

CHARTER TOWNSHIP OF FENTON
Ordinance No. 755
Adopted: April 22, 2013

An ordinance to amend Sections 4, 5, 6, 7 and 8 of Business Licensing Ordinance No. 550 to revise language relating to fees and fire/safety inspections.

ARTICLE I. Section 4 (Licensing Requirements) of Ordinance No. 550 is hereby amended to provide as follows:

SECTION 4. Licensing Requirements.

No person may commence or continue a business, as herein defined, within the Township without having first obtained from the Township a Zoning Permit, Certificate of Occupancy and a Business License therefor as hereinafter provided and without maintaining said Business License in current effect during any business operation or activity. A fee, established by the Township Board and subject to change from time to time by resolution of the Township Board, shall accompany the applications for Zoning Permit, Certificate of Occupancy and Business License.

ARTICLE II. Section 5 (Procurement Procedure For Zoning Permit) of Ordinance No. 550 is hereby amended to provide as follows:

SECTION 5. Procurement Procedure For Zoning Permit.

No Zoning Permit shall be issued until the owner or operator therefor shall have first submitted an *Application for Zoning Permit* to the Licensing Agent of the Township on a form provided by the Licensing Agent for such purposes. Upon the filing of a properly completed application the Licensing Agent shall schedule an inspection by the appropriate township official(s). If the business is determined to be in compliance with the Township's Zoning Ordinance, the Licensing Agent shall issue a Zoning Permit to the owner or operator of the business.

Certain changes regarding a business will require that a new Zoning Permit be procured in the same manner as set forth herein for the original issuance of the Zoning Permit. These changes include, but are not limited to, the following:

- A new business is established in an existing commercial building.
- An existing business is relocated to a different building within the same commercial complex.
- An existing business is relocated within the same building.
- An existing business enlarges the area occupied within the same building.
- An existing business changes the business name, but the use does not change.
- An existing business changes ownership, but the use does not change.
- An existing business changes the use in any manner.
- Any transaction, modification or other circumstance, as determined by the Licensing Agent, which results in a significant change to the use, ownership, name

or operation of the business.

ARTICLE III. Section 6 (Procurement Procedure For Certificate of Occupancy) of Ordinance No. 550 is hereby amended to provide as follows:

SECTION 6. Procurement Procedure For Certificate of Occupancy.

No Certificate of Occupancy shall be issued until the owner or operator therefor shall have first been issued a *Zoning Permit* and submitted a *Building Permit Application*, (new buildings), or *Application for Certificate of Occupancy*, (existing buildings), to the Licensing Agent of the Township on a form provided by the Licensing Agent for such purposes. Upon the filing of a properly completed application the Licensing Agent shall schedule an inspection by the appropriate township official(s). If the business is determined to be in compliance with the Township's Building Code and Fire Prevention Code Ordinances, the Licensing Agent shall issue a Certificate of Occupancy to the owner or operator of the business.

Certain changes regarding an existing commercial building will require that a new Certificate of Occupancy be procured in the same manner as set forth herein for the original issuance of the Certificate of Occupancy. These changes include, but are not limited to, the following:

- Additions constructed to an existing commercial building.
- The removal or demolition of portions of an existing commercial building.
- Any significant modification or alteration to an existing commercial building, as determined by the Licensing Agent.

ARTICLE IV. Section 7 (Procurement Procedure For Business License) of Ordinance No. 550 is hereby amended to provide as follows:

SECTION 7. Procurement Procedure For Business License.

No license to commence or continue a business shall be issued until the owner or operator therefor shall have first been issued a *Zoning Permit* and a *Certificate of Occupancy* and submitted an application to the Licensing Agent of the Township on a form provided by the Licensing Agent for such purposes. Upon the filing of a properly completed application the Licensing Agent shall issue a license to the person to commence or continue the business designated in said application if the business complies with the terms of this Ordinance.

ARTICLE V. Section 8 (Conditions of License) of Ordinance No. 550 is hereby amended to provide as follows:

SECTION 8. Conditions of License.

The license issued under this Ordinance shall be effective for a period of one (1) year from the effective date of issue. Renewals of Business Licenses shall be issued upon application and payment of the fee therefor in the same manner as set forth herein for the original

issuance of the license. Renewals of all Business Licenses will require fire inspections unless such inspection requirement is waived by the Fire Chief. Any such inspections will require the payment of a fee, as established by the Township Board and subject to change from time to time by resolution of the Township Board. No license shall be issued by the Licensing Agent where the existing or proposed business would be illegal under any law or ordinance of the United States of America, the State of Michigan, the County of Genesee or the Township, or if the business property or its goods, fixtures, equipment or inventory has any delinquent, unpaid personal property taxes or where the business property building is in violation of the Township Building Code. No license may be transferred by the holder to any person except upon prior approval of the Licensing Agent. The Licensing Agent shall have the right of inspection of the business premises to assure compliance with this Ordinance. In the event of any noncompliance with the provisions of this Ordinance after a license has been issued, the same may be revoked by order of the Licensing Agent until the noncompliance has been corrected as determined by said agent.

ARTICLE VI. This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE VII. All ordinances and provisions of ordinances of the Charter Township of Fenton in conflict herewith are hereby repealed.

ARTICLE VII. This amendatory ordinance shall be published as required by law and shall take effect immediately after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the 22nd day of April 2013.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk