries, wholesale	
5039	Building materials, wholesale	
5145	Candy dealers, wholesale	
5145	Confectioners, wholesale	
8072	Dental laboratories	
5149	Doughnut dealers and manufacturers, wholesale	
5122	Drugs, wholesale	
5194	Florists, wholesale	
5031	Lumberyards, wholesale	
5199	Nurseries, plants and flowers, wholesale	
5144	Poultry and produce dealers, wholesale	
5014	Tire dealers, wholesale	
	All other types of wholesale agents not specifically listed in this section	
	On gross receipts not exceeding \$50,000.00	60.50
	On each additional \$1,000.00 or fraction thereof	0.60

079	5039	MONUMENT DEALERS AND AGENTS: On gross receipts not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
080	7832	MOVING PICTURE THEATER OR STEREOPTICON, ELECTRIC THEATER OR SIMILAR SHOWS, each: On gross receipts not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.80
W99		MORTGAGE CONSULTANTS AND BROKERS: Professional rate applies.	
065	7011	MOTOR COURTS OR MOTELS: Hotel rate applies.	
081	5571	MOTORCYCLE DEALERS AND AGENTS: On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
117	4212	MOVING VANS: See Trucks for Hire. NEON SIGN MAKERS: Contractors rate applies.	
082		NEWSPAPERS, daily or daily except Sunday, weekly or biweekly, morning or afternoon: On gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
077	5994	NEWSSTANDS: Merchants, Retail rate applies.	
077	5399	NOVELTIES: Merchants, Retail rate applies.	
085	8351	NURSERIES, CHILDREN'S, each: On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
		Approval of the health department is required before a license may be issued.	
		NURSERIES, PLANTS AND FLOWERS:	
078	5199	Wholesale: Merchants, Wholesale rate applies.	
077	5261	Retail: Merchants, Retail rate applies.	
084	7361	NURSES REGISTRY: On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
R99	8042	OCULISTS OR OPTOMETRISTS: Professional rate applies.	
086	7399	OFFICES, other than for monetary or financial transactions: On capital invested in city annually of \$2,500.00 or less	30.25
		Over \$2,500.00 annually	60.50
R99	8042	OPTOMETRISTS: Professional rate applies.	
087	7699	ORGAN AND PIANO TUNERS: On gross receipts not exceeding \$2,000.00	12.10
		On each additional \$1,000.00 or fraction thereof	1.80
S99	8031	OSTEOPATHS: Professional rate applies.	
088	5099	PACKINGHOUSES, WHOLESALE: On gross receipts not exceeding \$100,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	0.60
		PAINTERS: See Contractors.	

089		PAINT SHOPS:	
	7535	Auto	
	7399	Signs	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
		PALMISTS: Prohibited.	
		PAPER HANGERS: See Contractors.	
091	7523	PARKING LOTS:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
092		PATENT MEDICINE MANUFACTURERS:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
		PAVING AND GRADING: See Contractors.	
055	6145	PAWNSHOPS AND PAWNBROKERS: Finance Company rate applies.	
093	5441	PEANUT AND POPCORN ROASTING MACHINES:	
		On gross receipts not exceeding \$10,000.00	24.20
		On each additional \$1,000.00 or fraction thereof	1.20
<del>094</del>	<del>5441</del>	<del>PEANUT VENDORS from box or basket container (SEE PEDDLER):</del>	
		<del>On gross receipts not exceeding \$10,000.00</del>	<del>24.20</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>
		<del>Not allowed to sell on Main Street, or within one block of Main Street, from the State House to Elmwood Avenue.</del>	
H65		PEDICABS	
		On gross receipts not exceeding \$10,000	121.00
		On each additional \$1,000.00 or fraction thereof	1.20
095	5963	PEDDLERS, all classes not otherwise provided for in this section:	
		On gross receipts not exceeding \$5,000.00	121.00
		On each additional \$1,000.00 or fraction thereof	3.00
		MUST COMPLY WITH SECTION 17-258	
077	5999	PET SHOPS: Merchants rate applies.	
077	7395	PHOTOGRAPH AND PICTURE DEVELOPERS, not licensed as photographers: Merchants, Retail rate applies.	
096	7221	PHOTOGRAPHERS, local with established place of business:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
A96	7221	PHOTOGRAPHERS, Itinerants:	
		On gross receipts not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	2.40
		An itinerant photographer within the meaning of this subsection is defined as any person who is not a bona fide resident of the city.	
		PIPE LAYING: See Contractors.	
		PLASTERING: See Contractors.	
		PLUMBERS: Contractors rate applies.	

		<b>POULTRY AND PRODUCE:</b>	
077	5499	Retail: Merchants, Retail rate applies.	
098	2754	<b>PRINTING:</b>	
		Job:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
A98	2754	Hand printing (including mimeographing):	
		On gross receipts not exceeding \$5,000.00	18.15
		On each additional \$1,000.00 or fraction thereof	1.20
		<b>PROFESSIONS:</b>	
A99	6541	Abstractors	
B99	8931	Accountants, auditors and audit companies	
C99	7399	Adjusters	
D99	8011	Anesthetists	
E99	6411	Appraisers	
F99	8911	Architects	
G99	8949	Artists	
H99	8111	Attorneys	
I99	5812	Catering Establishments	
J99	8071	Chemists	
K99	8049	Chiroprodists	
L99	8041	Chiropractors	
M99	8011	Clinics	
N99	8021	Dentists	
O99	8911	Engineers (civil, consultant, mechanical, etc.)	
P99	7397	Laboratories, not otherwise listed	
Q99	8011	Ophthalmologists	
R99	8042	Optometrists or oculists	
S99	8031	Osteopaths	
T99	7392	Personnel consultants	
U99	8011	Physicians	
V99	8742	Veterinarians	
W99		Miscellaneous: All other professionals not specifically listed in this section	
		On gross receipts not exceeding \$5,000.00	42.35
		On each additional \$1,000.00 or fraction thereof	1.80
100	7941	<b>PROMOTERS: ATHLETIC EXHIBITIONS, DANCES, THEATRICALS, MUSICAL ENTERTAINMENTS:</b>	
		On gross income not exceeding \$10,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.80

**PROMOTER, SINGLE ANNUAL EVENT: not more than ten days in length:**

On gross income from space rentals, ticket sales up to \$10,000.00 or up to 25 exhibitors, whichever is greater	100.00
Additional revenue of \$10,000.00 up to \$150,000.00 or additional 25 exhibitors	35.00
On gross income over \$150,000.00 or over 250 exhibitors, whichever is greater	500.00

To obtain a license for an event as described in this subsection, the promoter shall make application to the business license division not less than ten days prior to the beginning of the event. The application will contain the following information: the name of the producer, promoter or sponsor of such event, the dates and location of the event, the purpose of the event, a list of the participants or exhibitors. Payment of the estimated fee shall be made with the application. Not later than five days following the close of the show, the promoter shall adjust the license fee based on the actual gross revenue received or the actual number of exhibitors, whichever is greater.

The exhibitors or participants in an event described in this subsection will not be required to obtain a business license if the promoter, producer or sponsor has obtained one as described in this subsection.

<b>E52</b>	<b>ENTERTAINMENT: Establishments/facilities primarily engaged in organizing, promoting, and/or managing live performing arts productions, sports events, and similar events, such as concerts and festivals, held in arenas, stadiums, auditoriums or other related facilities that they manage and operate. An individual promoter/performer will not be required to obtain a separate business license if the establishment/facility has obtained one as described in this classification.</b>	<b>100.00</b>
	On gross income not exceeding \$50,000.00	2.00
	On each additional \$1,000.00 or fraction thereof	

\*The establishment/facility will be required to report and pay on a monthly basis the gross generated from ticket sales (less the admission tax paid to the state), gross retail merchandise and any other gross related to the performance/event on a form created and supplied by the license division. At year end, when all monthly payments have been received and processed, one business license will be issued to the facility

105	7539	RADIATOR REPAIR SHOPS: Repair Shop rate.	
101	4832	<b>RADIO AND/OR TV STATIONS BROADCASTING AND ADVERTISING:</b>	
		On local and area gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
102	7332	<b>RADIO DEALERS AND REPAIR SHOPS:</b>	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
103	4011	RAILROADS: Pursuant to SC 12-23-210	2,200.00
104	6531	<b>REAL ESTATE AGENCIES:</b>	
		On gross income not exceeding \$5,000.00	42.35
		On each additional \$1,000.00 or fraction thereof	1.80
		REFRACTORIES: See Contractors.	
105		<b>REPAIR SHOPS:</b>	
	7535	Automobile paint or upholstery shops	
	5712	Carpenter or cabinet shops	
	7538	Garages and automobile repair shops	
	7699	Gunsmiths	
	7699	Locksmiths	
	7539	Radiator repair shops	

	7699	Repair shops or works not otherwise specifically listed	
	7251	Shoe repair shops or shoemakers	
	7699	Tin and metal shops	
	7641	Upholsterers	
	7692	Welding shops and works	
	7549	Wrecker service	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
077	7394	RENTAL SERVICE, MISCELLANEOUS:	
		On gross receipts not exceeding \$10,000.00	24.20
		On each additional \$1,000.00 or fraction thereof	1.20
106	5812	RESTAURANTS, LUNCHROOMS, LUNCH COUNTERS, DRIVE-INS and other places serving prepared food:	
		On gross receipts not exceeding \$20,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
107	5812	RESTAURANTS, with seating capacity for less than 15 customers and doing no drive-in or curb service business:	
		On gross receipts not exceeding \$10,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
		Where food is cooked or served in any kind of establishment and where a restaurant is operated in connection with another business, a separate license is required. Before a license is issued, approval of the health department is required.	
		ROOFERS, TIN, GRAVEL AND SLATE DEALERS: Contractors rate applies.	
019	7021	ROOMINGHOUSES AND BOARDINGHOUSES:	
		On gross receipts not exceeding \$5,000.00	12.10
		On each additional \$1,000.00 or fraction thereof	1.20
108	5149	SANDWICHES, WHOLESALE:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.20
077		SASHES, BLINDS, METAL AWNINGS OR OTHER RELATED PRODUCTS: Merchants, Retail rate applies.	
		SEPTIC TANK INSTALLATION AND REPAIRING: See Contractors.	
109	7299	SERVICE INDUSTRIES not specifically listed:	
		On gross receipts not exceeding \$5,000.00	30.25
		On each additional \$1,000.00 or fraction thereof	1.80
077		SEWING MACHINE DEALERS: Merchants, Retail rate applies.	
105	7251	SHOE REPAIR SHOPS OR SHOEMAKERS: Repair Shop rate applies.	
110	7999	SHOOTING GALLERIES:	
		On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	2.40

123	4119	SHUTTLES:	
		Each vehicle registered in the city, per vehicle	110.00
		On each additional \$1,000.00 of gross receipts above \$10,000.00	1.20
		Each vehicle registered outside the city, per vehicle	165.00
		On each additional \$1,000.00 of gross receipts above \$10,000.00	1.80
		On base registration fee of multiple vehicles:	
		6–10 vehicles 25% discount.	
		11 or more: 50% discount.	
089	7399	SIGN PAINTERS: Paint Shop rate applies.	
		SKATING RINKS: See Amusements.	
		SPRINKLERS: See Contractors.	
111	7319	STAMP AND COUPON SALES PROMOTIONAL ORGANIZATIONS: See Coupon and Stamp Sales Promotional Organizations.	
		STOKER DEALERS AND REPAIRMEN: See Contractors.	
118	4255	STORAGE FACILITIES: Warehouse rate applies.	
077		TAILORS: Merchants, Retail rate applies.	
112	4121	TAXICABS:	
		Each cab registered in the city, per vehicle	110.00
		On each additional \$1,000.00 of gross receipts above \$10,000.00	1.20
		Each cab registered outside the city, per vehicle	165.00
		On each additional \$1,000.00 of gross receipts above \$10,000.00	1.80
		On base registration fee of multiple vehicles:	
		6–10 taxis: 25% discount. 11 or more: 50% discount.	
113	4821	TELEGRAPH COMPANIES OR AGENCIES: For business done exclusively within the city, and not including any business done to or from points without the state and not including any business done for the government of the United States, its officers or agents:	
		On gross receipts not exceeding \$50,000.00	605.00
		On each additional \$1,000.00 or fraction thereof	0.60
114	4811	<del>TELEPHONE COMPANIES: On gross receipts from customers' premises telecommunications equipment, intrastate long distance tolls, service work charges, and directory, miscellaneous and supplemental services billed to customers located within the city. Charges billed to customers located within the city shall be deemed to have been apportioned by the company according to services rendered within the city.</del>	
		<del>On gross receipts not exceeding \$25,000.00</del>	<del>275.00</del>
		<del>On the next \$175,000.00, per \$1,000.00</del>	<del>5.50</del>
		<del>Over \$200,000.00, per \$1,000.00</del>	<del>1.10</del>
		<del>Telephone companies occupying public streets pursuant to franchise may pay a fee in lieu of a business license fee, or receive a credit for business license fees as provided by the franchise agreement. See Section 11-50 for rates &amp; franchise information</del>	
075	2211	TEXTILE MILLS AND ASSOCIATED INDUSTRIES: Manufacturers rate applies.	
		TILING, any kind: See Contractors.	
105		TIN AND METAL SHOPS: Repair Shop rate applies.	
		TIRE DEALERS, RETREADING AND RECAPPING: See Merchants rate.	

115	6516	TRAILER PARKS:	
		On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
		<del>Approval must be obtained from the building official and the health department before a license may be issued.</del>	
116	4722	TRAVEL TOUR AGENCIES OR AGENTS:	
		On gross income not exceeding \$5,000.00	42.35
		On each additional \$1,000.00 or fraction thereof	1.80
117	4212	TRUCKS FOR HIRE, MOVING VANS AND TRANSFER COMPANIES:	
		On gross receipts not exceeding \$5,000.00	18.15
		On each additional \$1,000.00 or fraction thereof	1.80
009	7512	U-DRIVE-IT COMPANIES: See Automobiles.	
105	7641	UPHOLSTERERS: Repair Shop rate applies.	
		VENDING MACHINES: Coin-Operated Machine rate applies.	
V99		VETERINARIANS: Professional rate applies.	
055		WAGE ASSIGNEES: Finance Company rate applies.	
118	4255	WAREHOUSES, REFRIGERATED AND/OR STORAGE FACILITIES AND AGENCIES:	
		On gross receipts not exceeding \$5,000.00	60.50
		On each additional \$1,000.00 or fraction thereof	1.20
011		WASH RACKS: Auto Service Station rate applies.	
119	7631	WATCH AND JEWELRY REPAIRMEN:	
		On gross receipts not exceeding \$5,000.00	12.10
		On each additional \$1,000.00 or fraction thereof	1.80
		WATERPROOFING: See Contractors.	
		WEATHERSTRIPPING: See Contractors.	
105	7692	WELDING SHOPS AND WORKS: Repair Shop rate applies.	
120	<del>5982</del>	<del>WOOD DEALERS: (SEE PEDDLER)</del>	
		<del>On gross receipts not exceeding \$5,000.00</del>	<del>30.25</del>
		<del>On each additional \$1,000.00 or fraction thereof</del>	<del>1.20</del>

(Code 1979, § 8-1018; Ord. No. 93) (Code 1979, § 8-1018; Ord. No. 93-87, 10-27-93; Ord. No. 93-93, 11-3-93; Ord. No. 93-96, §§ 2-4, 1-5-94; Ord. No. 95-31, 5-17-95; Ord. No. 95-47, 6-21-95; Ord. No. 97-21, § 1, 4-9-97; Ord. No. 97-79, 1-7-98; Ord. No. 2004-098, § 1, 11-10-04; Ord. No. 2007-086, 11-7-07; Ord. No. 2007-086, 11-7-07; Ord. No. 2011-093 12-21-11)

**Sec. 11-50. - Telecommunications business license tax.**

- (a) Notwithstanding any other provisions of the business license ordinance, the business license tax for "retail telecommunications services", as defined in S. C. Code § 58-9-2200, shall be at the maximum rate authorized by S.C. Code § 58-9-2220, as it now provides or as provided by its amendment. The business license tax year shall begin on January 1 of each year. The rate for the 2005 business license tax year shall be the maximum rate allowed by State law as in effect on February 1, 2005. Declining rates shall not apply.
- (b) In conformity with S.C. Code § 58-9-2220, the business license tax for "retail telecommunications services" shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a business in operation for less than one year, the amount of business license tax shall be computed on a 12-month projected income.
- (c) For the year 2005, the business license tax for "retail telecommunications services" shall be due on February 1, 2005, and payable by February 28, 2005, without penalty. For years after 2005, the business license tax for "retail telecommunications services" shall be due on January 1 of each year and payable by January 31 of that year, without penalty.
- (d) The delinquent penalty shall be five percent of the tax due for each month, or portion thereof, after the due date until paid.
- (e) Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.
- (f) Nothing in this section shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement in the event that the franchise or contractual agreement should expire after December 31, 2003.
- (g) All fees collected under such a franchise or contractual agreement expiring after December 31, 2003, shall be in lieu of fees or taxes which might otherwise be authorized by this section.
- (h) As authorized by S.C. Code § 5-7-300, the agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S.C. Code § 58-9-2200 shall continue in effect. Notwithstanding the provisions of the Agreement, for the year 2005, the Municipal Association of South Carolina is authorized to collect current and delinquent license taxes, in conformity with the due date and delinquent date for 2005 as set out in this section and is further authorized, for the year 2005, to disburse business license taxes collected, less the service charge agreed to, to this municipality on or before April 1, 2005, and thereafter as remaining collections permit.

*(Ord. No. 98-46, 7-1-98; Ord. No. 2004-081, §§ 1—6, 9-22-04)*

**Secs. 11-51—11-70. - Reserved.**

**Sec. 11-71. - Permit, indemnification and insurance requirements for work affecting streets or other public property.**

- (a) *Permit required; indemnification of city.* Any person who proposes to perform any activity which requires excavation, encroachment, the possibility of encroachment, or temporary use or disruption of any street, easement, public right-of-way or other property owned by or under the control of the city shall be required to obtain a permit before conducting such activity. As a condition for the issuance of such permit, the permittee shall be required to indemnify the city and its agents and employees from and against all claims, damages, losses and expenses, including attorneys' fees, arising out of or resulting from the permitted activity, whether such activity is conducted by the permittee or its agents, employees, contractors or subcontractors, and to comply with the requirements of subsection (b) of this section.
- (b) Liability insurance.
- (1) To ensure the indemnification required by subsection (a) of this section, each permittee, except utility companies regulated by the state public service commission, shall provide the city, prior to the issuance of any permit, proof of liability insurance as follows:
- a. An owner's and contractor's protective liability policy issued in the name of the owner for whom the activity is to be performed, with the city named as an additional insured, in an amount not less than \$300,000.00 per occurrence limit for bodily injury, personal injury and property damage, with an aggregate liability not less than \$600,000.00 (Coverage shall be at least as broad as provided for in the most current version of the Insurance Services Office Form) applicable to such policy;) and
- b. A separate general liability policy naming the contractor or other person who will be performing the activity as insured and also naming the city as an additional insured in an amount not less than \$300,000.00 per occurrence and \$600,000.00 aggregate limit for bodily injury, personal injury and property damage. (Coverage shall be at least as broad as provided for in the most current version of the Insurance Services Office Form applicable to such policy.)
- (2) An applicant for a permit may elect not to provide an owner's and contractor's protective liability policy as required by subsection (b)(1)a of this section, but if such election is made the limits of liability required on the general liability policy required by subsection (b)(1)b of this section shall be no less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate limit for bodily injury, personal injury and property damage.
- (3) An applicant for a permit may further elect not to provide any proof of liability insurance to the city as required by subsection (b)(1) or (2) of this section, but if such election is made an indemnity surety bond in an amount not less than \$4,000,000.00 and approved as to surety and form by the city attorney shall be filed in lieu of the required insurance.
- (4) Any insurance policy provided to the city in satisfaction of the requirements of this subsection (b) shall specifically provide that the insurer provide written notice to the city at least 30 days prior to cancellation, termination or modification of the coverage provided to the city.
- (5) If it appears that the proposed activity poses unusual hazard or danger to the public, the city manager may require such additional amounts of insurance coverage as he shall deem appropriate.
- (6) The insurance requirements of this section shall supersede all other such provisions in this Code.
- (c) Contractors working for city.
- (1) Contractors performing construction, maintenance or repair work for the city are required to provide proof of liability insurance as follows:
- a. An owner's and contractor's protective liability policy issued in the name of the city, in an amount not less than \$2,000,000.00 per occurrence limit for bodily injury, personal injury and property damage, with an aggregate liability not less than \$2,000,000.00. (Coverage shall be at least as broad as provided for in the most current version of the insurance services office form applicable to such policy);

- b. A separate general liability policy naming the contractor or other person who will be performing the activity as insured and also naming the city as an additional insured in an amount not less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate limit for bodily injury, personal injury, property damage and products completed operations. (Coverage shall be at least as broad as provided for in the most current version of the Insurance Services Office Form applicable to such policy); and
  - c. An excess liability policy naming the contractor or other person who will be performing the activity as insured and also naming the city as an additional insured in an amount not less than \$10,000,000.00 for bodily injury, personal injury, property damage and products completed operations. (Coverage shall be at least as broad as provided for in the most current version of the Insurance Services Office Form applicable to such policy.)
- (2) Any insurance policy provided to the city in satisfaction of the requirements of this subsection (c) shall specifically provide that the insurer provide written notice to the city at least 30 days prior to cancellation, termination or modification of the coverage provided to the city.
  - (3) If it appears that the proposed activity poses unusual hazard or danger to the public, the city manager may require such additional amounts of insurance coverage as he shall deem appropriate.
  - (4) Contractors are also required to comply with any other or additional indemnification or insurance requirements as may be stated in their contract with the city.
- (d) *Continuing encroachments.* Continuing encroachments into, over or under the streets, rights-of-way or other property owned or controlled by the city shall be authorized only by ordinance duly enacted by the city council. Insurance and indemnification requirements for such continuing encroachments shall be as specified in each authorizing ordinance; provided, however, that for encroachments granted by ordinance prior to December 1, 1987, each such ordinance is hereby amended to require proof of continuous general liability insurance naming the city as an additional insured in an amount not less than \$600,000.00 per occurrence.

(Code 1979, §§ 6-2002—6-2005; Ord. No. 2005-133, 1-11-06; Ord. No. 2006-012, 4-12-06)

### **Sec. 11-72. - License; identification decals.**

- (a) Before any individual or business entity shall engage in any part or segment of the building business within the city, they shall have obtained an appropriate business license from the city.
- (b) In addition to an appropriate business license, those individuals or entities qualified to perform work in the city in the electrical, plumbing and mechanical trades will be required to purchase identification decals bearing the letter "M."
- (c) In addition to an appropriate business license, those individuals or entities licensed by the State of South Carolina to perform contracting work in the city will be required to purchase license identification decals bearing the letter "G."
- (d) In addition to an appropriate business license, those individuals or entities qualified to perform work in the city in a construction trade will be required to purchase identification decals bearing the letter "S."
- (e) License identification decals will be displayed conspicuously on the front and rear of each and every vehicle at the job site used in the performance of the construction or service trades in the city.
- (f) License identification decals will be issued annually by the business license department at a cost of \$5.00 per set.
- (g) The term "building business," as used in this article, includes but is not limited to work performed in the plumbing, electrical, gas, mechanical, building, construction, roofing, renovation, grading, paving, demolition and fencing trades.

(Code 1979, § 6-2006; Ord. No. 2002-065, 11-6-02)

### **Sec. 11-73. - Technical qualifications.**

Whosoever desires to engage in any facet of the building business within the city shall present evidence, which is acceptable to the city, as to his qualifications. Such evidence shall be a current contractor's license appropriate for the type of business to be conducted, and in the case of tradesmen a certification card issued by the city or the Municipal Association of

South Carolina. The individual or business entity may be required to provide such other evidence as deemed necessary by the city to establish their competency to perform work in their specified field.

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*(Code 1979, § 6-2007)*

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**Secs. 11-74—11-100. - Reserved.**

**Sec. 11-101. - Purpose of article.**

The purpose of this article is to protect the general health, safety, welfare and morals of the public by the regulation of businesses, trades or professions commonly known as health clubs, massage parlors, spas, physical culture clubs and similar establishments, and the persons therein engaged in the bathing, physical treatment or manipulation of the human body, commonly known as massage, by prescribing minimum health standards, and to define and prohibit certain lewd conduct therein as being unlawful and a public nuisance.

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*(Code 1979, § 9-7001)*

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**Sec. 11-102. - License.**

Any person desiring to engage in the operation of a health club, massage parlor, spa, physical culture club or similar establishment shall, before engaging in such business, obtain a city business license, which may be issued only upon presentation of a certificate of compliance with this article issued by the health department and compliance with the city zoning ordinance, fire prevention code, building code and business license ordinances.

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*(Code 1979, § 9-7002)*

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**State law reference—** Licensing by state law enforcement division, forwarding to local governing body, S.C. Code 1976, § 40-29-50.

**Sec. 11-103. - Certificate of compliance.**

- (a) Any applicant for a business license as provided for in section 11-102 must obtain a certificate of compliance with this article from the health department by submission of an application which shall contain written evidence that all applicable health ordinances, rules and regulations of the city have been met, including the following:
- (1) The application shall contain the correct legal name and address of the owner or principal officer of the owner, the proposed business location within the city, the manager at that location, and the owner of the real property at that location.
  - (2) The applicant shall list the names and addresses of all other similar businesses owned or operated by the applicant within the city.
  - (3) A complete description of the building, proposed use of space therein, equipment and facilities shall be furnished.
  - (4) The name, address, history of past similar experience, and health history, including detailed information on any past or present communicable disease, shall be furnished for each person who will engage in giving massages or baths in the business, and the same information shall be furnished for each new employee prior to the giving of a massage or bath by such employee.
  - (5) A list of all previous convictions within the preceding ten years for violations of health, prostitution, obscenity or lewdness laws, rules or regulations of any jurisdiction shall be furnished for each applicant and each employee.
  - (6) A health certificate of a medical doctor dated within one month of the date of the application and based upon actual physical examination, including a chest X-ray and serological test for syphilis, shall be furnished for each person who will engage in giving massages or baths. Such certificate shall be renewed at least each six months thereafter and shall be displayed in the work area of the certificate holder.

- (b) The contents of the application for a certificate of compliance shall be considered a part of the application for a business license.

*(Code 1979, § 9-7003)*

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### **Sec. 11-104. - Health regulations.**

The city shall promulgate rules and regulations related to sanitation of the premises and equipment, the hygiene of persons giving massages or baths, and the minimum required lavatory, bath, toilet, ventilation, plumbing and electrical equipment and facilities for the safe and healthy operation of an establishment to be licensed pursuant to section 11-102. Compliance with such rules and regulations shall be a prerequisite to the issuance of the certificate required by section 11-103.

*(Code 1979, § 9-7004)*

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### **Sec. 11-105. - Patronage by minors.**

- (a) It shall be unlawful for any person under the age of 18 years to receive a massage or bath of any portion of the body in any establishment licensed as provided for in section 11-102 without a written prescription for such treatment signed by a licensed physician.
- (b) It shall be unlawful for any person to give a massage or bath to any portion of the body of a person under the age of 18 years in any establishment licensed as provided for in section 11-102 without a written prescription for such treatment signed by a licensed physician. It shall be the duty of the operator of the business to determine the age of the person served.

*(Code 1979, § 9-7005)*

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### **Sec. 11-106. - Prohibited services and facilities.**

No person working in an establishment licensed pursuant to section 11-102 shall:

- (1) Allow any portion of the premises to be used for or have direct access to any sleeping quarters, bedroom, kitchen or restaurant; or
- (2) Engage in or permit the sale, distribution or exhibition of any printed matter, film, recordings or photographs on the premises without a separate business license;
- (3) Engage in or permit any live entertainment, modeling or demonstrations on the premises without a separate business license; or
- (4) Engage in or permit the sale, distribution or consumption of any goods, products, wares, devices, merchandise, wearing apparel, beauty products, medication, hygiene aids, tobacco products, beverages, or similar or related products without a separate business license, except nonalcoholic beverages served to patrons without charge and lotions, ointments and cleansing materials actually used in a bath or massage on the premises without additional charge.

*(Code 1979, § 9-7006)*

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### **Sec. 11-107. - Lewd acts prohibited.**

- (a) Any act performed within an establishment licensed as provided for in section 11-102 which involves the touching of the genitals of a person for the purpose of sexual arousal or masturbation is a lewd act and is unlawful and prohibited. All parties to such an act shall be subject to prosecution for a misdemeanor, punishable, upon conviction, in accordance with section 1-5.
- (b) Any establishment in which a lewd act as defined in subsection (a) of this section is performed is hereby declared to be a public nuisance subject to abatement as provided by law for bawdy houses and places used for lewdness. This remedy shall be cumulative to license revocation procedures and the imposition of penalties provided by law.

*(Code 1979, §§ 9-7007, 9-7008)*

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### **Sec. 11-108. - Inspections.**

Representatives of the police department, building and inspection divisions, community development department, fire department and business license division of the finance department shall be permitted at all reasonable times to enter premises licensed under this article for the purpose of inspecting for any public health or safety hazards or nuisances, and for possession of required licenses and certificates. A written report of any such inspection shall be furnished to the operator of the business and the owner of the real property, noting any conditions which require correction. Failure to correct any noted condition within 24 hours after notice shall constitute grounds for revocation of the business license, in addition to other penalties provided by law or action to abate nuisances.

*(Code 1979, § 9-7009)*

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### **Sec. 11-109. - Posting of regulations.**

The entire contents of this article and all rules and regulations promulgated by the city physician pursuant to this article shall be posted in a conspicuous place in the reception area of each establishment licensed pursuant to section 11-102.

*(Code 1979, § 9-7010)*

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### **Sec. 11-110. - Penalties.**

The violation of any provision of this article shall be a misdemeanor, punishable in accordance with section 1-5. Conduct of business contrary to the provisions of this article shall be grounds for revocation of the business license upon a showing to the business license division that such conduct is contrary to the health, safety, welfare or morals of the people of the city.

*(Code 1979, § 9-7011)*

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### **Secs. 11-111—11-130. - Reserved.**

### **Sec. 11-131. - Transactions with minors.**

No keeper of any junk shop shall himself, or through any other person, either directly or indirectly, purchase or receive, by way of barter or exchange, any of the articles mentioned in this article, from any minor, without the written permission of the parent, guardian of any such minor, which written permission shall be filed and produced whenever required by any person authorized to inspect such shops.

*(Code 1979, § 2-5021)*

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### **Sec. 11-132. - Hours.**

Junk shops shall not be kept open for the purchase of any of the articles mentioned in this article, nor shall any purchase be made by the keeper of any such shop, or by any person for him, except between sunrise and sunset.

*(Code 1979, § 2-5022)*

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### **Sec. 11-133. - Required records.**

Every person licensed as a junk or secondhand dealer shall keep a book in which shall be written, at the time of every purchase or barter at his place of business, the name and residence of the person from whom an article was purchased by him and the hour and date of purchase.

*(Code 1979, § 2-5023)*

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### **Sec. 11-134. - Reports of purchases.**

Every person licensed as a junk or secondhand dealer shall make a report to the chief of police by 11:00 a.m. every day, Sunday excepted, concerning purchases made by him since his last report.

*(Code 1979, § 2-5024)*

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**Sec. 11-135. - Inspection of records.**

All records kept by any person licensed as a junk or secondhand dealer shall at all times be subject to the inspection of the license inspector, the chief of police or any person duly authorized by them to inspect such records.

*(Code 1979, § 2-5025)*

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**Sec. 11-136. - Retention of purchased articles.**

Every article purchased by a licensed junk or secondhand dealer shall be retained in stock by such dealer subject to inspection for at least 48 hours after the purchase thereof.

*(Code 1979, § 2-5026)*

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**Sec. 11-137. - Inspection of premises.**

All junk shops shall be subject at all times to inspection by the chief of police or any person duly authorized.

*(Code 1979, § 2-5027)*

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**Sec. 11-138. - Suspension or revocation of license.**

Any license issued to junk and secondhand dealers may be suspended or revoked by the city council for the violation by the licensee of any applicable provision of this Code, state law or city ordinance, rule or regulation.

*(Code 1979, § 2-5028)*

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**Secs. 11-139—11-160. - Reserved.**

## **PAWNBROKERS**

### **Sec. 11-161. - Required records.**

Every pawnbroker doing business within the city shall keep a book in which shall be plainly written, at the time of every pledge, the name of the person and a description of the articles pledged, giving a full description of the articles pledged, the maker, number, brand, monogram or letters of any kind on such articles so pawned or bought by such dealers, and the name of the person from whom received.

*(Code 1979, § 2-5001)*

### **Sec. 11-162. - Reports of articles purchased or received.**

Each pawnbroker shall furnish to the chief of police every morning a list of every article taken in pawn or bought by him.

*(Code 1979, § 2-5002)*

### **Sec. 11-163. - Inspection of records.**

The records and books of every pawnbroker doing business within the city shall at all times be subject to the inspection of the chief of police or any other duly authorized person.

*(Code 1979, § 2-5003)*

### **Sec. 11-164. - Fingerprints and other information to be obtained from persons pawning articles.**

- (a) In addition to the owner's records and information called for to obtain a license, each pawnbroker shall obtain from each person pawning any article with that pawnbroker the fingerprint of the righthand index finger, unless that finger is missing, in which event the print of the next finger in existence on the right hand of the person pawning the article shall be obtained with a notation as to the exact finger printed. All prints shall be made on forms to be furnished by the bureau of police services, and the pawnbroker shall obtain all other information called for on the form furnished. Fingerprints and the information as required in this section shall be obtained from all persons each time the persons pawn any article with a pawnbroker, regardless of whether or not those persons may have previously pawned an article with the pawnbroker and been fingerprinted.
- (b) The provisions of subsection (a) of this section need not be complied with where the pawnbroker knows personally the person pawning the article or can identify within 90 days after the transaction the person pawning the article.

*(Code 1979, § 2-5004)*

### **Secs. 11-165—11-180. - Reserved.**

### **Sec. 11-181. - Required.**

It shall be unlawful for any person to do business as a pawnbroker within the city without first obtaining a license so to do from the city.

*(Code 1979, § 2-5011)*

### **Sec. 11-182. - Identification sign.**

Every person who shall obtain a pawnbroker's license shall put on or over the principal entrance to his shop a sign designating that he is licensed, and containing his name.

*(Code 1979, § 2-5012)*

### **Sec. 11-183. - Suspension or revocation.**

Any license issued under the provisions of this division may be suspended or revoked by the city council for the violation by the licensee of any applicable provision of this Code, state law or city ordinance, rule or regulation.

**Secs. 11-184—11-210. - Reserved.**

**Sec. 11-211. - Sales in or near city parks or places of amusement.**

It shall be unlawful for any person to sell, barter or exchange any goods, wares or merchandise in, on or about any of the public parks, playgrounds, swimming pools or places of amusement owned or operated by the city.

**Secs. 11-212—11-230. - Reserved.**

## CHARITABLE SOLICITATIONS

### **Sec. 11-231. - Definitions.**

- (a) The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Solicit* and *solicitation* mean the request, directly or indirectly, of money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable purpose as those purposes are defined in this section. These words shall also mean and include, but shall not be limited to, the following methods of securing such money, credit, property, financial assistance or other thing of value:

- (1) Any oral or written request;
- (2) The making of any announcement to the local press, radio or television, or by telephone, concerning a local appeal or campaign to which the public is requested to make a contribution for any charitable purpose connected therewith;
- (3) The distribution, circulation, posting or publishing of any handbill, written advertisement or other local publication; and/or
- (4) The sale of, or the offer or attempt to sell, any advertisement, advertising space, book, card, chance, coupon, device, lapel button, membership, merchandise, subscription, ticket or other thing.

*Solicitation* shall be deemed to have taken place when the request is made, whether or not the person making the request received any contribution referred to in this section.

- (b) The definitions of other terms used in this division shall be as defined in the Solicitation of Charitable Funds Act of the State of South Carolina (S.C. Code 1976, § 33-55-10 et seq.).

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(Code 1979, § 8-3011)

Cross reference— Definitions generally, § 1-2.

### **Sec. 11-232. - Registration and permit required.**

- (a) No person shall solicit contributions within the city unless the person or charitable organization for whom the contributions are solicited shall have complied with the requirements of the Solicitation of Charitable Funds Act of the State of South Carolina and shall have filed proof of such compliance with the city business license division.
- (b) The requirement of proof of compliance established in this section may be satisfied by filing with the business license division certification of registration or of exemption provided by the public charities division of the office of the secretary of state.

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(Code 1979, § 8-3012)

### **Sec. 11-233. - Business license.**

Compliance with the provisions of this division shall not relieve any person of the duty to comply with the applicable requirements of article II of this chapter, concerning business and professional licenses.

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(Code 1979, § 8-3013)

### **Secs. 11-234—11-250. - Reserved.**

## **SIDEWALK VENDING FRANCHISES**

### **Sec. 11-251. - Findings.**

- (a) The primary purpose of the public streets and sidewalks is the use by vehicular and pedestrian traffic.
- (b) Vending on the public sidewalks promotes the public interest by contributing to an active and attractive pedestrian environment.
- (c) Reasonable regulation of sidewalk vending is necessary to protect the public health, safety and welfare.
- (d) The regulations contained in this division do not prohibit free speech but merely regulate activities which are commercial in nature.
- (e) The granting of franchises for the use of public streets and the making of charges therefor are authorized by S.C. Code 1976, § 5-7-30, and are subject to such conditions as the council may impose to protect the public interest, welfare and convenience.

(Ord. No. 2002-066, 8-21-02)

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### **Sec. 11-252. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Cart* means any portable vending device, pushcart or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the department of motor vehicles, used for the displaying, storing or transporting of articles offered for sale by a vendor, and which does not exceed four feet in width, six feet in length, and five feet in height, excluding canopy or cover.

*Vending district* means the zone or area specifically designated for vending franchises.

*Vendor* means any person engaged in the selling, or offering for sale, of food, beverages or merchandise on the public streets or sidewalks, from a cart.

(Ord. No. 2002-066, 8-21-02)

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### **Sec. 11-253. - Permitted merchandise.**

No merchandise shall be sold by a vendor from a cart in a vending district except the merchandise approved for the specific location of the cart. Permitted merchandise shall be limited to hot dogs, sausages, hamburgers, tacos, burritos, baked potatoes, bagels, pastries, candy, prepackaged sandwiches, chips, biscuits, popcorn, nuts, pretzels, ice products, ice cream, milk products, frozen yogurt, hot and cold beverages containing no alcohol, flowers, and items related to permitted merchandise.

(Ord. No. 2002-066, 8-21-02; Ord. No. 2003-005, 1-15-03)

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### **Sec. 11-254. - Franchise and license required; franchise fee; transfer of franchise.**

- (a) It shall be unlawful to sell, or offer for sale, any food, beverage or merchandise on any street or sidewalk within the city from a cart without first obtaining a franchise and business license therefor.
- (b) A nonexclusive franchise for not more than one year may be granted for the operation of one or more carts at locations specified by resolution of city council within a vending district prior to the acceptance of applications for a franchise. Notice of availability and nature of franchises shall be given by conspicuously posting at least one notice at the proposed location. At least one such notice shall be visible from each public thoroughfare that is within 100 feet of the proposed location. Such notice shall be posted 15 days prior to the public hearing.
- (c) An annual franchise fee of \$300.00 per location shall be paid in advance. One business license for each franchisee shall be required at the applicable rate pursuant to Article II of this chapter.

- (d) A franchise may not be transferred in any manner. Sale of a majority of stock in a corporate franchisee by stockholders listed on the franchise application or sale of a majority interest in a partnership as listed on the franchise application shall be deemed a transfer of the franchise which is prohibited.
- (e) The provisions of this division shall not apply to festivals, community projects or public events which occur on a periodic basis and which are specifically approved by the city council.

*(Ord. No. 2002-066, 8-21-02; Ord. No. 2009-084, 9-16-09)*

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**Sec. 11-255. - Application to business license division for franchise.**

The application to the business license division for a vendor's franchise include the following information:

- (1) The name, home and business address of the applicant, and the name and address of the owner, if other than the applicant, of the cart to be used in the operation of the vending business.
- (2) A description of the type of food, beverage or merchandise to be sold.
- (3) A list of the proposed location of the vending cart for which a franchise is sought.
- (4) A description and photograph or drawing of the cart proposed to be used.
- (5) The location and description of off-street cart storage facilities.
- (6) The method and routes for transporting carts to and from sidewalk locations and storage facilities.
- (7) The names, addresses and percentage of stock owned by shareholders in a corporate applicant, and the percentage interest of each partner in a partnership applicant.
- (8) Such other information as the applicant may choose or as may be requested by the city council to demonstrate that the applicant has the financial ability to perform the conditions of a franchise.

*(Ord. No. 2002-066, 8-21-02)*

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**Sec. 11-256. - Issuance of franchise.**

- (a) The franchise required by section 11-254 shall be issued by ordinance in accordance with section 2-81. Any franchise issued pursuant to this division shall be subject to modification by ordinance at any time deemed necessary by the council for protection of public interests. Any franchise shall be granted as a privilege and not as a matter of right. Vending at any location may be temporarily suspended or relocated by the city manager upon reasonable notice when private or public construction or activities of the city make it unsafe or impractical to allow vending.
- (b) In determining the acceptability of an application, the council may consider any factors presented in the application, at a public hearing, or in any staff report or investigation of matters related to the past record and ability of the applicant to perform conditions of this division and the franchise agreement in a manner which serves the public interests.
- (c) Not later than 30 days after the filing of a completed application for a vendor's franchise, the applicant shall be notified by the city manager of the date of a public hearing before a decision on the issuance or denial of the franchise.
- (d) It will be presumed that the owner of a food service business selling the same merchandise approved for a location within 50 feet of the principal public entrance to the food services business area can best serve the public convenience and interests. If two or more equally acceptable applications for the same location are received, the earliest application, if approved, shall be awarded the franchise. If the franchise is denied pursuant to section 11-262, the applicant shall be provided with a statement of the reasons therefor entered in writing on the application.

*(Ord. No. 2002-066, 8-21-02)*

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**Sec. 11-257. - Evidence of compliance with health and fire regulations; insurance.**

- (a) A certificate of inspection or compliance as required by applicable health regulations and evidence of compliance with the fire code shall be filed with the city clerk before any sales are made from carts.
  
- (b) Proof of an insurance policy, issued by an insurance company licensed to do business in the state, protecting the owner and the city from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the owner, shall be filed with the city clerk prior to use of the franchise and annually. Such policy shall be a general liability policy naming the franchisee as insured in an amount not less than \$500,000.00 per occurrence and \$1,000,000.00 aggregate combined single limit for bodily injury, personal injury and property damage. The policy shall specifically provide that the insurer shall provide written notice to the city at least 30 days prior to cancellation, termination or modification of the coverage provided to the city.

*(Ord. No. 2002-066, 8-21-02)*

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**Sec. 11-258. - Prohibited locations.**

No cart location in a vending district shall be:

- (1) Within 50 feet of the principal public entrance to any food service business area not owned by the vendor which sells merchandise approved for sale by a vendor.
- (2) At any location which does not provide a clear passageway for pedestrians of at least four feet in width.
- (3) Within ten feet of an entranceway to any building.
- (4) Within 50 feet of any driveway entrance to a police or fire station, or within 25 feet of any other driveway.
- (5) At any location where it would obstruct pedestrian traffic at crosswalks or sight clearance at intersections.
- (6) Within 25 feet of any bus stop sign.

*(Ord. No. 2002-066, 8-21-02)*

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**Sec. 11-259. - Prohibited conduct.**

No vendor shall:

- (1) Vend on any street or sidewalk where vending is otherwise prohibited.
- (2) Vend between 11:00 p.m. and 6:00 a.m. of the following day.
- (3) Leave any cart unattended.
- (4) Store, park or leave any cart overnight on any street or sidewalk.
- (5) Sell food or beverages for immediate consumption unless there is a litter receptacle which is available for patrons' use.
- (6) Leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales made by the vendor.
- (7) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on or under the cart.
- (8) Set up, maintain or permit the use of any table, crate, carton, rack or other device to increase the selling or display capacity of his cart.
- (9) Solicit or conduct business with persons in motor vehicles.

- (10) Sell anything other than that for which a franchise and license to vend have been issued.
- (11) Sound or permit the sounding of any device which produces a loud and raucous noise, or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public.
- (12) Vend without the insurance coverage specified in section 11-257.
- (13) Allow the stand or any other item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on public property, without the owner's permission.

*(Ord. No. 2002-066, 8-21-02)*

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### **Sec. 11-260. - Advertising.**

No advertising shall be permitted on any cart except to identify the name of the product or the name of the vendor, and the posting of prices.

*(Ord. No. 2002-066, 8-21-02)*

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### **Sec. 11-261. - Renewal of franchise.**

All franchises granted under this division are valid for the entire franchise period unless revoked or suspended prior to expiration. An application to renew a franchise shall be made not later than 60 days before the expiration of the current franchise.

*(Ord. No. 2002-066, 8-21-02)*

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### **Sec. 11-262. - Denial, suspension or revocation of franchise.**

Any franchise granted under this division may be denied, suspended or revoked by the council for any of the following reasons:

- (1) Fraud or misrepresentation contained in the application for a franchise.
- (2) Fraud or misrepresentation made in the course of carrying on the business of vending.
- (3) Conduct of the franchised business in such manner as to create a public nuisance or constitute a danger to the public health, safety, welfare or morals.
- (4) Conduct which is contrary to the provisions of this division or the franchise.
- (5) Failure to use the franchise fully in accordance with its terms within 90 days after notice of the grant of franchise, or within 15 days after notice of non-use, during the term of the franchise.
- (6) Failure to qualify for a business license or determination that any condition in section 11-44 or 11-45 exists.
- (7) A determination that the applicant is not able or qualified, by reason of background, medical limitations, financial condition or conditions related to the vending business, to render acceptable service to the public pursuant to this division.
- (8) A determination that a more qualified applicant for the same location will accept a franchise.
- (9) A determination that no franchise should be granted to any applicant and that a location should be removed from the vending district approved list.

*(Ord. No. 2002-066, 8-21-02)*

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### **Secs. 11-263—11-290. - Reserved.**

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FOOTNOTE(S):

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<sup>(40)</sup> **Editor's note**— Ord. No. 2002-066, adopted Aug. 21, 2002, amended former Div. 3, §§ 11-251—11-263, in its entirety to read as herein set out. Former Div. 3 pertained to the same subject matter and derived from the Code of 1979. [\(Back\)](#)

<sup>(40)</sup> **Cross reference**— Streets, sidewalks and other public places, ch. 22. [\(Back\)](#)

**Secs. 11-291—11-310. - Reserved.**

**GARAGE SALES**

**Sec. 11-311. - Definition.**

For purposes of this division, a garage sale is defined to mean the sale of any new or used personal property, which sale is conducted on or about the premises of a private residence or in any zoning area that permits single-family residential use, by any resident or residents of a neighborhood, one of whom must be the occupant of the premises, and which sale is open to the public.

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*(Code 1979, § 8-4001)*

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**Cross reference**— Definitions generally, § 1-2.

**Sec. 11-312. - Permit.**

It shall be unlawful for anyone to conduct a garage sale in the area described in section 11-311 without first obtaining a permit from the license inspector of the city for each sale, and such permit shall be posted at the site of the sale. The cost of each permit is to be \$5.50. The maximum period of each permit is two consecutive days, not to include Sunday. The maximum number of permits allowed per year is two for any one family unit, location, lot or premises. All participants in any joint sale must be named on the permit.

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*(Code 1979, § 8-4002)*

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**Sec. 11-313. - Parking requirements.**

Parking shall be provided for all persons attending a garage sale in a manner that would not affect the free flow of traffic on a public street near the garage sale.

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*(Code 1979, § 8-4003)*

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**Sec. 11-314. - Reselling merchandise.**

No new or used merchandise shall be purchased or brought for resale onto the premises for a sale permitted under this division.

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*(Code 1979, § 8-4004)*

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**Sec. 11-315. - Signs.**

Only one non-illuminated sign, not to exceed two square feet, may be posted advertising a garage sale, and such sign may only be placed on the property where the sale is being conducted under this division.

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*(Code 1979, § 8-4005)*

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**Sec. 11-316. - Hours; sales on Sunday.**

A garage sale shall be limited to the hours between 8:00 a.m. and 8:00 p.m. No Sunday sales will be allowed under this division.

*(Code 1979, § 8-4006)*

**Sec. 11-317. - Use of public address systems.**

The use of a public address system is prohibited at garage sales.

*(Code 1979, § 8-4007)*

**Sec. 11-318. - Alcoholic beverages.**

Alcoholic beverages of any type shall not be served or given on or near the premises where a garage sale is held.

*(Code 1979, § 8-4008)*

**Sec. 11-319. - Display of goods.**

Goods for sale at a garage sale shall not be displayed on public property, neither shall such goods be displayed on private property in a manner which will materially impede visibility of pedestrian or vehicular traffic on or off the premises.

*(Code 1979, § 8-4009)*

**Sec. 11-320. - Inspections.**

For the purpose of enforcing the provisions of this division, the city and its proper nominees, representatives and employees shall have the right of entry to any premises showing evidence of a garage sale and may close the premises from such a sale where any provisions of this division are being violated.

*(Code 1979, § 8-4010)*

**Sec. 11-321. - Penalty.**

Violation of this division or failure to comply with any of its provisions shall be a misdemeanor, punishable, upon conviction, in accordance with section 1-5. Each day such violation continues shall be considered a separate offense.

*(Code 1979, § 8-4011)*

**Secs. 11-322—11-340. - Reserved.**

## **GOING OUT OF BUSINESS SALES**

### **Sec. 11-341. - Restriction on stock offered for sale.**

The stock offered for sale by any person under the designation of "closing out sale," "going out of business sale," "discontinuance of business sale" or "removal sale," or under any other description of like meaning, not involving bankruptcy or insolvency, shall be held to include only the goods, wares, furniture, fixtures, jewelry, merchandise or personal property actually in the stock or place of business of the person conducting the sale, at the opening of the sale.

(Code 1979, § 8-4041)

### **Sec. 11-342. - Adding to stock.**

It shall be unlawful to add to the stock, under the provisions of this division, by shipping in or bringing in goods, wares or merchandise from other sources, unless such replenishment is publicly advertised or clearly indicated as such by items.

(Code 1979, § 8-4042)

### **Sec. 11-343. - Filing of inventory; bond.**

Before commencing a sale as described in this division, the person conducting it shall file with the city clerk a complete inventory of the items described in section 11-341 and shall also file with the city clerk a good and sufficient bond for the sum of \$1,000.00 guaranteeing compliance with the provisions of this division.

(Code 1979, § 8-4043)

### **Sec. 11-344. - Change of ownership not to affect status of sale.**

No change of ownership of the goods, wares, furniture, fixtures, jewelry, merchandise or personal property offered in sale as prescribed in this division and no change of ownership of the capital stock of a corporation conducting such a sale shall affect the status of the sale as governed by this division.

(Code 1979, § 8-4044)

### **Sec. 11-345. - Misrepresenting sales.**

Any person advertising by newspapers, radio, posters or otherwise, representing that he is operating, offering or maintaining fire sales, wreck sales, bankrupt sales, closing out or going out of business sales, removal sales and similar businesses, whereby the public is led to believe that they are being offered merchandise at reduced rates on account of fires, wrecks, bankruptcies, or closing out or discontinuance of business, when in fact such sales are not bona fide, but are fakes and frauds, and the advertisements and representations are untrue and false, shall be held to be guilty of a misdemeanor, punishable, upon conviction, in accordance with section 1-5, and each day that such sale or business is conducted in violation of the terms of this section shall constitute a separate offense.

(Code 1979, § 8-4045)

### **Secs. 11-346—11-360. - Reserved.**

### **Sec. 11-361. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bankrupt stock* and *stock of an insolvent* mean any stock of goods, wares, merchandise, furniture, fixtures, jewelry or personal property of any nature acquired from the trustee or referee in bankruptcy, a receiver or assignee, and this division shall apply whether the person actually conducting the sale acquired the stock of goods, wares, merchandise, furniture, fixtures, jewelry or personal property from the trustee, referee, receiver or assignee or from any other person if the stock is offered to the public in the manner described in this division at any time within six months from the date title passed out of the referee, receiver, trustee, assignee or other person, and shall include any stock of goods, wares, merchandise, furniture, fixtures or jewelry which shall be sold or offered for sale in any other way than through the usual channels of trade.

*Down hill selling* means the first offering of an article at a higher price and then offering the article at a successive lower price.

*Fire stock* means any goods, wares, furniture, fixtures, jewelry or merchandise which is or has been damaged by fire, or which is or has been claimed to have been damaged by fire, or which is or has been or which is claimed to be or have been sold or purchased on account of any fire.

*Selling at auction* and *auction sale* mean the offering for sale of personal property to the highest bidder, or offering for sale or selling of such property by the method known as down hill selling.

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(Code 1979, § 8-4021)

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Cross reference— Definitions generally, § 1-2.

### **Sec. 11-362. - Special license tax.**

Every person who shall take over or become the owner of or manager of any bankrupt stock of merchandise or stock of merchandise of an insolvent, or fire stock of merchandise, or wares which have been damaged or claimed to have been damaged by fire or purchased on account of fire, and who shall thereafter offer the stock or wares or any portion of the stock or wares for sale to the public in a manner commonly known as a bankruptcy sale or in the manner commonly known as an insolvency sale, or in a manner commonly known as a fire sale, or under any other designation, shall, before offering such merchandise for sale to the public, pay a special license tax in an amount equal to five percent of the invested capital paid to the assignee, receiver, trustee in bankruptcy or other person from whom such stock of goods was acquired.

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(Code 1979, § 8-4022)

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### **Sec. 11-363. - Inventory and affidavit.**

- (a) *Inventory required; contents.* Before any person shall, within the city, conduct any sale of goods, wares, furniture, fixtures, jewelry, merchandise or personal property of any nature as defined in this division, such person shall file in the office of the city clerk an inventory of the goods or property, duly sworn to, setting forth the quality, quantity, kind or grade of the items thereon.
- (b) *Affidavit required.* Attached to the inventory as required by the provisions of this division shall be an affidavit reflecting that the inventory is in all respects true and correct.
- (c) *Person to make affidavit.* In the case of an individual, the required affidavit shall be made by him as such. In the case of a firm, the affidavit shall be made by one of the partners. In the case of a corporation, the affidavit shall be made by the president or general manager, or secretary or treasurer.
- (d) *Filing.* The inventory and affidavit required by this division shall be kept on file as part of the public records of the city clerk.

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(Code 1979, §§ 8-4023—8-4026)

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### **Sec. 11-364. - Additions to stock.**

It shall be unlawful for any person to add to the stock of merchandise, goods, wares, furniture, fixtures, jewelry or property from any source whatsoever and advertise the stock as a bankrupt stock or as an insolvent stock or as a fire stock or to offer for sale any goods, wares, merchandise, furniture, fixtures, jewelry or personal property along with the original stock or in the same building which were not a part of the original bankrupt stock or insolvent stock or fire stock.

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(Code 1979, § 8-4027)

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### **Sec. 11-365. - Bond.**

- (a) *Required; amount.* In addition to paying the tax as provided in section 11-362, every person so conducting a bankrupt sale, insolvency sale, fire sale or auction sale, as provided in this division, shall, before commencing such sale, file with the city clerk a good and sufficient bond in the sum of \$1,000.00.
- (b) *Approval and conditions.* The bond required by the provisions of this division shall be approved by the city clerk to the effect that such person conducting such sale will not mislead the public by any false or untrue advertising, or by holding back and not offering for sale any part of such stock, or by shipping in or bringing in from other sources goods or merchandise in such manner as the public may be led to believe that such additional goods and merchandise, so

shipped in or brought in, were part of the original stock, and to the further effect that such person so conducting such sale will not in any manner mislead, cheat or defraud or attempt to cheat, mislead or defraud the public in the conduct of the sale.

*(Code 1979, §§ 8-4028, 8-4029)*

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**Sec. 11-366. - Exemptions.**

The provisions of this division shall not extend to judicial sales, sales under execution, or bona fide executors' or administrators' sales, or to sales at auction where merchandise is turned over to a bona fide creditor or association of creditors to be sold for the benefit of such creditors.

*(Code 1979, § 8-4030)*

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**Secs. 11-367—11-390. - Reserved.**

# VEHICLES FOR HIRE

## **Secs. 24-1—24-30. - Reserved.**

## **Sec. 24-31. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Cruising* means driving on, over and along the streets or public places of the city in search of, or soliciting, prospective passengers for hire.

*Driver* means any person in actual charge of the operation of a taxicab, van, shuttle or limousine, whether as owner or agent, servant or employee of the owner.

*Limousine* means a motor-driven vehicle designed to transport a specific passenger or group of passengers for an hourly or daily fee to a specific destination pursuant to a prearranged contract.

*Owner* means any person who has control, direction, maintenance and benefit of the collection of revenue derived from the operation of taxicabs, shuttles or limousines on or over the streets or public ways of the city, whether as owner, licensee, bailee or otherwise, except as driver.

*Route* means a course of travel established at the same time as the establishment of a fixed hourly or daily fee. This definition of route does not include driving over, on or along the streets of the city in search of or soliciting prospective passengers for hire.

*Shuttle* means a motor-driven vehicle originally designed by the manufacturer's specifications without modification to transport eight or more passengers for a prearranged fixed hourly or daily fee to a specific destination along a route.

*Taxicab* means a motor-driven vehicle originally designed by the manufacturer's specifications without modification to transport not more than seven passengers and used for the transportation of passengers for a metered fee.

*Taximeter* means an instrument or device attached to a taxicab used to mechanically measure the distance, time or zone unit upon which the fare to be charged to the passenger will be based, and recording by figures on the dial of the device the fare as it accrues.

*Vehicle for hire.* All taxicabs, shuttles or limousines shall be designated as vehicles for hire for purposes of this article.

*Waiting time* means all time when a taxicab is not in motion and is occupied by a passenger, and the time consumed while standing at the direction of a passenger or person who has engaged such taxicab.

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(Code 1979, § 2-6001; Ord. No. 94-58, § 2-6001, 3-15-95)

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**Cross reference—** Definitions generally, § 1-2.

## **Sec. 24-32. - Daily trip sheets.**

The driver of each and every taxicab or shuttle shall keep a complete and accurate record of each trip upon a daily trip sheet, the form of which shall be approved by the chief of police, showing the time and place of origin and destination of the trip, the number of passengers carried, the mileage and the amount of fare collected. The owner of each and every limousine shall keep a complete and accurate copy of each contract with its customers. These records shall be filed daily and such record shall be kept on file, available for inspection by the chief of police or his designated assistants, for a period of not less than six months.

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(Code 1979, § 2-6002; Ord. No. 94-58, § 2-6002, 3-15-95)

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## **Sec. 24-33. - Maximum number of passengers.**

It shall be unlawful for the driver of any vehicle for hire to transport therein more passengers than specified by the vehicle manufacturer's original specifications without any modification.

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(Code 1979, § 2-6003; Ord. No. 94-58, § 2-6003, 3-15-95)

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**Sec. 24-34. - Carrying other persons without consent of passenger.**

No driver of a taxicab shall carry any other person than the passenger by whom he has been engaged, without the consent of such passenger.

*(Code 1979, § 2-6005; Ord. No. 94-58, § 2-6004, 3-15-95)*

**Sec. 24-35. - Refusal to transport orderly persons.**

No driver of a taxicab shall refuse or neglect to transport any orderly person upon request anywhere in the city, unless previously engaged or unable to do so.

*(Code 1979, § 2-6006; Ord. No. 94-58, § 2-6005, 3-15-95)*

**Sec. 24-36. - Transporting person for purpose of committing unlawful or immoral act.**

No driver of a vehicle for hire shall transport a person for the purpose of committing a crime or for the purpose of committing an immoral act.

*(Code 1979, § 2-6007; Ord. No. 94-58, § 2-6006, 3-15-95)*

**Sec. 24-37. - Inspection of vehicles.**

No vehicle for hire shall be operated on or over the streets or public ways of the city until it has been inspected annually and approved for licensing by the chief of police or his designated assistant.

*(Code 1979, § 8-5012; Ord. No. 94-58, § 2-6007, 3-15-95)*

**Sec. 24-38. - Failure of vehicle to pass inspection.**

If, after the initial inspection, the chief of police or his designated assistant finds that any vehicle for hire does not comply with the provisions of this article, the license therefor may be suspended by him and such vehicle for hire shall not be operated on or over city streets until the vehicle for hire shall have been put in proper condition, pursuant to the terms of this article, and the license reinstated.

*(Code 1979, § 8-5013; Ord. No. 94-58, § 2-6008, 3-15-95)*

**Sec. 24-39. - Insurance.**

Before any license is issued for the operation of a vehicle for hire, the owner shall file with the police department a copy of a policy of liability insurance, issued by a company authorized to do business in this state, providing for at least the minimum coverage required by state law for other motor vehicles. The city shall be given ten days' notice by the insurer prior to cancellation of any such policy.

*(Code 1979, § 8-5014; Ord. No. 94-58, § 2-6009, 3-15-95)*

**Sec. 24-40. - Display of information on vehicle; posting of rate schedule.**

Any person obtaining a license to operate a taxicab or a shuttle service vehicle shall, immediately upon obtaining such license, have painted on the side of each vehicle to be operated the word "taxi," "taxicab" or "shuttle" and also shall have placed on the side or rear of such vehicle the name of the owner or company operating such vehicle. The city license number shall be displayed on each side and on the rear of the vehicle in contrasting colors. Lettering and numbers shall be a minimum of three inches in height and in contrasting colors to the color of the vehicle. Such identification shall be approved by the chief of police and shall be unobstructed by any part of the vehicle. All shuttle service vehicles shall have posted inside the vehicle, in a manner clearly visible to the passengers therein, a current rate schedule. This rate schedule shall be available in printed form to passengers upon request.

*(Code 1979, § 8-5019; Ord. No. 94-58, § 2-6010, 3-15-95)*

**Sec. 24-41. - Adoption of distinctive color or insignia for vehicles.**

Any person operating more than one taxicab or shuttle service vehicle may, at his discretion, by and with the consent of the chief of police, adopt a distinctive and uniform color or distinguishing logotype or insignia for all vehicles operated by such person. Upon adoption of any such distinctive color, distinguishing logotype or insignia, the owner of the business shall file immediately a copy and description of the logotype or insignia with the city clerk. Other taxicabs and shuttle services may adopt varying shades of the same primary color as long as the such varying shade is distinctive and easily distinguishable from other vehicles.

*(Code 1979, § 8-5020; Ord. No. 94-58, § 2-6011, 3-15-95)*

**Sec. 24-42. - Taxicab identity lights.**

Every taxicab shall be equipped with an identity light attached to the top of the vehicle. The identity light shall be constructed in one unit consisting of an illuminated plate or cylinder upon which is printed the company name and the words "taxi," "taxicab" or "for hire." The overall dimensions of such identity light shall not exceed six inches in height by 20 inches in length. The lights of the identity light shall be connected to a contact switch attached to the taximeter, and such contact switch shall operate automatically to illuminate such identity light when the taximeter is not in operation indicating that the taxicab contains no passengers and to extinguish such identity light when the taximeter is in operation. It shall be unlawful to drive or operate any taxicab with such identity light illuminated while carrying passengers for compensation, and it shall be unlawful to drive, operate or be in charge of any taxicab unless such identity light is illuminated when such taxicab is for hire.

*(Code 1979, § 8-5021; Ord. No. 94-58, § 2-6012, 3-15-95)*

**Sec. 24-43. - Vehicles to be kept clean and sanitary.**

Every vehicle for hire operated in the city shall be kept in a clean and sanitary condition, and shall be swept and dusted at least once a day. At least once every seven days, the interior shall be vacuumed and the interior woodwork or metal framework, glass and floor shall be cleansed thoroughly with a suitable antiseptic solution.

*(Code 1979, § 8-5022; Ord. No. 94-58, § 2-6013, 3-15-95)*

**Sec. 24-44. - Maintenance of vehicles.**

Every vehicle for hire operated in the city shall be kept in such a state of repair as may be necessary to provide for the safety of the public and for the continuous and satisfactory operation of such vehicle.

*(Code 1979, § 8-5023; Ord. No. 94-58, § 2-6014, 3-15-95)*

**Sec. 24-45. - Two-way radio or cellular telephone required.**

Except for companies operating two or fewer vehicles, every taxicab and shuttle service shall be equipped with a two-way radio for communication with the office in which the listed telephone number for the license holder is located, for reporting traffic problems and other matters to the police department. The two-way radio shall be operated on a frequency allocated by the Federal Communications Commission to vehicles for hire. Companies operating two or fewer vehicles and limousines shall maintain at all times of operation a cellular telephone in the vehicle for the purpose of communicating emergencies and traffic problems to the police department.

*(Code 1979, § 8-5025; Ord. No. 94-58, § 2-6015, 3-15-95)*

**Sec. 24-46. - Full-time operation.**

Full-time operation is required for vehicles for hire. For purposes of this article, full-time operation is defined as being in service and on call at least 12 hours each day, except Sunday.

*(Code 1979, § 8-5018; Ord. No. 94-58, § 8-5007, 3-15-95)*

**Sec. 24-47. - Taxicab stands.**

The city council may designate stands for taxicabs. Consideration will be given to the effect upon traffic and parking and the convenience to the public when establishing such stands. All stands shall be subject to use by any taxicab.

*(Code 1979, § 8-5024; Ord. No. 94-58, § 8-5008, 3-15-95)*

**Sec. 24-48. - Surcharge on fares for taxicabs equipped with driver safety devices.**

- (a) Any taxicab operated in the city limits may be equipped with one or more of the following safety devices:
  - (1) A securely fastened transparent protective partition with a width equal to the width of the front seat of the vehicle and being of a height such that it extends from the bottom of the front seat to a point three inches below the roof of the taxicab. Such partition shall prevent a passenger in the rear of the taxicab from reaching the driver. The partition shall be made of a material advertised as bullet resistant and capable of withstanding a bullet fired from a handgun; and
  - (2) Trunk locks with a quick-release feature that allows for the release of the trunk from inside the trunk compartment.
- (b) The safety features described in this section shall be installed within 14 days of a driver's request. Notice of this 14-day requirement shall be posted in a conspicuous place in the office of the taxicab company.
- (c) Any vehicle that has the safety features described in this section shall be allowed to charge an additional \$0.25 per fare for four months to provide for the costs of the safety features. A taxicab imposing this surcharge will have a sign prominently displayed in the taxicab reading as follows: "Taxicabs equipped with protective partitions and quick-release trunk locks are entitled to charge an additional twenty-five cents (\$0.25) per fare. This surcharge will expire on \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_."

*(Ord. No. 96-18, 5-1-96)*

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**Sec. 24-49. - Handicapped service requirement.**

All taxicab companies owning or operating five or more taxi cabs shall maintain not less than one vehicle capable of providing service to persons confined to wheelchairs. Such vehicle must be designed so as to allow a wheelchair bound customer the ability to enter, ride in and exit the vehicle without the need of moving from the wheelchair.

*(Ord. No. 2005-097, 10-12-05)*

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**Secs. 24-50—24-70. - Reserved.**

**Sec. 24-71. - Required.**

It shall be unlawful for any person to act as a driver of a vehicle for hire, or to be in charge of any vehicle for hire, without having a permit therefor issued by the police department.

*(Code 1979, § 2-6021; Ord. No. 94-58, § 2-6021, 3-15-95)*

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**Sec. 24-72. - Investigation of application; persons ineligible for permit.**

- (a) Before issuing any permit as required by this section, the chief of police or his designee shall investigate the facts set out in such application, and shall not grant such permit to any applicant who:
  - (1) Has been or could be classified as a habitual offender as defined in S.C. Code Ann. § 56-1-1020 (2006) and as that section may from time to time be amended;
  - (2) Except as provided in subsections (3) and (4), has been convicted of a violation of any law or ordinances involving moral turpitude within the previous five years;
  - (3) Has been convicted, regardless of the length of time since conviction, of an offense involving:
    - a. Assault and/or battery of a high and aggravated nature;
    - b. Assault and/or battery with intent to kill;
    - c. Auto theft;
    - d. Attempted auto theft;

- e. Bank robbery;
- f. Accessory to bank robbery;
- g. Robbery; or
- h. Manslaughter.

Provided, however, that the chief of police or his designee shall have the authority to issue a permit to any applicant who has been convicted of any offense referenced in this subsection provided that:

- 1. A period of ten years has passed since the completion of any sentence, period of parole or probation related to such crime; and
- 2. The applicant can demonstrate that he has not been convicted of a criminal offense since the plea or conviction was entered; and,
- 3. The applicant can demonstrate that he has had no more than six points assessed against his driver's license at any one time since the completion of any sentence, period of parole or probation related to such crime.

(4) Has been convicted, regardless of the length of time since conviction, of any of the following offenses:

- a. Any sex offense which would cause the applicant to be included on the Sexual Offender Registry as defined in S. C. Code Ann. § 23-3-430 (2006)) and as that section may be amended from time to time;
- b. Trafficking in a controlled substance;
- c. Distribution, sale, manufacture or possession with intent to distribute a controlled substance;
- d. Purchase of a controlled substance while in, on, or within a half-mile radius of the grounds of a school, public playground or public park; or
- e. Murder.

(b) The provisions of this section shall not bar permit renewal for any person who holds a valid permit as of the effective date of the ordinance from which this section is derived and who may have been convicted of any of the offenses enumerated in this section prior to the date that permit was issued.

(c) For purposes of this section, "conviction" is defined as entering a plea of guilty, entering a plea of nolo contendere, being found guilty by a judge or jury, or forfeiting bail or bond on a charge.

*(Code 1979, § 2-6022; Ord. No. 94-58, § 2-6022, 3-15-95; Ord. No. 2001-086, 10-3-01; Ord. No. 2005-138, 1-18-06; Ord. No. 2007-069, 9-19-07)*

### **Sec. 24-73. - Expiration.**

Every driver's permit as required by this division issued on or after March 1, 1984, shall thereafter expire on the date of expiration of the permittee's South Carolina driver's license; provided, however, that no permit issued under this provision shall expire within 90 days after being issued. Any permit which would expire within 90 days after issue shall expire on the date of expiration of the permittee's driver's license next following such 90-day period.

*(Code 1979, § 2-6023; Ord. No. 94-58, § 2-6023, 3-15-95)*

### **Sec. 24-74. - Issuance of permit card.**

On issuance of any driver's permit required by this division by the chief of police or his designated assistant, he shall issue a card which shall bear on its face a photograph of the permittee, the number of his permit, the expiration date thereof, and such other information as the chief of police may direct.

(Code 1979, § 2-6024; Ord. No. 94-58, § 2-6024, 3-15-95)

**Sec. 24-75. - Display of permit card.**

The vehicle for hire driver's permit card shall at all times be kept on display in the vehicle for hire operated by such driver, easily visible by the passenger, while such permittee is in control of such vehicle for hire.

(Code 1979, § 2-6025; Ord. No. 94-58, § 2-6025, 3-15-95)

**Sec. 24-76. - Physical examination of applicants; certification as to physical condition.**

No person shall be issued a vehicle for hire driver's permit under the provisions of this division until he has been examined and it has been certified by a physician licensed to practice in the state that the applicant is not disabled by reason of defects of sight, hearing, body or limbs from safely operating a motor vehicle in and upon the streets of the city. The city reserves the right to have any applicant examined by a physician appointed by the city before issuing a permit to such applicant to drive a vehicle for hire within the city.

(Code 1979, § 2-6026; Ord. No. 94-58, § 2-6026, 3-15-95)

**Sec. 24-77. - Contents of application; application fee.**

- (a) Each permit required by the provisions of this division shall be applied for in writing, on such application form as the chief of police may prescribe, which shall show that the applicant has obtained a driver's license from the state department of revenue after satisfactorily completing a driver's examination, and which shall show the experience of the applicant in driving motor vehicles, and whether such applicant has been convicted of a violation of a motor vehicle, traffic or criminal law, giving particulars of each offense charged, and such other information as the chief of police may prescribe.
- (b) Such application shall be accompanied by at least two recent photographs of the applicant, the size of which shall be determined by the chief of police, and the certification of at least two reputable citizens of the city personally acquainted with the applicant showing him to be a person of good moral character.
- (c) An application fee of \$20.00 to cover the cost of investigation and other expenses related to filing and processing shall be paid by the person applying for a driver's permit before such permit shall be issued; provided that, if any permit shall expire within three years after it is issued, the application fee shall be prorated using the following schedule:

Period Before Expiration	Fee
91 days to 1 year	5.00 \$
1 year and 1 day to 2 years	10.00
2 years and 1 day to 3 years	15.00

(Code 1979, § 2-6027; Ord. No. 94-58, § 2-6027, 3-15-95)

**Sec. 24-78. - Minimum age of applicant.**

Every applicant for a permit under the provisions of this division shall be at least 18 years of age.

(Code 1979, § 2-6028; Ord. No. 94-58, § 2-6028, 3-15-95)

**Sec. 24-79. - Revocation.**

Any driver's permit granted under the terms of this division may be revoked by the chief of police for violation of provisions of this article after notice to the permittee in writing citing him to appear before the chief of police and to show cause why his permit should not be revoked. That the driver's license has been revoked by the state, that he has willfully or persistently violated the provisions of the ordinances of the city, or that he is unfit physically or morally to operate a vehicle for hire in the city shall be deemed sufficient reason for revocation of the permit.

(Code 1979, § 2-6029; Ord. No. 94-58, § 2-6029, 3-15-95)

**Sec. 24-80. - Operating vehicle without valid permit.**

It shall be unlawful for any person to operate any vehicle for hire after the revocation of the driver's permit, after the expiration of any driver's license or permit issued by the chief of police, or while such permit is not in full force and effect in accordance with the provisions of this division.

*(Code 1979, § 2-6030; Ord. No. 94-58, § 2-6030, 3-15-95)*

**Sec. 24-81. - Appeals.**

- (a) Any person dissatisfied with the decision of the chief of police or his designee denying a permit or revoking a permit under this division shall have the right of appeal as set out below. Notice of intention to appeal, fully setting forth the grounds of the appeal, must be given in writing and served on the city clerk within ten days after the mailing of written notice of the denial or revocation of a permit by United States mail, postage pre-paid, to the appellant at the address contained in the application or the appeal is waived.
- (b) The appeal hearing shall be conducted by a three-person panel. The city manager shall appoint the members of the panel and shall designate one of the appointees to act as chairperson. The chairperson shall convene the panel for the hearing within fifteen working days of the filing of the appeal. At the hearing, the panel shall accept any relevant documents or statements from the appellant and from the police chief or his designee. The panel shall make a written recommendation within fifteen working days to the city manager to uphold or reverse the decision of the police chief based on its interpretation of the facts and applicable sections of this division. The recommendation of the panel shall be approved by a majority of the panel members. The chairperson of the panel shall immediately notify the appellant in writing of the panel's recommendation. Proceedings before the panel shall be recorded by the city clerk. Either party may have the proceedings recorded by additional means at their own expense. The city manager may uphold or reverse the recommendation of the panel subject to the provisions of this section. The city manager will make his determination within ten working days of the panel's decision.
- (c) Any party dissatisfied with the decision of the city manager shall have the right of appeal to the circuit court. A petition, fully setting forth the grounds of appeal, must be given in writing and served on the city clerk and filed with the clerk of court for the circuit court within ten days after the decision of the city manager is announced. There shall be no trial de novo on any appeal. The circuit court will review the record of the proceedings before the city manager or his designee for errors of law only.

*(Code 1979, § 2-6031; Ord. No. 94-58, § 2-6031, 3-15-95; Ord. No. 2007-069, 9-19-07; Ord. No. 2009-051, 7-22-09)*

**Secs. 24-82—24-100. - Reserved.**

**Sec. 24-101. - Required.**

No vehicle for hire shall be licensed to do business in or use the streets of the city unless there shall first have been obtained from the city council a certificate of public convenience and necessity therefor. For purposes of this section, doing business on the streets of the city is defined as entering the city for the purpose of picking up a fare or delivering a fare to the designated destination a minimum of six times during the course of a calendar year.

*(Code 1979, § 8-5001; Ord. No. 94-58, § 8-5001, 3-15-95)*

**Sec. 24-102. - Issuance; revocation.**

- (a) The city council may, when in its judgment the public interest and safety require it, issue or refuse to issue to any applicant a certificate of public convenience and necessity, or, upon notice and after hearing, may for like cause revoke any such certificate theretofore issued. In case such certificate is revoked, the business license administrator may remit to the holder of such revoked certificate the unearned portion of any license tax paid to the city by such certificate holder.
- (b) In determining whether public convenience and necessity require the licensing of such vehicles for hire for which application may be made, the city council may take into consideration whether the demands of the public require such proposed or additional vehicle for hire service within the city, the financial responsibility of the applicant, the number, kind and type of equipment, the increased traffic congestion and demand for increased parking space upon the streets of the city which may result and whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such additional licenses, and such other relevant facts as the city council may deem advisable or necessary. The burden of showing public convenience and necessity shall rest upon the applicant.

*(Code 1979, § 8-5002; Ord. No. 94-58, § 8-5002, 3-15-95)*

**Secs. 24-103—24-120. - Reserved.**

**Sec. 24-121. - Applicants to agree to terms of article.**

Any person applying for a license to operate a vehicle for hire shall be required to agree to all terms of this division as well as the terms and conditions contained in division 1 of this article and any amendments thereto which may be enacted by the city council in the public welfare.

*(Code 1979, § 8-5011; Ord. No. 94-58, § 8-5003, 3-15-95)*

**Sec. 24-122. - Issuance.**

A vehicle for hire license shall be issued to the holder of a certificate of public convenience and necessity for each vehicle to be operated under the supervision of the holder up to the maximum number specified in the certificate. A copy of the certificate of title or other evidence of title (which shall include the title of a lessor of the vehicle) shall be filed with the city clerk, together with a copy of any lease documents affecting the operation of the vehicle.

*(Code 1979, § 8-5015; Ord. No. 94-58, § 8-5004, 3-15-95)*

**Sec. 24-123. - Supervision of operation of vehicles; leasing vehicles.**

Every vehicle for hire shall be operated by or under the supervision of the person to whom the license is issued; provided, however, that the holder of a certificate of public convenience and necessity for the purpose of operation of a taxicab and who owns and operates a central radio system and has a telephone number listed under a trade name identical to or similar to the name in which the taxi license is issued may enter into a lease arrangement for a minimum term of 90 days for the operation of a vehicle either as lessor or lessee upon such terms as may be agreed to by the parties, provided that the holder of the license shall be responsible for compliance with the provisions of this division.

*(Code 1979, § 8-5016; Ord. No. 94-58, § 8-5005, 3-15-95)*

**Sec. 24-124. - Transfer.**

No license shall be transferred to a new owner or lessee of a vehicle. A certificate of convenience and necessity may be transferred upon approval of the city council to a corporation in which the original holder owns a majority of the outstanding stock. No license shall be issued unless there is a vehicle owned or leased by the certificate holder which has met the requirements of this article to which the license can be affixed. A license shall be surrendered and cancelled when the holder no longer has a qualified vehicle for it. No certificate of convenience and necessity or taxi license shall be leased by the holder to another party or entity, or in any manner transferred with or without value.

*(Code 1979, § 8-5017; Ord. No. 94-58, § 8-5006, 3-15-95)*

**Secs. 24-125—24-140. - Reserved.**

**Sec. 24-141. - Rates established.**

- (a) The maximum rates to be charged for taxi service are established as follows:
- (1) First 1/10 mile \$2.00
  - (2) Each additional 1/10 mile 0.20
  - (3) Each additional passenger over two 0.50
  - (4) Trunk space 2.00
  - (5) Waiting time, per hour 18.00
  - (6) Traffic delay charge: The clock on the meter will take over after the cab's speed goes below five miles per hour, during which time the meter will register at the rate of \$18.00 per hour.

- (7) Effective August 24, 2005 and in response to oil price increases and commensurate increases in fuel costs, an additional charge of \$0.15 per mile may be collected.
- (b) Senior citizens (60 years of age and over) are to be given a ten percent discount off the rates outlined in (a)(1) and (2) above. Other charges apply as are outlined in (a)(3) through (8) above.

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*(Code 1979, § 2-6041; Ord. No. 2000-051, 8-23-00; Ord. No. 094, 8-24-05; Ord. No. 2005-099, 10-12-05)*

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**Sec. 24-142. - Display of rate schedule; calibration of taximeters.**

Each taxicab shall keep a schedule of the rates established in this division, such schedule to be posted in the taxicab so as to be clearly visible to all passengers. Each taximeter shall be calibrated to conform to the rates established in this division.

