

outline is defined and used in this document

TITLE VI. BUSINESS AND OCCUPATION

CHAPTER 600: BUSINESS LICENSES

ARTICLE I. GENERAL PROVISIONS

SECTION 600.010: LICENSES REQUIRED

No person, firm or corporation shall engage in any occupation or business described in this Chapter without obtaining a license therefore. No person shall knowingly make any false statement or representations in applying for a license, or fail to comply with any provisions of this Chapter. (CC §54.010)

SECTION 600.020: TERM OF LICENSES

All licenses shall be for one (1) year, beginning July 1 and ending June 30 of the following year, unless otherwise provided in this Chapter. New businesses or reinstated businesses making timely application for a license after the beginning of a current license year shall pay only so much of the license fee provided for an entire year as is proportionate to the number of months left (including the month of application) in said license year. In case of a transfer of business ownership, the existing license shall inure to the benefit of the new owner. (CC §54.020)

SECTION 600.030: DISPLAY OF LICENSES

Any person, firm or corporation required to secure a license from the City prior to engaging in business shall display the license provided in this Chapter in a prominent place at the location of said business. (CC §54.030)

SECTION 600.040: SEPARATE LICENSE REQUIRED FOR EACH PLACE OF BUSINESS

A separate license shall be obtained for each place of business operated by a licensee under this Chapter. (CC §54.040)

SECTION 600.050: PERSONS ENGAGING IN MORE THAN ONE OCCUPATION AT THE SAME PLACE OF BUSINESS

Every business engaged in more than one (1) type of business or occupation where all such occupations are operated as one (1) business under the same management and at the same location may pay one (1) license fee, being the higher of the two (2) business license fees. (CC §54.050; Ord. No. 677 §1, 1-15-01)

SECTION 600.060: OTHER TAXES AND SPECIAL CHARGES TO BE PAID PRIOR TO ISSUANCE OF LICENSE

No license or renewal of an existing license shall be issued until all personal property taxes, all real estate taxes, all license taxes and all other special charges due the City from applicant (including water connection charges) and all taxes due the Department of Revenue under Sections 144.010 to 144.510, RSMo., or Sections 143.191 to 143.261, RSMo., have been paid. (CC §54.060; Ord. No. 851 §1, 12-15-08)

SECTION 600.070: CITY CLERK TO KEEP RECORDS OF LICENSES

The City Clerk shall keep a complete record of all licenses issued, showing the name and address of the licensee, the nature of the license and the date of issue and the expiration of such license. (CC §54.070)

SECTION 600.080: LICENSE TAX FOR LICENSES TO BE ISSUED

The appropriate following business license taxes are hereby levied and shall be collected prior to the issuance of any business license provided for herein:

<i>Occupation</i>	<i>Fee</i>
Advertising agent	\$ 25.00
Agricultural/farming (within City limits)	50.00
Ambulance service (for profit)	25.00
Antique shop	25.00
Appliance repair service	25.00
Appraisal company	25.00
Arcade/pool hall	50.00
Architect (if he maintains a business office in City)	25.00
Auctioneer (if he maintains a business office in City)	10.00 per day
Auction house	50.00
Auto repair shop/garage	50.00
Automobile dealers	50.00
Automobile parts and accessories sales	25.00
Bait shops	25.00
Bakery	25.00
Banking/savings and loan/mortgage loan companies	50.00
Barber shops	25.00
Beauty parlors	25.00
Bed and breakfasts	25.00
Blacksmith shops	25.00
Boarding house	25.00
Bowling alleys	25.00
Building contractor	25.00
Cabinet shop	25.00
Canvassers, itinerant	10.00 per day
Car wash	50.00
Carnivals or street fairs	50.00 per week
Catering services	25.00
Cigar and tobacco dealers	25.00
Cleaning service	25.00
Computer sales and service	25.00
Convenience store with fuel pumps	50.00
Cosmetic sales	25.00
Day care	25.00
Dry cleaners	50.00
Electrical contractor	25.00
Electrical merchandise	25.00
Equipment rental and sales	50.00

Excavating/hauling

25.00

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<i>Occupation</i>	<i>Fee</i>	
Farm implement dealer	\$ 50.00	
Fitness center	25.00	
Floral service	25.00	
Fresh meats and meat processing	50.00	
Frozen food lockers	25.00	
Full service gas and auto repair	50.00	
Funeral home	50.00	
Grain elevators or selling or offering for sale grain, seeds, fertilizer or farm supplies	50.00	
Grocery store	50.00	
Hazardous waste storage	500.00	
Health care	25.00	
Heavy equipment repair and sales	100.00	
HVAC contractor	25.00	
Hotels/motels	100.00	
Ice cream stand vendors	25.00	
Insurance agent (if he maintains business office in City)		25.00
Junk dealer/salvage yard	500.00	
Laundry agent	25.00	
Liquor store	25.00	
Lumber yard	50.00	
Machine shops	25.00	
Mobile/modular home sales	50.00	
Moving vans and vehicles	25.00	
Music sales	25.00	
Nurseries, landscaping, and lawncare service		25.00
Painting contractor	25.00	
Palm readers, astrologers, etc.	25.00	
Pawn shop	100.00	
Peddlers	10.00 per day	
Pest control	50.00	
Pharmacy	25.00	
Photographers	25.00	
Plumbing shop/contractor	25.00	
Real estate agent or broker (if he maintains business office in City)	25.00	
Refrigeration and repair	25.00	
Rental services	25.00	
Rental storage units	25.00	
Restaurants	25.00	
Retail merchandising		
For equal to or less than three (3) employees		25.00
For more than three (3) employees	50.00	
Roofing contractor	25.00	
Sheet metal shop	25.00	
Shoe repair shops	25.00	
Skating rinks	25.00	
Tailor/seamstress	25.00	
Tavern/bar	50.00	

<i>Occupation</i>	<i>Fee</i>	
Taxicabs	\$ 25.00 for first cab	4.00 each additional
	cab	
Tire sales (retail)	50.00	
Tree service (including trimming, cutting and removal)		25.00
Trucking companies and delivery services (having a business office within the City)	50.00	
Truck and trailer sales	50.00	
VCR/TV/radio repair shops	25.00	
Vending machines	25.00	
Veterinarian and pet grooming and boarding (if he maintains business office in City)	25.00	
Boarding	25.00	
Video rentals	25.00	
Warehouses, manufacturing establishments		250.00
Waste disposal, recycling and transfer station		25.00
Welding	25.00	
Wholesale merchandising business	250.00	
Wood dealer or draying	25.00	

(CC §54.080; Ord. No. 37 §1-2, 10-6-80; Ord. No. 676 §1, 1-15-01; Ord. No. 690 §1, 9-4-01; Ord. No. 732 §1, 6-16-03; Ord. No. 861 §1, 8-17-09; Ord. No. 894 §1, 4-5-10; Ord. No. 896 §1, 4-19-10)

SECTION 600.090: EVIDENCE OF WORKERS' COMPENSATION INSURANCE PRIOR TO LICENSE ISSUANCE

No license required under the provisions of this Chapter shall be issued to any person, firm, partnership or corporation until such person, firm, partnership or corporation produces a copy of a certificate of insurance for workers' compensation coverage if the applicant for the license is required to cover his/her liability under Chapter 287, RSMo. All applicants for licenses under this Chapter shall, upon request by the City, provide the City their payroll records and any other records reflecting whether or not said applicant is required to be covered under Chapter 287, RSMo. It is further made a violation of this Section to provide fraudulent information to the City. (Ord. No. 410 §1, 9-20-93)

ARTICLE II. TELECOMMUNICATIONS TAX

SECTION 600.100: DEFINITIONS

- A. As used in this Article, the term "*gross receipts*" means the aggregate amount of all sales and charges, exclusive of sales and charges for the commodities or services relative to the business of supplying telephone or telephone services for compensation in the City during the period, less credits, refunds, sales taxes and uncollectible accounts actually charged off during the period.
- B. Effective July 1, 2006, to the extent required by Section 92.083, RSMo., as used in this Article:
 - 1. The term "*gross receipts*" shall be construed to mean all receipts from the retail sale of telecommunications service taxable under Section 144.020, RSMo., and from any retail customer now or hereafter exempt from State sales tax; and

2. The terms "*telephone service*", "*telecommunications service*", "*telecommunications*", "*local exchange service*", "*local exchange telephone transmission service*", "*exchange telephone service*" and similar terms shall be construed to mean telecommunications service as defined in Section 92.077, RSMo., which as of the date of adoption hereof provides that "telecommunications service" has the same meaning as such term is defined in Section 144.010, RSMo., which in turn as of the date of adoption hereof provides that "*telecommunications service*" means the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses or other similar means, further provides that as used in this definition "*information*" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds or any other symbols, and further provides that "telecommunications service" does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:
- a. Access to the Internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;
 - b. Answering services and one-way paging services;
 - c. Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to Federal law; or
 - d. Cable or satellite television or music services.
- C. The phrase "*to the extent required by law*" shall mean that the action is required or permitted by State law in order for the City to continue to receive municipal telecommunications tax revenues under the Article. (Ord. No. 802 §1(A), 5-15-06)

SECTION 600.110: TAX LEVIED

- A. Effective July 1, 2006, the City imposes a tax of two and five-tenths percent (2.5%) of gross receipts of all businesses engaged in the business of selling telephone or telegraph services for compensation for any purpose in the City.
- B. To the extent required by law, for bills rendered on or after July 1, 2007, the tax rate shall be adjusted as promulgated and published by the Director of the Department of Revenue for the State of Missouri pursuant to Section 92.086, RSMo. The City shall notify the Director of the Department of Revenue in writing within thirty (30) days of any change in the tax rate to the extent required by Section 92.086, RSMo. (Ord. No. 802 §1(B), 5-15-06; Ord. No. 834 §§1–2, 2-4-08)

SECTION 600.120: STATEMENT OF GROSS RECEIPTS REQUIRED—PAYMENT OF TAX—CREDIT FOR SERVICE RENDERED CITY

To the extent required by law, the Director of the Department of Revenue for the State of Missouri shall collect, administer and distribute telecommunications business license tax revenues in accordance with the provisions of Sections 92.074 to 92.098, RSMo. (Ord. No. 802 §1(C), 5-15-06)

SECTION 600.130: TAX TO BE IN LIEU OF OTHER OCCUPATION TAXES

The tax required to be paid under Section 600.110 shall be in lieu of any other occupation tax required of any person engaged in any of the business described in Section 600.100. Except as otherwise required by Sections 92.074 to 92.098, RSMo., nothing contained in this Article shall be construed to exempt any person to which this Article is applicable from payment to the City of any taxes, other than occupation license taxes, levied by the City upon such person or the real or personal property of such person. (Ord. No. 802 §1(D), 5-15-06)

SECTION 600.140: VIOLATIONS—PENALTIES

- A. Any person engaged in any of the businesses described in Section 600.100 of this Article who violates any of the provisions of this Article shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to punishment as provided in Section 110.010 of the Scott City Code.
- B. To the extent required by law, unless specifically stated otherwise in Sections 92.074 to 92.098, RSMo., taxpayer remedies, enforcement mechanisms, tax refunds, tax protests, assessments and all other procedures regarding the tax imposed by this Article shall be the same as those provided in Chapter 144, RSMo. (Ord. No. 802 §1(E), 5-15-06)

SECTION 600.150: CONSTRUCTION

To the extent required by law, in all respects this Article shall be interpreted, construed and applied consistent with the requirements of Sections 92.074 to 92.098, RSMo. (Ord. No. 802 §1(F), 5-15-06)

CHAPTER 605: DECEPTIVE TRADE PRACTICES

SECTION 605.010: DEFINITIONS

As used in this Chapter, the following words and terms shall mean:

ADVERTISEMENT: Includes the attempt by publication, dissemination, solicitation or circulation to induce directly or indirectly any person to enter into any obligation or acquire any title or interest in any merchandise.

MERCHANDISE: Includes any objects, wares, goods, commodities, intangibles, real estate or services.

SALE: Includes any sale, offer for sale, or attempt to sell merchandise for cash or on credit. (CC §55.010)

SECTION 605.020: UNLAWFUL PRACTICES, EXCEPTION

- A. The act, use or employment by any person of any deception, fraud, false pretense, false promise, misrepresentation, or the concealment, suppression, or omission of any material fact with intent that others rely upon such concealment, suppression or omission, in connection with the sale or advertisement of any merchandise, is declared to be an unlawful practice; provided however, that:
- B. Nothing herein contained shall apply to the owner or publisher of newspapers, magazines, publications or printed matter wherein an advertisement appears, or to the owner or operator of a radio or television station which disseminates an advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser; and provided further, that nothing herein contained shall apply to any advertisement which is subject to and complies with the rules and regulations of and the Statutes administered by the Federal Trade Commission. That such an advertisement complies with the regulations of and the Statutes administered by the Federal Trade Commission shall be a defense which must be proven by one charged with violating this Section. (CC §55.020)

SECTION 605.030: DECEPTIVE BUSINESS PRACTICES

A person commits the offense of deceptive business practices if in the course of engaging in a business, occupation, or profession, he recklessly:

1. Uses or possesses for use a false weight or measure, or any other device for falsely determining or recording any quality or quantity;
2. Sells, offers or exposes for sale, or delivers less than the represented quantity of any commodity or service; or
3. Takes or attempts to take more than the represented quantity of any commodity or service when as buyer he furnishes the weight or measure; or
4. Sells, offers or exposes for sale adulterated, or mislabeled commodities; or

5. Makes a false or misleading written statement for the purpose of obtaining property or credit. (CC §55.030)

SECTION 605.040: DECEPTIVE BUSINESS PRACTICES—DEFINITIONS

In the construction of the preceding Section the following terms mean:

ADULTERATED: Varying from the standard of composition or quality prescribed by statute or lawfully promulgated administrative regulations of the United States of America or of this State lawfully filed, or if none, as set by commercial usage.

MISLABELED: Varying from the standard of truth or disclosure in labeling prescribed by statute or lawfully promulgated administrative regulations of the United States of America or this State lawfully filed, of if none, as set by commercial usage; or represented as being another person's product, though otherwise accurately labeled as to quality and quantity. (CC §55.040)

SECTION 605.050: ALTERING MILEAGE REGISTERING DEVICES

A person commits the offense of altering a mileage registering device if, with the purpose of misrepresenting to a prospective or eventual purchaser the number of miles traveled by a motor vehicle, he disconnects, changes or causes to be disconnected or changed, any mileage registering device on a motor vehicle so as to thereby indicate a different mileage than such motor vehicle has actually traveled. For the purpose of this Section "*motor vehicle*" means any self-propelled vehicle not operated exclusively upon tracks. (CC §55.050)

SECTION 605.060: FALSE ADVERTISING

A person commits the offense of false advertising if, in connection with the promotion of the sale of, or to increase the consumption of, property or services, he recklessly makes or causes to be made a false or misleading statement in any advertisement addressed to the public or to a substantial number of persons. (CC §55.060)

SECTION 605.070: BAIT ADVERTISING

A person commits the offense of bait advertising if he advertises in any manner the sale of property or services with the purpose not to sell or provide the property or services:

1. At the price which he offered them; or
2. In a quantity sufficient to meet the reasonably expected public demand, unless the quantity is specifically stated in the advertisement; or
3. At all. (CC §55.070)

SECTION 605.080: INCLUDED OFFENSES

The offense described in Sections 605.030 through 605.070 shall be included offenses in the unlawful practices prohibited by Section 605.020. No person shall be convicted of a violation of both Section 605.020 and of one (1) or more of Sections 605.030 through 605.070, as a result of the same act by him. (CC §55.080)

CHAPTER 610: ALCOHOLIC BEVERAGES

ARTICLE I. GENERAL PROVISIONS

SECTION 610.010–610.040: RESERVED

Editor's Note—Ord. no. 807 §1, adopted August 7, 2006, repealed sections 610.010 "maximum number of permits for liquor by drink", 610.020 "maximum number of permits for sale of 5% beer or light wine", 610.030 "maximum number of permits for sale of non-intoxicating beer" and 610.040 "purpose" in their entirety. Former sections 610.010–610.040 derived from ord. no. 65 §§1, 4–5, 7-6-81; ord. no. 86 §1, 7-5-82.

SECTION 610.050: PETITION NECESSARY FOR ISSUANCE OF LICENSE

The City of Scott City shall not grant any license for the sale of either intoxicating liquor, whether by the drink or in the original package, five percent (5%) beer or light wine not in excess of fourteen percent (14%) of alcohol or both, or non-intoxicating liquor, until a petition is presented with the application bearing the signatures of seventy-five percent (75%) of the residents over the age of twenty-one (21) years and the business operators, all within a radius of six hundred (600) feet of the proposed location, consenting to the establishment of such place of business and consenting to the granting of the license sought by the applicant. For the purpose of interpreting this Section, it is hereby declared to be the intent of this Section that the six hundred (600) feet shall be measured from the nearest outer boundary of the lot or premise on which the application for license is sought. (Ord. No. 86 §1, 7-5-82)

ARTICLE II. LICENSING

SECTION 610.060: DEFINITIONS

Scott City, Missouri, hereby adopts the definitions of "*intoxicating liquor*" and "*person*" as the same are defined in Sections 311.020 and 311.030, RSMo. 1949, and such definitions shall apply to all Sections of this Article and any other ordinance of Scott City, Missouri. (Ord. No. 68 §1, 8-17-81)

SECTION 610.070: APPLICATION REQUIRED FOR THE SALE OF LIQUOR

No person shall be permitted to sell intoxicating liquor in Scott City, Missouri, without first having procured a license from the City Council of Scott City, Missouri. Any person desiring to secure such a license shall make written application to the City Council for such license and such application shall particularly describe the premises where the applicant will make such sales. No license shall be granted under this Article unless such person is of good moral character, and no license shall be granted to any person whose license for intoxicating or non-intoxicating liquor or beer has ever been revoked or who has been convicted, since the ratification of the twenty-first amendment to the

Constitution of the United States, of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating or non-intoxicating liquor or beer, or who employs in his business as such dealer, any person whose permit or license has been revoked or who has been convicted of a violation of such law since the date aforesaid. (Ord. No. 68 §§2-3, 8-17-81)

SECTION 610.075: PROOF OF OWNERSHIP OR LEASEHOLD REQUIRED

All applicants requesting a license to sell intoxicating liquor shall provide proof that the applicant is the owner of the premises on which alcohol is to be sold or has lawful possession of the premises pursuant to a written lease with the owner of the premises on which alcohol is to be sold. (Ord. No. 362 §1, 1-6-91)

SECTION 610.080: LICENSE FEE FOR SALE IN ORIGINAL PACKAGE

- A. No license for sale of intoxicating liquor in the original package, not to be consumed upon the premises where sold in Scott City, Missouri, shall be issued until the applicant has paid the sum of seventy-five dollars (\$75.00) in cash to Scott City, Missouri.
- B. No license for the sale of malt liquor containing alcohol in excess of three and two-tenths percent (3.2%) by weight and not in excess of five percent (5%) by weight in the original package, not to be consumed upon the premises where sold, in Scott City, Missouri, shall be issued until the applicant has paid the sum of twenty-five dollars (\$25.00) in cash to Scott City, Missouri.
- C. Any person who possesses the qualifications required by this Chapter and who may now or hereafter meet the requirements of and complies with the provisions of this Chapter, may apply for, and the City Council may issue a special license to sell intoxicating liquor in the original package at retail, as defined in Section 311.200, RSMo., between the hours of 1:00 P.M. and Midnight on Sundays. However, no special license for the sale of intoxicating liquor in the original package on Sundays shall be issued until the applicant has paid the sum of one hundred dollars (\$100.00) in cash to the City of Scott City. Notwithstanding, the provisions of Section 610.130 to the contrary, any person who has a license for the sale of intoxicating liquor in the original package, may receive the special license for sale of liquor in the original package on Sunday upon payment of the required fee, without the formal hearing requirements set forth in Section 610.130 of this Code. (Ord. No. 68 §§2-3, 8-17-81; Ord. No. 362 §1, 1-6-91; Ord. No. 406 §1, 7-6-93; Ord. No. 407 §1, 7-6-93)

SECTION 610.085: TEMPORARY PERMITS AND CATERER'S LICENSES

- A. The City may issue special licenses to caterers for sale of alcohol by the drink, as allowed by the State in Section 311.486, RSMo., as amended.
- B. The City may issue permits for sale of liquor by the drink, as allowed by the State in Section 311.485, RSMo., as amended.
- C. Any person wishing a caterer's license or temporary permit for the sale of liquor shall make application to the City of Scott City, Missouri, on forms provided by the City and

pay an application fee of ten dollars (\$10.00). The permit shall set forth the limitations of the licenses as set forth in the application and State Statutes. The applicant shall pay a tend dollar (\$10.00) application fee.

- D. The license or permit may be issued only after a background check of the applicant by the Scott City Police Department to insure the applicant has not violated any laws relating to the sale of alcoholic beverages which would prohibit the issuance of the license.
- E. The permit may issue upon signature by both the City Administrator and the City Clerk. In the absence of the City Administrator, the Mayor or Deputy Mayor may sign. In the absence of the City Clerk, the Deputy Clerk may sign. (Ord. No. 917 §1, 3-21-11)

SECTION 610.090: LICENSE FEE FOR LIQUOR BY THE DRINK

No license for the sale of intoxicating liquor by the drink shall be sold until the applicant shall have paid the following sums:

1. Malt liquor containing alcohol in excess of three and two-tenths percent (3.2%) by weight and not in excess of five percent (5%) by weight, manufactured from pure hops or pure extract of hops or pure barley malt or wholesome grains or cereals and wholesome yeast and pure water, or light wines containing not in excess of fourteen percent (14%) of alcohol by weight exclusively from grapes, berries, and other fruits and vegetables, or both - fifty dollars (\$50.00).
2. For every license issued for the sale of all kinds of intoxicating liquor, at retail by the drink for consumption on the premises of the licensee, including the sale of intoxicating liquor in the original package - four hundred fifty dollars (\$450.00).

SECTION 610.095: SALE OF NON-INTOXICATING BEER

No license for the sale of non-intoxicating beer shall be issued to any establishment which does not have a license for the sale of intoxicating liquor. (Ord. No. 737 §2, 9-2-03)

SECTION 610.100: LICENSE FEE—RESTAURANT BAR

No license to sell intoxicating liquor between the hours of 9:00 A.M. and Midnight on Sunday shall be issued, unless said liquor is sold at a "restaurant bar" and the applicant shall have paid the sum of one hundred dollars (\$100.00) in cash to Scott City, Missouri. As used in this Section, the term "restaurant bar" means any establishment having a restaurant or similar facility on the premises, at least fifty percent (50%) of the gross income of which is derived from the sale of prepared meals or food consumed on such premises or which has an annual gross income of at least two hundred seventy-five thousand dollars (\$275,000.00) from the sale of prepared meals or food consumed on such premises. (Ord. No. 737 §1, 9-2-03)

**SECTION 610.105: EATING ESTABLISHMENTS, DRINKING ALLOWED UPON—
PROCUREMENT OF LICENSE**

- A. It shall be unlawful for any person operating any premises where food, beverages are sold or provided for compensation, who does not possess a license for the sale of intoxicating liquor, to permit drinking or consumption of intoxicating liquor in, on, or about the premises between 10:00 P.M. and 6:00 A.M. the following day, without having a license as in this Section provided.
- B. Applications for such license shall be made to the City Clerk on forms prescribed by the Clerk, describing the premises to be licensed and giving all reasonable information required. The license shall be issued, upon review of application and approval by the City Council and upon payment of the fee. The license fee shall be ninety dollars (\$90.00) per year.
- C. The drinking or consumption of intoxicating liquor shall not be permitted in, upon, or about licensed premises by any person under twenty-one (21) years of age, or by any person between the hours of 1:30 A.M. and 6:00 A.M. on any weekday, and between the hours of 12:00 Midnight Saturday and 12:00 Midnight Sunday. No person shall be granted a license hereunder unless such a person is of good moral character and a qualified legal voter and taxpayer of the City of Scott City, nor shall any corporation be granted a license hereunder unless the managing officer of said corporation is of good moral character and a qualified legal voter and taxpaying citizen of the City of Scott City.
- D. Any premises operated in violation of the provisions of this Section, is hereby declared a public and common nuisance and it shall be the duty of the City Attorney to enjoin such nuisance. (Ord. No. 560 §1, 5-19-97)

SECTION 610.110: BOND

Before any application under this Article shall be granted the applicant shall deliver to the City a bond in the sum of one thousand dollars (\$1,000.00), with sufficient surety, to be approved by the City Council, conditioned that the person obtaining such license shall at all times keep an orderly house, and that he will not sell, give away or otherwise dispose of, or suffer the same to be done about his premises any intoxicating liquor in any quantity to any minor, and conditioned that he will not violate any of the provisions of the laws of Missouri pertaining to the sale of intoxicating liquor, and that he will pay all taxes, inspection and license fees provided by this Article or as the same shall be amended, together with all fines, penalties and forfeitures which may be adjudged against him under the provisions of this Article. Violation of the conditions of the aforesaid bond shall be a breach of said bond and will entitle the City of Scott City to recover the amount pledged therein. (Ord. No. 68 § 6, 8-17-81; Ord. No. 808 §1, 8-7-06)

SECTION 610.120: NO RENEWAL—WHEN

No licenses for the sale of intoxicating liquor by the drink, five percent (5%) beer, or light wine not in excess of fourteen percent (14%) alcohol or both, or non-intoxicating beer on the premises shall be renewed if the applicant for renewal has violated any of the conditions of his bond as set forth in Section 610.110 of this Article. (Ord. No. 85 §1, 7-5-82)

SECTION 610.125: SALE OF MUTILATED PACKAGES—REPACKAGING—UNLAWFUL

No person shall sell liquor or non-intoxicating beer with the alcohol content below five percent (5%) by weight to a customer in an original carton if the carton has been mutilated, torn apart or cut apart. Additionally, no retailer may repackage the substance in a misleading manner or repackage the substance in a manner which would omit or obscure required labeling. (Ord. No. 737 §3, 9-2-03)

SECTION 610.130: APPLICATIONS FOR NEW LICENSE—RENEWALS—SUSPENSIONS, ETC.

- A. Upon receipt of an application for an initial license and payment of the requisite fee, the application shall be voted upon by the City Council at a public hearing. Upon receipt of said application and fee, the applicant for such initial liquor license shall be notified by the City Clerk of the time and place of the public hearing at least five (5) days prior to the public hearing. In the event an initial license is rejected by the City Council, the applicant shall be given a written notice of the reason therefor.
- B. The City Council may, after a public hearing, suspend or revoke a liquor license if the holder of the liquor license has violated any of the conditions necessary for the initial grant of the license, as set forth in Section 610.120 of this Article. The holder of the license subject to revocation or suspension shall be given at least ten (10) days notice of the public hearing by the City Clerk and the holder of said license shall not be denied his/her right to representation by an attorney and the right to cross-examine opposing witnesses. Testimony presented at such hearing shall be taken under oath and recorded. In the event of revocation or suspension the person whose license has been so revoked or suspended shall be given written notice by the City of the reasons therefor.
- C. No application for initial liquor license shall be granted unless the applicant for the liquor license appears before the City Council at the public hearing required under Subsection (A) of this Section.
- D. All initial liquor licenses shall be issued for a period beginning the date the license is approved by the City Council until the following July first (1st).
- E. All renewed liquor licenses shall be effective for a period of one (1) year, commencing at the start of the business day on July first (1st) and terminating at the end of the business day on June thirtieth (30th) of the following year.
- F. Applicants for an initial liquor license shall pay such portion of the liquor license fee as the number of days in the initial term bears to the number of days in a calendar year.
- G. All applicants for renewal of existing liquor licenses must be submitted along with the requisite fee to the City Clerk on or before the first (1st) City Council meeting in June and the City Council shall vote on the renewal application, without the necessity of a public hearing, on the second (2nd) City Council meeting in June, or at such other time as designated by the City Council. The City Clerk shall promptly notify the renewal applicant of the Council's decision. In the event the City Council determines not to renew an applicant's license, the rejected applicant may request in writing, a public hearing before the City Council to the same extent as provided to license holders subject

to suspension or revocation as set forth in Subparagraph (B) of this Section. (Ord. No. 68 §8, 8-17-81; Ord. No. 362 §1, 1-6-91; Ord. No. 479 §1, 7-3-95; Ord. No. 486 §1, 10-16-95; Ord. No. 559 §1, 5-19-97)

SECTION 610.135: EROTIC DANCING PROHIBITED

No license for the sale of intoxicating liquor at retail establishments shall be issued to any business establishment which employs or allows to perform erotic dancers, as that term is defined in Chapter 635 of this City Code. (Ord. No. 460 §1, 2-6-95)

SECTION 610.140: TERM OF LICENSE AND CONDITIONAL LICENSE

All licenses issued under this Article shall be for a period of one (1) year, except as hereinafter provided. Prior to issuing a one (1) year license, the Board may issue a "ninety (90) day conditional license," to any applicant to determine if the applicant will abide by the conditions of his bond set forth in Section 610.110. The City Council shall note in the minutes its reasons for issuing a ninety (90) day conditional license in lieu of a yearly license. If at the end of the ninety (90) days the applicant has complied with all the conditions of its bond as set forth in Section 610.110, the Board shall issue the applicant a license for the term of one (1) year. (Ord. No. 68 §9, 8-17-81; Ord. No. 362 §1, 1-6-91)

SECTION 610.145: LICENSEE REQUIRED TO KEEP ORDERLY HOUSE

All retail licensees shall maintain an orderly house, and in doing so, shall comply with the following:

1. At no time, under any circumstances, shall any licensee or his employees fail to immediately prevent or suppress any violent quarrel, disorder, brawl, fight or other improper or unlawful conduct of any person upon his premises. In addition, no licensee or his employees shall allow obscene songs, entertainment, literature, advertising material, films or video programs upon the licensed premises. For the purposes of this Section, any material or performance is obscene if:
 - a. Applying contemporary community standards, its predominant appeal is to prurient interest in sex; and
 - b. Taken as a whole with the average person, applying contemporary community standards, it depicts or describes sexual conduct in a patently offensive way; and
 - c. Taken as a whole, it lacks serious literary, artistic, political or scientific value.
2. In the event that a licensee or his employee knows, or should have known, that an illegal or violent act has been committed on or about the licensed premises, they shall immediately report the occurrence to the Police and shall cooperate with the Police and agents of the Division of Liquor Control during the course of any investigation into such an occurrence.
3. No retail licensee or his employees shall allow in or upon his licensed premises:

- a. The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; and
- b. The displaying of any portion of the areola of the female breast; and
- c. The actual or simulated touching, caressing, or fondling of the breasts, buttocks, anus or genitals; and
- d. The actual or simulated displaying of pubic hair, anus, vulva or genitals; and
- e. The permitting by a licensee of any person to remain upon the licensed premises who exposes to public view any portion of his or her genitals or anus.
(Ord. No. 362 §1, 1-6-91)

SECTION 610.150: PENALTIES

If any person shall violate any of the provisions of this Article, he shall be adjudged guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). (Ord. No. 68 §10, 8-17-81; Ord. No. 807 §2, 8-7-06)

CHAPTER 615: JUNK YARDS

SECTION 615.010: DEFINITIONS

Except where otherwise indicated by the context, the following definitions shall apply in the interpretation and enforcement of this Chapter:

BUSINESS PREMISES or PREMISES: The area of a junk yard as described in a junk dealer's license or application for license, as provided for in this Chapter.

ITINERANT JUNK DEALER: An individual (natural person) who buys, sells, collects, or delivers junk within the City as a business or employment within the City, but who is not an operator of a junkyard within the City or an employee of such an operator.

JUNK: Any old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; bones; wastepaper and other waste or discarded material which might be prepared to be used again in some form; and any or all of the foregoing; and motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste, or scraps from the operation of his own business, or materials or objects held and used by a manufacturer as an integral part of his own manufacturing processes.

JUNK DEALER: A person who operates a junk yard, as defined below, within the City.

JUNK YARD: A yard, lot, or place, covered or uncovered, outdoors or in an enclosed building, containing junk as defined above, upon which occurs one (1) or more acts of buying, keeping, dismantling, processing, selling or offering for sale any such junk, in whole units or by parts, for a business or commercial purpose, whether or not the proceeds from such act or acts are to be used for charity. (CC §51.010)

SECTION 615.020: LICENSE REQUIRED

It shall be unlawful for any person to act as a junk dealer or itinerant junk dealer in the City, whether personally, by agents or employees, singly, or along with some other business or enterprise, without first having obtained a license therefor from the City Clerk in accordance with the provisions of this Chapter. (CC §51.020)

SECTION 615.030: APPLICATION

- A. An applicant for license under this Chapter shall file with the City Clerk a written application upon forms provided by the City Clerk, and pay a fee as prescribed in Subsection (B) hereof.
- B. Said application shall include the junk dealer or itinerant junk dealers name, residence address, and telephone number of applicant; the exact address or location of the place where the business is or is proposed to be carried on; and such other information as the City Clerk may reasonably require. (CC §51.030)

SECTION 615.040: LICENSE FEES

The fees for licenses required under this Chapter shall be as established from time to time by ordinance of the City Council and on file in the office of the City Clerk.
(CC §51.040)

SECTION 615.050: INVESTIGATION; APPROVAL AND ISSUANCE OF LICENSE

- A. Upon receipt of an application for a junk dealer's license as provided for herein, the Chief of Police shall cause an investigation to be made of the applicant's business responsibility and moral character.
- B. If the findings of said investigation are favorable to the applicant, the City Clerk shall within thirty (30) days after the filing of the application and payment of the fee, issue a junk dealer's license to the applicant. (CC §51.050)

SECTION 615.060: LICENSE NOT TRANSFERABLE

No license issued under this Chapter shall be transferred or assigned or used in any way by any person other than the one to whom it was issued. (CC §51.060)

SECTION 615.070: DURATION; PRO-RATION AND REFUND OF FEES

All licenses issued under the provisions of this Chapter shall expire on the thirtieth (30th) day of June following the issuance thereof. For a partial year license, the fee shall be pro-rated quarterly. No license fee shall be returned to the holder upon sale, transfer or dissolution of the business for which the license was issued. (CC §51.070)

SECTION 615.080: GENERAL OPERATING REQUIREMENTS

The following general operating requirements shall apply to all junk dealers licensed in accordance with the provisions of this Chapter:

1. The license issued pursuant to this Chapter shall be plainly displayed on the business premises.
2. The junk yard, together with things kept therein, shall at all times be maintained in a sanitary condition.
3. No space not covered by the license shall be used in the licensed business.
4. No water shall be allowed to stand in any place on the premises in such manner as to afford a breeding place for mosquitoes.
5. Weeds and vegetation on the premises, other than trees, shall be kept at a height of not more than four (4) inches.

6. No garbage or other waste liable to give off a foul odor or attract vermin shall be kept on the premises; nor shall any refuse of any kind be kept on the premises, unless such refuse is junk as described herein and is in use in the licensed business.
7. No junk shall be allowed to rest upon or protrude over any public property, street, alley, walkway, or curb or become scattered or blown off the business premises.
8. Junk shall be stored in piles not exceeding ten (10) feet in height and shall be arranged so as to permit easy access to all such junk for fire fighting purposes.
9. No combustible material of any kind not necessary or beneficial to the licensed business shall be kept on the premises; nor shall the premises be allowed to become a fire hazard.
10. Gasoline and oil shall be removed from any scrapped engines or vehicles on the premises.
11. No junk or other material shall be burned on the premises in any incinerator not meeting the approval of the Chief of the Fire Department, which approval shall not be unreasonably denied.
12. No noisy processing of junk or other noisy activity shall be carried on in connection with the licensed business on Sunday, Christmas, Thanksgiving, or at any time between the hours of 6:00 P.M. and 7:00 A.M.
13. The area on the premises where junk is kept (other than indoors) shall be enclosed, except for entrances and exits, by any one of the following fences:
 - a. A chain link fence with privacy strips woven into the fence, or
 - b. A solid brick or concrete block wall, or
 - c. A uniformly painted board fence, or
 - d. A natural weather board fence.