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*(Code 1979, § 2-6042)*

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**Sec. 24-143. - Overcharging.**

No person owning, controlling or operating any taxicab shall let the taxicab for hire and receive a fee or charge in excess of the rates established by the city council.

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*(Code 1979, § 2-6043)*

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**Sec. 24-144. - Failure to pay for taxi service.**

It shall be unlawful for any person to engage or use a taxicab in the city not intending to pay for the service at the time such vehicle is engaged and with the intent to defraud the owner or driver of such vehicle of the value of the use thereof.

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*(Code 1979, § 2-6044)*

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**Sec. 24-145. - Taximeter required.**

It shall be unlawful for any owner or driver operating any taxicab under the provisions of this article to operate or cause to be operated on the streets or public ways of the city any such taxicab unless the taxicab is equipped with a taximeter approved by the chief of police.

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*(Code 1979, § 2-6045)*

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**Sec. 24-146. - Taximeters to be kept accurate.**

It shall be the duty of every owner using any taximeter at all times to keep the taximeter accurate.

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*(Code 1979, § 2-6046)*

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**Sec. 24-147. - Inspection of taximeters.**

Taximeters shall be subject to inspection from time to time by the chief of police or by his designated assistant.

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*(Code 1979, § 2-6047)*

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**Sec. 24-148. - Visibility of dial on taximeter.**

All taximeters shall be placed so that the reading dial showing the amount to be charged shall be well lighted and readily visible to passengers riding in such taxicabs.

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*(Code 1979, § 2-6048)*

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**Secs. 24-149—24-170. - Reserved.**

**Sec. 24-171. - License required.**

It shall be illegal to operate any vehicle which is pulled or drawn by a horse, mule or other beast of burden within the city for the purpose of transporting passengers unless that vehicle shall have a valid current license issued by the city pursuant to the provisions of this article.

(Code 1979, § 8-6001)

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**Sec. 24-172. - Certificate of public convenience and necessity.**

- (a) *Required.* No horse-drawn vehicle for hire shall be licensed to do business in or use the streets of the city unless there shall first have been obtained from the city council a certificate of public convenience and necessity therefor.
- (b) *Application; regulation of operation and routes.* An applicant for a certificate of public convenience and necessity for the operation of a horse-drawn vehicle for hire shall include in the application detailed information concerning the specific type vehicle to be used, the specific area of the city within which operations shall be conducted, the routes to be used, and the hours and days of the week the horse-drawn vehicle may be operated. Issuance of the certificate of public convenience and necessity shall be conditioned on strict compliance with the areas, routes and times approved or modified by the city council. The city council may further condition the certificate to regulate the method of operation of horse-drawn vehicles for hire as may be considered necessary to ensure proper traffic flow and public safety within the specific area to be served.
- (c) *Conditions.* Each applicant shall certify as a condition for the issuance of a certificate of public convenience and necessity that:
  - (1) All vehicles to be operated pursuant to the certificate shall be maintained in a safe and sanitary condition at all times; and
  - (2) No one shall be permitted to operate the vehicles who is not at least 18 years old, who does not possess a valid license to operate a motor vehicle issued by the state, who has been convicted of a major crime or the violation of laws or ordinances involving moral turpitude, or who has a record of habitually violating traffic laws or ordinances.
- (d) *Denial, revocation or modification.* The city council may, when in its judgment the public interest and safety require it, issue or refuse to issue to any applicant a certificate of public convenience and necessity, or, upon notice and after hearing, may for like cause revoke or modify any such certificate theretofore issued. In case such certificate is revoked, the city treasurer shall remit to the holder of such revoked certificate the unearned portion of any license tax paid to the city by such certificate holder.
- (e) *Criteria for issuance.* In determining whether public convenience and necessity require licensing of such horse-drawn vehicles for hire for which application may be made, the city council shall take into consideration whether the demands of the public require the proposed or additional service within the city, the financial responsibility of the applicant, the number, kind and type of equipment, the increased traffic congestion and demand for increased parking space upon the streets of the city which may result, whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such additional licenses, and such other relevant facts as the city council may deem advisable or necessary. The council shall also consider the applicant's proposed procedures for care and protection of the health of the horses and may impose additional requirements in the certificate. The burden of showing public convenience and necessity shall rest upon the applicant.

(Code 1979, § 8-6002)

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**Sec. 24-173. - Issuance of license.**

Upon presentation of evidence that a certificate of public convenience and necessity has been granted by the city council under this article, the business license inspector shall issue to the certificate holder a license for each horse-drawn vehicle to be operated up to the number authorized in the certificate, at the same rate as for taxicabs.

(Code 1979, § 8-6003)

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**Sec. 24-174. - Indemnification of city; liability insurance.**

- (a) As a condition for the issuance of any license pursuant to the provisions of this article, the licensee shall agree to indemnify the city, its agents and employees from and against all claims, damages, losses and expenses, including attorneys' fees, arising out of or resulting from the operation of any licensed vehicle for hire.
- (b) Before any license is issued for the operation of a horse-drawn vehicle for hire, the owner shall file with the city clerk a copy of a policy of liability insurance issued by a company authorized to do business in this state providing for at least the minimum coverage limits required for motor vehicles in this state.

(Code 1979, § 8-6004)

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### **Sec. 24-175. - Operating regulations; inspections.**

- (a) *Display of license and certificate.* It shall be illegal to operate any horse-drawn vehicle for hire on any city street or right-of-way unless a current valid license certificate issued by the business license inspector is prominently displayed within the vehicle.
- (b) *Compliance with provisions of certificate.* All horse-drawn vehicles for hire must be operated in strict compliance with the provisions of the certificate of public convenience and necessity pursuant to which the license was issued.
- (c) *Compliance with traffic regulations.* All traffic regulations of the city or the state must be strictly complied with.
- (d) *Sanitation requirements.* All operators of horse-drawn vehicles for hire shall comply with the following sanitation requirements:
  - (1) All horses, mules and other animals shall be equipped with adequate devices to prevent manure and other excrement from falling upon the streets of the city. Any excrement which falls upon the streets of the city shall be removed at the expense of the licensee.
  - (2) All animal waste for disposal shall be promptly transported to sites or facilities legally empowered to accept it for treatment or disposal.
  - (3) A licensee shall further comply with all applicable health and sanitation requirements of the state and all rules and regulations promulgated by the state.
- (e) *Inspections.* Each horse-drawn vehicle for hire shall be kept in a safe and sanitary condition at all times. The city shall have the right to inspect or cause to be inspected any horse-drawn vehicle as often as may be necessary for the purpose of ascertaining and causing to be corrected any unsafe or unsanitary conditions or any violations of this article or any other rule, regulation, ordinance or law relating to the operation of such horse-drawn vehicles.
- (f) *Identification on vehicles; other signs on vehicles.* All horse-drawn vehicles used by a licensee shall have conspicuously displayed on the exterior of the vehicle the name of the licensee or the trade name under which the vehicle is operated. No signs other than those required by this article shall be allowed on any horse-drawn vehicle.

(Code 1979, § 8-6005)

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### **Secs. 24-176—24-200. - Reserved.**

### **Sec. 24-301. - The operation of pedicabs regulated.**

- (a) City council hereby makes the following findings of fact:
  - (1) Pedicabs, as hereinafter defined, are by their design and nature, slow moving, and pose a potential danger for those using the vehicles and the streets; and
  - (2) The unregulated operation of pedicabs on the streets of the city would be detrimental to the safety of the public; and
  - (3) It is in the public interest, and for the public safety and welfare, that the streets in the city, and the users thereof be protected from unregulated vehicles which hinder travel or which pose dangers or distractions which give rise to accidents and inconvenience; and

- (4) City council further finds, for the same reasons, that electric, oil or gasoline powered pedicabs in operation in the city would not be in the public interest.

(Ord. No. 2006-037, 5-24-06)

### **Sec. 24-302. - Definition.**

*Pedicabs* shall be defined as a bicycle or other opened or closed vehicle with three (3) or more wheels operated by one individual for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab. This definition shall not include a bicycle built for two where the operators are seated one behind the other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a handicapped person, nor shall it include a tricycle built for a child or an adult with a seat for only one (1) operator and no passenger.

(Ord. No. 2006-037, 5-24-06)

### **Sec. 24-303. - Mechanized power, touring and sightseeing prohibited.**

The operation of pedicabs powered in any manner other than the strength of the operator is prohibited in the city.

(Ord. No. 2006-037, 5-24-06)

### **Sec. 24-304. - Certificate of public convenience and necessity required.**

No pedicab shall operate in the city without a duly issued certificate of public convenience and necessity and without having paid such fee therefor as city council may, from time to time, establish. The certificate of public convenience and necessity must be permanently affixed to the vehicle in a location approved by the city manager.

(Ord. No. 2006-037, 5-24-06)

### **Sec. 24-305. - Application; inspection.**

- (a) An applicant for a certificate of public convenience and necessity shall provide the city manager with the following:

- (1) Adequate identification of the applicant and the pedicab and proof of ownership;
- (2) Factory authorized material setting forth the characteristics of the pedicab, including its dimensions, weight and passenger capacity;
- (3) Color photographs not less than 8" X 10" of all four (4) sides of the pedicab, or in the discretion of the city manager, sketches of a similar make and model, and samples of colors proposed for use on the pedicab;
- (4) Adequate proof of liability insurance with policy limits of not less than \$300,000.00 per person and \$600,000.00 per occurrence.
- (5) A franchise fee of \$350.00 per year;
- (6) After approval, but prior to the issuance, a current City business license.

(Ord. No. 2006-037, 5-24-06)

### **Sec. 24-306. - Transferability.**

A certificate of public convenience and necessity required by this division shall be issued on a specific vehicle and for a specific owner and is not transferable except in the event of an absolute sale of a pedicab company, in which case said certificate shall be transferable to the new owner thereof. The certificate remains the property of the city and must be surrendered upon expiration or revocation.

(Ord. No. 2006-037, 5-24-06)

**Sec. 24-307. - Suspension or revocation.**

- (a) Failure to abide by the provisions of this chapter or any of the ordinances of the city or laws of the state in any manner affecting or regulating the operation of the vehicle for which the certificate is issued or the failure to maintain the required insurance shall be grounds for the suspension for a reasonable time or the revocation of the certificate of public convenience and necessity issued under this article or a penalty as provided in section 1-5 of the Code of the City of Columbia.
- (b) If, in the opinion of the city manager, a certificate of public convenience and necessity should be suspended or revoked, he shall give written notice to the holder thereof, by certified mail, of the right to appear before city council and show cause why the certificate should not be suspended or revoked. No suspension or revocation of a certificate of public convenience and necessity shall take effect until the holder thereof shall have had the opportunity to be heard by city council.

*(Ord. No. 2006-037, 5-24-06)*

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**Sec. 24-308. - Expiration.**

All certificates of appropriateness shall be granted for a period of one (1) year and shall expire on the anniversary of the date of issuance.

*(Ord. No. 2006-037, 5-24-06)*

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**Sec. 24-309. - Operators.**

All operators of pedicabs within the city shall have a valid South Carolina driver's license.

*(Ord. No. 2006-037, 5-24-06)*

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**Sec. 24-310. - Number of passengers restricted.**

No pedicab shall be operated with more than the manufacturer's recommendations for the maximum number of passengers therein.

*(Ord. No. 2006-037, 5-24-06)*

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**Sec. 24-311. - Lights required.**

All pedicabs that operate in the city shall be equipped with front and rear lights as approved by the police department. Operators shall comply with all applicable laws pertaining to the requirements of usage.

*(Ord. No. 2006-037, 5-24-06)*

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**Sec. 24-312. - Repeated violations.**

Repeated violations of any provisions of this article by an owner or operator of a pedicab may result in a forfeiture of the certificate of public convenience and necessity for said vehicle in the discretion of city council.

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