Any such fence or wall shall be built to the height of six (6) feet measured from ground level. Entrances and exits shall not be wider or more numerous than reasonably necessary by the conduct of the licensed business. (CC §51.080; Ord. No. 92 §2, 10-4-82)

SECTION 615.090: EXCEPTIONS

Section 615.080 shall not apply to the operation of junk yards outside of the City limits, even though the owner thereof be licensed in accordance with this Chapter. (CC §51.090)

SECTION 615.100: NON-CONFORMING JUNK YARDS

All junk yards in violation of this Chapter are hereby declared to be public nuisances. However, to allow flexibility and prevent undue hardship, the City Council may consent to a schedule by which non-conforming junk yards existing as of January 1, 1975, are brought in compliance within two (2) years, with one quarter ($\frac{1}{4}$) for compliance done each six (6) months. (CC §51.100)

CHAPTER 620: PEDDLERS AND SOLICITORS

SECTION 620.010: PERMIT REQUIRED

It shall be unlawful for any person to engage in the business of peddler as defined in Section 620.020 of this Chapter within the corporate limits of this City without first obtaining a permit therefor as provided herein. (CC §52.010)

SECTION 620.020: "PEDDLER" DEFINED

The word "*peddler*" as used herein shall include any person, whether a resident of this City or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or offering for sale for later delivery, or seeking appointments for the purpose of at that time offering for sale; or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car, or other vehicle or conveyance; and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this Chapter shall be deemed a peddler subject to the provisions of this Chapter. The word "*peddler*" shall include the words "*hawker*," "*huckster*," and "*solicitor*."

"*Peddler*" does not include a farmer selling his own produce grown on his farm.
(CC §52.020)

SECTION 620.030: APPLICATION FOR PERMIT

Applicants for permits under this Chapter must file with the City Clerk a sworn application in writing (in duplicate) on a form to be furnished by the City Clerk, which shall give the following information:

1. Name and description of the applicant.
2. Address (local and permanent).
3. A brief description of the nature of the business and the goods to be sold and in the case of products of farm or orchard, whether produced or grown by the applicant.
4. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
5. The length of time for which the right to do business is desired.
6. If a vehicle is to be used, a description of the same, together with credentials establishing the license number or other means of identification.

7. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. (CC §52.030)

SECTION 620.040: INVESTIGATION AND ISSUANCE

Upon receipt of such application, the original shall be referred to the Chief of Police, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good.

1. If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application his disapproval and his reasons for the same, and return the said application to the City Clerk, who shall notify the applicant that his application is disapproved and that no permit will be issued.
2. If as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his approval. Upon receipt of the approved application the City Clerk, upon payment of the prescribed permit fee, shall deliver to the applicant his permit. The Clerk shall keep a permanent record of all licenses issued. (CC §52.040)

SECTION 620.050: FEES GENERALLY

The fees for licenses required under this Chapter are set out in Section 600.080 of this Code. (CC §52.050)

SECTION 620.060: PERMIT NON-TRANSFERABLE

No permit issued under this Chapter shall be transferable or assignable. (CC §52.060)

SECTION 620.070: USE OF STREETS

No peddler shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he be permitted to operate in any congested area where his operations might impede or inconvenience the public. For the purpose of this Section, the judgment of a Police Officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced. (CC §52.080)

SECTION 620.080: LOUD NOISES AND SPEAKING DEVICES

No peddler, nor any person in his behalf, shall shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public places of said

City or upon any private premises in the said City where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell. (CC §52.090)

SECTION 620.090: EXHIBITION OF PERMIT

Peddlers are required to exhibit their licenses at the request of any citizen.
(CC §52.100)

SECTION 620.095: RESTRICTIONS ON TIME OF SOLICITATION

Peddlers may not sell or offer any goods for sale or solicit orders for goods within the corporate limits of the City of Scott City, Missouri, from 8:00 P.M. until 8:00 A.M.
(Ord. No. 417 §1, 12-6-93)

SECTION 620.100: REVOCATION OF LICENSE

Permits and licenses issued under the provisions of this Chapter may be revoked by the Mayor of this City after notice and hearing, for any of the following causes:

1. Fraud, misrepresentation, or false statement contained in the application for license.
2. Fraud, misrepresentation, or false statement made in the course of carrying on his business as peddler.
3. Any violation of this Chapter.
4. Conviction of any crime or misdemeanor involving moral turpitude.
5. Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public. (CC §52.110)

SECTION 620.110: NOTICE

Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the ground of complaint and the time and place of hearing. Such notice shall be mailed, postpaid to the permittee at his permanent address (as shown on his application) at least five (5) days prior to the date set for hearing. (CC §52.120)

SECTION 620.120: APPEAL

Any person aggrieved by the action of the Chief of Police or the City Clerk in the denial of an application for a permit as provided in Section 620.040, or in the decision with reference to the revocation of a license as provided in Section 620.100, shall have the right of appeal to the City Council. Such appeal shall be taken by filing with the City Clerk, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds

for the appeal. The Council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in Section 620.110. (CC §52.130)

CHAPTER 625: PUBLIC AMUSEMENTS

SECTION 625.010: DEFINITIONS

As used in this Chapter, and unless otherwise defined or distinctly expressed, the following words and phrases shall have the meanings set out herein:

ADMISSION CHARGE: Any charge or consideration for the right or privilege to any amusement or entertainment, or admission to or entry to any area or facility, where such amusement or entertainment is conducted.

AMUSEMENT OR ENTERTAINMENT: Carnivals, circuses and side shows, street fairs and rodeos for which an admission charge is made.

CIVIC ORGANIZATION: Any not-for-profit organization, organized for civic, charitable, benevolent or religious purposes, the majority of members of which are residents of this City, and the purposes of which are primarily for the benefit of the City and its citizens. Political organizations are expressly excluded from being within the definition of such term. (CC §53.010)

SECTION 625.020: PERMIT REQUIRED

A permit must be obtained in order to conduct any amusement or entertainment within the limits of this City, under the provisions of this Chapter. Only a civic organization shall be issued a permit; other amusements or entertainments may be conducted, but only if the same has been licensed under the provisions of Chapter 600 of this Title. (CC §53.020)

SECTION 625.030: BUSINESS LICENSE NOT TO BE ISSUED

No amusement or entertainment for which a permit has been issued under this Chapter will be required to obtain a license under Chapter 600 of this Title. (CC §53.030)

SECTION 625.040: APPLICATION FOR PERMIT

Every civic organization proposing to sponsor or conduct any amusement or entertainment within the City shall apply, through a duly elected officer of the said civic organization, in writing to the City Clerk for a permit to operate such amusement or entertainment.

1. All applicants shall state on their application that they will indemnify the City for any claim resulting from the operation of the amusement or entertainment, and each application shall be accompanied by a Certificate of Insurance, showing the City as the named insured, covering any damage or liability to the City which may be caused by the operation of the amusement or entertainment, the amount of said insurance to be as required by such rules and regulations the promulgation of which is hereinafter provided, but in no event to be less than bodily injury limits of twenty thousand dollars (\$20,000.00) for each occurrence and ten thousand

dollars (\$10,000.00) for each person, and property damage limits of ten thousand dollars (\$10,000.00) for each occurrence and twenty thousand dollars (\$20,000.00) aggregate.

2. All applicants shall accompany their application with a bond in the amount of five hundred dollars (\$500.00), which bond shall secure the applicant's removing all litter from the site of the amusement or entertainment at its termination. Should it be necessary for the City to remove litter from the amusement site, the cost of such removal shall be deducted from the bond, and the remainder returned to the applicant.
3. The City Clerk may refuse to issue a permit to any amusement or entertainment, the operation of which does not comply with this Chapter, or which has in any previous operation in any other City, or in this City, violated the ordinance or requirements of such other City or of this City.
4. Upon determination that the proposed amusement or entertainment shall comply with this Chapter, the City Clerk shall issue a permit and shall so notify the applicant. (CC §53.040)

SECTION 625.050: RULES AND REGULATIONS FOR OPERATION OF AMUSEMENT

Any amusement or entertainment conducted pursuant to this Chapter shall comply with the following rules:

1. The amusement shall be closed from Midnight until 8:00 A.M.
2. Adequate restroom facilities for both sexes shall be provided on the premises of such amusement or entertainment. Such facilities may be of a temporary nature, other than privies.
3. All electrical wiring and lighting must be approved by the Building Inspector or his designate.
4. Adequate facilities for the disposal of trash and debris shall be provided on the premises.
5. The premises shall be inspected prior to operation by the Chief of Police or his designate to determine that the requirements of this Chapter and any other ordinances of the City applicable to public rooms and buildings have been complied with.
6. The area or premises where such amusement or entertainment is conducted shall be cleaned and policed after cessation of such amusement or entertainment and all trash, litter and debris shall be removed. (CC §53.050)

SECTION 625.060: ADDITIONAL RULES AND REGULATIONS

The Mayor is hereby given authority to establish and promulgate rules and regulations consistent with the terms of this Chapter, for the purpose of carrying out and

enforcing compliance therewith, and a copy of such rules and regulations shall be on file and available for public examination in the Office of the City Clerk. Failure or refusal to comply with any such rules and regulations established and promulgated under this Section shall be deemed a violation of this Chapter. (CC §53.060)

SECTION 625.070: REVOCATION OF PERMIT

Any permit issued pursuant to this Chapter may be revoked by the Mayor upon his determination that the amusement or entertainment is being operated or conducted in violation of this Chapter, or in violation of rules and regulations established and promulgated pursuant thereto, or is so conducted or operated as to endanger substantially the public peace, health, safety and welfare of the citizens of this City. (CC §53.070)

SECTION 625.080: FEES FOR PERMIT

There shall be no fee for the permit required by this Chapter. (CC §53.080)

SECTION 625.090: AMUSEMENTS NOT SPONSORED BY CIVIC ORGANIZATION

Any amusement or entertainment which is not operated, conducted, or sponsored by a civic organization may be operated within this City, if a license for the same has been obtained under Chapter 600 of this Title. The requirements of Sections 625.040, 625.050, and 625.060 shall apply to such amusement or entertainment. (CC §53.090)

CHAPTER 630: GARAGE SALES

SECTION 630.010: DEFINITIONS

GARAGE SALE: All general sales open to the public, for the purpose of disposing of personal tangible property by one (1) or more individuals, for which no business license has been granted. The definition includes, but is not limited to, all sales entitled "garage," "lawn," "yard," "attic," "porch," "room," "back yard," "flea market," or "rummage" sale. This definition shall not include a situation where no more than five (5) specific items are held out for sale and all advertisement of such sales specifically name those items to be sold. (Ord. No. 141 §1, 11-19-84)

SECTION 630.020: MAY SELL ONLY PERSONAL TANGIBLE PROPERTY

It is unlawful for any individual to sell or offer for sale, under authority granted by this Chapter, property other than personal tangible property. (Ord. No. 141 §2, 11-19-84)

SECTION 630.030: LIMITED LENGTH OF TIME

No garage sale shall be conducted for more than three (3) consecutive calendar days. (Ord. No. 141 §3, 11-19-84)

SECTION 630.040: NO TACKING SIGNS MALICIOUSLY

No person conducting any such garage sale shall willfully or maliciously tack, wire, tie or affix any card, poster, bill, streamer, announcement or other advertising matter concerning said garage sale upon any tree, shrub, post, pole, pier, or abutment of any telegraph, telephone, electric light and power, or radio broadcasting company; nor shall any person injure, molest or destroy any of the lines, insulators, wires, posts, poles, piers, or abutments of any such company used in or about the transmission of dispatchers, radio programs or other communications, or in the transmission of electricity for light or power purposes. (Ord. No. 141 §4, 11-19-84)

SECTION 630.050: ACCEPTABLE ADVERTISING

Persons conducting garage sales may tack, wire, tie or affix cards, posters, bills, streamers, announcements, or other advertising matter concerning said garage sale upon their own private property or upon private property of another, with that person's consent. In addition, persons conducting such garage sales may advertise on any billboards provided by the City for that specific purpose. However, all boards, posters, bills, streamers, announcements or other advertising matter displayed in conformity with this Chapter may not be displayed more than twenty-four (24) hours prior to the commencement of the garage sale and must be removed within twenty-four (24) hours after the completion of the garage sale. (Ord. No. 141 §5, 11-19-84)

SECTION 630.060: VIOLATION

Any person conducting any sale in violation of the provisions of this Chapter shall be guilty of a misdemeanor.
(Ord. No. 141 §6, 11-19-84)

CHAPTER 635: ADULT BUSINESSES

Editor's Note—Ord. no. 855 §1, adopted July 6, 2009, repealed ch. 635 "erotic dancing" and enacted new provisions set out herein. Former ch. 635 derived from ord. no. 459 §1, 2-6-95.

SECTION 635.010: DEFINITIONS

Except where otherwise indicated by the context, the following definitions shall apply to the interpretation and enforcement of this Chapter:

ADULT BUSINESS:

1. Any business enterprise that has as a primary business purpose: the sale, display or rental of goods that are designed for use in connection with specified sexual activities or that emphasizes matter depicting, describing or relating to specified sexual activities or specified anatomical areas; or that has one (1) of the following as a primary business purpose:
2. The providing of entertainment where the emphasis is on performances, live or otherwise, that depict, portray, exhibit or display specified anatomical areas or specified sexual activities; or
3. The providing of non-medical services related to specified sexual activities or specified anatomical areas.

The definition of adult business also includes, but is not limited to, any and all of the following as defined herein:

4. Any of the following businesses offering goods for sale or rent:
 - a. *Adult retail establishments:* An establishment which, as a primary business purpose, offers for sale or rent any one (1) or more of the following: instruments, devices, gifts or paraphernalia which are designed for use in connection with specified sexual activities or clothing that graphically depicts specified anatomical areas or any of the materials sold or rented in an adult bookstore defined herein.
 - b. *Adult bookstore:* An establishment which, as a primary business purpose, offers for sale or rent, books, magazines, periodicals or other printed matter, photographs, slides, films, videotapes or any form of visual representation which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
 - c. *Adult media outlet:* An establishment that has as a primary business purpose the rental, sale, offering for viewing on the premises or other use of any adult media.
 - d. *Adult newsrack:* Any coin- or card-operated device that offers for sale by dispensing printed material which is distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

- e. *Adult newsstand:* A freestanding structure, vehicle or booth which, as a primary business purpose, offers for sale: books, magazines, periodicals or other printed matter which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
5. Any of the following businesses providing entertainment:
- a. *Adult entertainment business:* Any enterprise providing adult entertainment to which the public, patrons or members are invited or admitted.
- b. *Adult motion picture theater:* An establishment containing a room with seats facing a screen or projection area, where the business is the exhibition to customers of films, videotapes, slides or motion pictures which are intended to provide sexual stimulation or sexual gratification to the customers and which are distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
- c. *Adult theater:* An establishment located in an enclosed building where the business is providing the live performance of activities relating to specified sexual activities or exhibition of specified anatomical areas of live performers for observation by customers and patrons.
- d. *Adult entertainment cabaret:* An establishment in which the business is providing adult entertainment which features strippers, male or female impersonators, go-go dancers or live performances; or material which is primarily characterized by an emphasis on specified sexual activities or specified anatomical areas.
- e. *Adult entertainment studio:* (Includes the terms rap studio, exotic dance studio, sensitivity studio or encounter studio) an establishment whose premises is physically arranged as to provide booths, cubicles, compartments or stalls separate from the common area of the premises and in which the business is providing entertainment which features materials or live performances characterized by an emphasis on or relating to specified sexual activities or the exhibition of specified anatomical areas.
- f. *Adult encounter parlor:* An establishment in which the business is the provision of premises where customers congregate, associate or consort with employees and/or performers or private contractors who display specified anatomical areas in the presence of such customers, with the intent of providing sexual gratification or stimulation to such customers.
- g. *Body painting studio:* An establishment in which the business is maintaining, operating or offering for compensation the applying of paint or other substance to or on the human body by any means of application, technique or process when the subject's body is displayed for the customer's view of specified anatomical areas.
- h. *Adult arcade:* An establishment, or that part of an establishment, which regularly features or otherwise offers to customers, in a viewing area which is designed for occupancy by no more than one (1) person, any live, filmed or

videotaped exhibition, performance or dance of any type by a person or persons whose exhibition, performance or dance is characterized by the exposure of any specified anatomical area or by specified sexual activities or who otherwise appear in such attire, costume or clothing so as to expose to view specified anatomical areas.

- i. *Nude modeling agency:* An establishment in the business of offering for compensation the viewing of the human body when the subject's body is displayed for the customer's view of specified anatomical areas.
- j. *Erotic dance establishment:* A fixed place of business which, as a portion or all of its business, emphasis activities or seeks, through one (1) or more dancers, to arouse or excite the patron's sexual desires or sexual fantasies whether or not alcoholic beverages, beer, intoxicating liquor or other non-intoxicating beverages are sold or consumed on the premises.

6. Any of the following businesses that provide services:

- a. *Bathhouse:* An enterprise in which the business is offering baths with other persons present who are nude or displaying specified anatomical areas.
- b. *Adult motel:* An enterprise in which the business is offering public accommodations for consideration for the purpose of viewing closed circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas or rents or subrents room accommodations for less than six (6) hours at a time.

ADULT ENTERTAINMENT: Any live exhibition, performance or dance characterized by the exposure of any specified anatomical area even if covered by translucent clothing or by specified sexual activities or by appearance of persons in attire, costume or clothing so as to emphasize or expose, even through opaque clothing, the view to specified anatomical areas.

CUSTOMER/PATRON: Any person who:

- 1. Is allowed to enter an adult business in return for the payment of an admission fee or any other form of consideration or gratuity; or
- 2. Enters an adult business and purchases, rents or otherwise partakes of any merchandise, goods, entertainment or other services offered therein; or
- 3. Is a member of or is on the premises of an adult business operating as a private club.

EROTIC DANCE: Any dance performed by an erotic dancer in an erotic dance establishment which emphasis or seeks to arouse or excite a patron's sexual desires.

EROTIC DANCER: Any male or female who performs in an erotic dance establishment, who is not fully clothed or is wearing clothing designed to accentuate the body in a manner which would tend to sexually arouse another person.

EMPLOYEE: Any and all persons, including managers, entertainers and independent contractors, who work in or at or render any services whatsoever directly related to the operation of an adult business.

ENTERTAINER: Any person who provides adult entertainment within an adult business, as defined in this Section, whether or not a fee is charged or accepted for entertainment.

MANAGER: Any person who manages, directs, administers or is in charge of the affairs and/or conduct of any portion of any activity involving adult entertainment occurring at any adult business.

OPERATOR: Any person owning, operating, conducting or maintaining an adult business.

PRIMARY BUSINESS PURPOSE:

1. Fifty percent (50%) or more of the gross floor space is devoted to that purpose; or
2. Fifty percent (50%) or more of the retail floor space is devoted to that purpose; or
3. Fifty percent (50%) or more of the sales of the business are derived from that purpose.

PUBLIC PLACE: Any area generally visible to public view including streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots and automobiles whether moving or not.

SERVER: Any person who serves food or drink at an adult business.

SPECIFIED ANATOMICAL AREAS: Less than completely and opaquely covered:

1. Human genitals, pubic region or pubic hair; or
2. Buttock; or
3. Female breast or breasts below a point immediately above the top of the areola; or
4. Any combination of the foregoing; or

Human male genitals in a discernibly erect state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES: Actual or simulated acts of masturbation, sexual intercourse, physical contact with the person's clothed or unclothed genitals, pubic area, buttocks or the breast of a female in the act of actual or apparent sexual stimulation or gratification, any actual or simulated acts of sadomasochistic abuse or the use of animals or inanimate objects in acts of actual or apparent sexual stimulation or gratification, as such terms are defined in the pornography and related offenses Chapter of the Missouri Criminal Code. (Ord. No. 855 §1, 7-6-09)

SECTION 635.020: UNLAWFUL ACTIVITY

- A. It shall be unlawful for any entertainer or employee to fondle, caress or touch any customer or other entertainer or employee in any manner in or on a specified anatomical area or for any customer to fondle, caress or touch any entertainer or employee or other customer in any manner in or on a specified anatomical area, whether such specified anatomical areas are clothed, unclothed, covered or exposed.
- B. It shall be unlawful for any entertainer to perform at a distance less than ten (10) feet from customers or to touch any customer while performing.
- C. It shall be unlawful for any entertainer to perform on a stage that is not raised at least two (2) feet above the area on which the customer or customers sit or stand.
- D. It shall be unlawful for any customer to tip, pay, give a gratuity or other thing of value to any entertainer or to someone else in his or her behalf and it shall be unlawful for any entertainer to solicit or accept from a customer in any manner any tip, payment, gratuity or other thing of value either directly or indirectly.
- E. It shall be unlawful for an entertainer or employee to perform any specified sexual activities as defined herein, wear or use any device or covering exposed to view which simulates any specified anatomical area, use artificial devices, animals or inanimate objects to perform or depict any of the specified sexual activities as defined herein or participate in any act of prostitution.
- F. It shall be unlawful for an entertainer or employee to be visible from the exterior of the adult business while such person is unclothed or in such attire, costume or clothing as to expose to view any specified anatomical area.
- G. It shall be unlawful to operate an adult business in any manner that permits the observation of live performers engaged in an erotic depiction or dance or any material or persons depicting, describing or relating to specified sexual activities or specified anatomical areas as defined herein from any exterior source by display, decoration, sign, show window or other opening. (Ord. No. 855 §1, 7-6-09)

SECTION 635.030: LOCATION

No adult business establishment shall be located within one thousand (1,000) feet of any "R-1", "R-2" or "M-1" zoned area or within one thousand (1,000) feet of any school, public park, church or day care center. (Ord. No. 855 §1, 7-6-09)

SECTION 635.040: AGE REQUIREMENT

It shall be unlawful for an adult business to have any person owning an interest in the business under the age of eighteen (18). In addition, it is unlawful for any adult business to employ any person under the age of eighteen (18) years or to permit any customer/patron under the age of eighteen (18) years to enter into said premises of said business. (Ord. No. 855 §1, 7-6-09)

SECTION 635.050: LICENSE REQUIRED

- A. It shall be unlawful for any person to operate or maintain an adult entertainment business establishment in the City unless the owner, operator or lessee thereof has obtained an adult entertainment business license from the City or to operate such business after such license has been revoked or suspended by the City.
- B. The license year for all fees required under this Chapter shall be from each July first (1st) through June thirtieth (30th). The application for a license shall be accompanied by payments in full of the fee stated in this Section by certified or cashier's check or money order; and no application shall be considered complete until such fee is paid. The fee for an adult entertainment business establishment is three hundred dollars (\$300.00) per year.
- C. All persons desiring to secure a license to operate an adult business establishment or to be an employee or to be employed as a manager or entertainer under the provisions of this Chapter shall make a notarized application with the City Clerk. All applications shall be submitted in the name of the person proposing to conduct, operate or to be employed by the adult business establishment. All applications shall be submitted on a form supplied by the City Clerk and shall require the following information:
1. The name, residence address, home telephone number, occupation, date and place of birth and Social Security number of the applicant.
 2. The name of the adult business establishment and the name of the owner of the premises where the adult business establishment will be located.
 3. The names, residence addresses, Social Security numbers and dates of birth of all partners, if the applicant is a partnership; and if the applicant is a corporation, the same information for all corporate officers and directors and stockholders who own more than ten percent (10%) or greater interest in the corporation.
 4. The addresses of the applicant or of all partners, if a partnership, or of all corporate offices and directors, if a corporation, for the five (5) years immediately prior to the date of application.
 5. A brief description of the business history of the applicant with regard to adult business establishments or of all partners, if a partnership, or of all corporate officers and directors, if a corporation; including whether such person or entity has previously operated in this or another City, County or State and, if so, where and whether said applicant has had a business license revoked or suspended and the reason therefore.
 6. A statement from the applicant, or if the applicant is a partnership, from each partner, or if the applicant is a corporation, from the president of the corporation that the applicant, its partners or its corporate officers have not been convicted of a felony criminal act within the past five (5) years or a misdemeanor criminal act or a municipal ordinance violation within two (2) years prior to the application, where such criminal act involved sexual offenses, prostitution, promotion of prostitution, sexual abuse, pornography or related offenses or involved controlled substances or illegal drugs or narcotic offenses.

7. A full set of fingerprints and a photograph, to be taken by the Police Department, of the applicant or of all partners if the applicant is a partnership or of all corporate officers if the applicant is a corporation. Applicants shall be subject to a background check which shall be performed by the Police Department.
8. If the applicant is a corporation, a current certificate of registration issued by the Missouri Secretary of State.
9. A statement signed under oath that the applicant has a personal knowledge of the information contained in the application and that the information contained therein is true and correct and that the applicant has read the provisions of this Chapter regulating adult business establishments.

Failure to provide the information and documentation required by this Subsection shall constitute an incomplete application which shall not be processed.

- D. No person is eligible nor shall a license be issued to an applicant who gives material false, fraudulent or untruthful information on the application or to an applicant whose proposed business premises does not comply with or meet the requirement of the applicable health, zoning, building code, fire and property maintenance ordinances of the City, provided that upon showing that the premises meets said requirements and that the applicant is otherwise qualified, the application shall be eligible for reconsideration by the City Council.
- E. The City may deny a license to any applicant or any member owning an interest in the prospective business who is convicted of a felony criminal act within five (5) years, misdemeanor criminal act or municipal ordinance violation within two (2) years prior to the application, where the criminal act involved sexual offenses, prostitution, promotion of prostitution, sexual abuse, pornography or related offenses or involved controlled substances or illegal drugs or narcotic offenses. The City may also deny any application of any person having an interest in the prospective business or who has had a previous license to run an adult business revoked. In addition, in the event the City elects to issue a license to an applicant who had a member owning an interest in the applicant with a conviction as set forth above or who has had a previous adult business license revoked or suspended, the City may increase the amount of the bond required of the business under Section 635.080.
- F. It shall be unlawful for:
1. Any person to operate or maintain an adult business within the City of Scott City until the owner of such business has applied to the office of the Deputy City Clerk for a license to operate such business and such license has been duly approved by the City Council or to operate such establishment after such license has been revoked or suspended by the City or has expired as set forth in this Chapter.
 2. Any business to allow a manager to work at or an entertainer to perform on premises within the City of Scott City until such manager or entertainer has applied to the office of the Deputy City Clerk for a license and such license has been duly issued by the Deputy City Clerk or to work at such business after such license has been revoked or suspended by the City or has expired as set forth in this Chapter.

3. Any licensed entertainer to perform in any adult business, who does not have a valid license as required by this Chapter. (Ord. No. 855 §1, 7-6-09)

SECTION 635.060: HOURS OF OPERATION

It shall be unlawful for any adult business to operate between the hours of 1:30 A.M. and 6:00 A.M. on any weekend and between the hours of 12:00 Midnight Saturday and 12:00 Midnight on Sunday except as otherwise permitted by State law. (Ord. No. 855 §1, 7-6-09)

SECTION 635.070: ORDERLY HOUSE

Adult business licensee shall maintain an orderly house. In that regard, at no time, under any circumstances, shall any licensee or his/her employees fail to immediately prevent or suppress any violent quarrel, disorder, brawl, fight or other improper or unlawful conduct of any person upon the adult business premises. If any licensee or his/her employee knows or should have known that a legal or violent act has been committed on or about the licensed premises, they shall immediately report the occurrence to the Police and shall cooperate with the Police under any investigation unto such occurrence. (Ord. No. 855 §1, 7-6-09)

SECTION 635.080: BOND

Before any application under this Chapter shall be granted, the applicant shall deliver to the City a bond in the sum of five thousand dollars (\$5,000.00) with sufficient surety, to be approved by the City Council, conditioned that the applicant will abide by all provisions set forth in this Chapter. Violation of the conditions of the aforesaid bond shall be a breach of said bond and will entitle the City to recover the amount pledged therein. (Ord. No. 855 §1, 7-6-09)

SECTION 635.090: REVOCATION OR SUSPENSION

Violation of any of the provisions of this Chapter by any licensee shall subject the licensee to suspension or revocation of the licensee's license, upon affording the licensee notice of the violation and a hearing before the City Council within a reasonable time. (Ord. No. 855 §1, 7-6-09)

SECTION 635.100: ADVERTISING/SOLICITATION

No adult business shall solicit the business or advertise the business by way of billboards, signs or flyers in any "R-1", R-2" or "M-1" zoned area or within one thousand (1,000) feet of any school, public park, church or day care. (Ord. No. 855 §1, 7-6-09)

SECTION 635.110: SEVERABILITY

If any Section, Subsection or clause of this Chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining Sections, Subsections and clauses shall not be affected thereby. (Ord. No. 855 §1, 7-6-09)

SECTION 635.120: PENALTY

Any person who violates the provisions of this Chapter shall be subject to the general penalty provision of the Scott City Code of Ordinances as set forth in Chapter 110. (Ord. No. 855 §1, 7-6-09)

CHAPTER 640: PAWN SHOPS

SECTION 640.010: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this Chapter shall be as follows:

PAWNBROKER: Any person engaged in the business of lending money on the security of pledged goods or engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

PAWNSHOP: The location at which or premises in which a pawnbroker regularly conducts business.

PERSON: Any individual, partnership, corporation, joint venture, trust, association or other legal entity however organized.

PLEGGED GOODS: Tangible personal property which is deposited or otherwise actually delivered into possession of a pawnbroker in the course of his/her business in connection with a pawn transaction. (Ord. No. 431 §1, 5-16-94)

SECTION 640.020: LICENSE REQUIRED

No person shall carry on the business of pawnbroker within the limits of Scott City, Missouri, without obtaining a license therefore. The annual license fee for the operation of a pawnbroker business shall be five hundred dollars (\$500.00) per year.
(Ord. No. 431 §2, 5-16-94)

SECTION 640.030: LICENSE REQUIREMENTS

The City shall not issue any license to an applicant for a pawnbroker's business, unless it first determines that:

1. The applicant is of good moral character;
2. The applicant has net assets of at least fifty thousand dollars (\$50,000.00) readily available for use in conducting the business of a pawn shop for each licensed pawnshop;
3. The applicant has no felony or misdemeanor convictions which directly relate to the duties and responsibilities of the occupation of a pawnbroker or otherwise make the applicant unfit for a pawnshop license. If the applicant is a partnership or incorporation, said application shall be denied if any of the partners of the partnership or any of the officers, shareholders, or directors of the corporation have felony or misdemeanor convictions which directly relate to the duties and responsibilities of the occupation of pawnbroker.
4. If the City is unable to verify that the applicant meets the net assets requirements for a licensed pawnshop, the applicants shall be required to present a current balance sheet, prepared by an independent certified public accountant, stating that the

accountant has reviewed the books and records of the applicant and that the applicant meets the net asset requirements of this Section.

5. Any application for a pawnshop license shall be made under oath and shall state the full name and place of residence of the applicant, the place where the business is to be conducted, if the applicant is a partnership, the full name and address of each partner, if the applicant is a corporation, the full name and address of each officer, shareholder and director of the corporation.
6. Each application shall be accompanied by an investigation fee of five hundred dollars (\$500.00), if the applicant is unlicensed at the time of applying for the pawnshop license, or two hundred fifty (\$250.00) dollars if the application involves a second or additional license for an applicant previously licensed. In addition, said application shall contain proof of general liability insurance.
7. Before any license to conduct the business of pawnbroker is issued to any person, he/she must, in addition to paying the annual license fee of five hundred dollars (\$500.00), file with the City a bond in the amount of five thousand dollars (\$5,000.00) with a surety company qualified to do business in this State. The bond shall run to the State for the use of the State and of any person or persons who may have a cause of action against the obligor of such bond under the provisions of Chapter 367 of the Missouri Statutes. Such bond shall be conditioned that the obligor will comply with the provisions of Chapter 367 of the Missouri Statutes and all rules and regulations lawfully made by the City of Scott City, Missouri, and will pay to the State and to any such person or persons any and all amounts of money that may become due or owing to the State or to such person or persons from such obligor under and by virtue of the provisions of Chapter 367 of the Missouri Statutes. (Ord. No. 431 §3, 5-16-94)

SECTION 640.040: INTEREST ON LOANS

No pawnbroker shall charge or receive more than two percent (2%) per month on any loan. (Ord. No. 431 §4, 5-16-94)

SECTION 640.050: UNLAWFUL TO RECEIVE GOODS OF MINOR

No pawnbroker or any employee of such pawnbroker shall buy, receive or take any personal property, goods, wares or merchandise from any minor or have in his/her possession any personal property, goods, wares or merchandise so had and obtained.
(Ord. No. 431 §5, 5-16-94)

**SECTION 640.060: REGISTER OF LOANS AND PURCHASES TO BE KEPT—
CONTENTS—INSPECTION—TIME OF MAINTENANCE—
RECORD OF SALES**

- A. *Required Contents.* Every pawnbroker shall keep a register of all loans and purchases of articles made or effected by him/her, which register shall show and include:
1. The name and address of the pawnshop.

2. The name, age, sex, race and address of the pledgor, the pledgor's description, and the driver's license number, military identification number, identification certification number, or other official number capable of identifying the pledgor.
 3. The date of the transaction.
 4. A detailed identification and description of the pledged goods, including serial numbers if reasonably available.
 5. The amount of cash advanced or credit extended to the pledgor.
 6. The amount of the pawn service charge.
 7. The total amount which must be paid to redeem the pledged goods on the maturity date.
 8. The maturity date of the pawn transaction.
 9. A statement to the effect that the pledgor is not obligated to redeem the pledged goods and that the pledged goods may be forfeited to the pawnbroker sixty (60) days after the specified maturity date.
 10. A statement that the pawnshop has verified pledgor's identity by requiring presentation by pledgor of an official picture identification card.
- B. *Inspection.* The register shall at all times be open to the inspection of commissioned Police Officers of the Scott City Police Department.
- C. *Time of Maintenance.* The register of all loans and purchases shall be maintained at the place of business for a period of two (2) years after the date the transaction occurred. (Ord. No. 431 §6, 5-16-94)

SECTION 640.070: RECEIPT TO BE FURNISHED PERSONS DEPOSITING OR SELLING PROPERTY

In addition to keeping the register, every pawnbroker shall give the person depositing or selling any property a plainly written, typed or printed receipt for the article deposited or purchased, having thereon a copy of the entries required herein to be kept in his/her register. (Ord. No. 431 §7, 5-16-94)

SECTION 640.080: REDEMPTION OF PROPERTY—TIME LIMITATION

In case the person obtaining the loan fails to pay the interest or principal when due, the pawnbroker shall not sell the article pawned with him/her as security for such loan until the expiration of sixty (60) days from the date of such failure. The person so failing may at any time within the sixty (60) days redeem the article if he/she pays the full amount of principal and interest due at the date of such redemption according to the terms of the contract. If the person obtaining the loan fails to redeem the article within the sixty (60) days, he/she shall thereby forfeit all his/her right, title and interest in and to such article to the pawnbroker who shall thereby acquire and possess an absolute right in and to them to hold and dispose of them as his/her own property. (Ord. No. 431 §8, 5-16-94)

