

# ***CHAPTER 10***

## **LICENSES**

- Article I. In General, Sec. 10-1--.0-4  
Article II. Occupational Licenses, Sec. 10-11---10-21

### **ARTICLE I. IN GENERAL**

#### **SECTION 10-1. OCCUPATIONAL LICENSE REQUIREMENTS.**

- (1) An occupational license is required by any person engaging in or managing any business, occupation or profession in the Town.
- (2) Any person applying for or renewing a local occupational license for the licensing period beginning October 1, 1985 to practice any profession regulated by the Department of Professional Regulation, or any board or commission thereof, shall exhibit an active state certificate, registration, or license, or proof of copy of same, before such Town occupational license may be issued. Thereafter, only persons applying for the first time shall be required to exhibit such certification, registration, or license.
- (3) The Department of Professional Regulation shall, by August 1 of each year, supply the Town Office a current list of professions it regulates together with information regarding those persons for whom local occupational licenses should not be renewed due to suspension, revocation or inactivation of such person's state license, certificate, or registration. The Town shall not renew such license unless such person can exhibit an active state certificate, registration or license.
- (4) The Town Office shall have on file a current list of regulated professions and of persons whose license should not be renewed. (Ord. No. 85-15, § 1)

### **ARTICLE II. OCCUPATIONAL LICENSES**

#### **SECTION 10-2,---10-10. RESERVED.**

**SECTION 10-11. WHEN DUE AND PAYABLE AND DELINQUENT.** All occupational licenses shall be due and payable on the first day of October of each year. Those licenses not renewed by October 1 shall be considered delinquent and subject to a penalty of ten (10) percent for the month

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of October plus an additional five (5) percent penalty for each month of delinquency thereafter until paid; provided, that the total delinquency penalty shall not exceed twenty-five (25) percent of the occupational license fee for the delinquent establishment. Any person engaging in or managing any business, occupation or profession without first obtaining an occupational license shall be subject to a penalty of twenty-five (25) percent of the license determined to be due, in addition to any other penalty provided by law or ordinance. (Ord. No. 71)

**SECTION 10-12. DURATION.** No license shall be issued for a period of more than one year. (Ord. No. 71)

**SECTION 10-13. EXPIRATION DATE.** All occupational licenses issued under the provisions of this Chapter shall expire on the thirtieth day of September next following the date of issuance. (Ord. No. 71, 8-22-72)

**SECTION 10-14. PARTIAL-YEAR LICENSES.** Any occupational licenses issued for a new business, occupation or profession after the first day of April shall be charged for at one-half the amount of the full year license provided in Section 10-19. (Ord. No. 71, 8-22-72)

**SECTION 10-15. TRANSFERABILITY.** All occupational licenses may be transferred to a new owner when there is a bona fide sale of the business upon payment of a transfer fee of three dollars and presentation of evidence of the sale and the original license, upon written request and presentation of the original license, any license may be transferred from one location to another location in this municipality upon payment of a transfer fee of three dollars. (Ord. No. 71, 8-22-72)

**SECTION 10-16. PERSONS ENGAGING IN BUSINESS, ETC. NOT COVERED.** Every person engaging in a business, occupation, profession or exhibition, substantial, fixed or temporary whether in a building, tent or upon the streets, vacant lot, or anywhere in the open air within the town, and not herein specifically designated, shall apply to the town commission for a ruling on the issuance of an occupational license and the establishment of a tax thereon. (Ord. No. 71, 8-22-72)

**SECTION 10-17. EFFECT OF ISSUANCE.** A license, when issued, shall be good for the particular business, profession, occupation or agent and at the particular address of business which is designated on the license, and for the person, firm, partnership or corporation to whom it was issued. (Ord. No. 71, 8-22-72)

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**SECTION 10-18. SUSPENSION OR REVOCATION.** The town commission may revoke or suspend the license of any firm, corporation or person which is found guilty, after a hearing, of:

- (a) Maintaining a nuisance on the licensed premises.
- (b) Maintaining licensed premises in an unsanitary manner, or which are not approved as sanitary by the Brevard County or the Florida State Board of Health, Hotel Commission, or other authorities having jurisdiction thereof.
- (c) Engaging in or permitting disorderly conduct on the licensed premises.
- (d) Engaging in or permitting gambling in any form on the licensed premises. If any of the implements, devices or apparatus commonly used in games of chance in gambling houses or by gamblers, are found in any licensed house, room, booth, shelter or other place, it shall be prima facie evidence that the licensed premises, house, room, booth, shelter or other place where the same are found is kept for the purpose of gambling. The term gambling is set forth in Section 849.08, Florida Statutes. (Ord. No. 71, 8-22-72)

**SECTION 10-19. SCHEDULE OF FEES.** The amount of occupational license tax levied and imposed upon each person or entity who shall engage in or manage any business, profession, privilege or occupation hereinafter mentioned, within the Town, is hereby fixed, graded, determined and imposed at the following rates or amounts:

- (1) Any business licensed by the Town Commission to operate from a residential address in town when the principle of the business is a legal resident at that address.

\$20.00
- (2) SERVICES, Services include but are not limited to: accountants, agents, salespersons/ reps., mail order, caterers (but not on site food service), interior decorators, doctors (but not hospitals or clinics with in-patient facilities), dentists, veterinarians (but not animal hospitals with boarding facilities), professional offices (attorneys, architects, engineers, etc.), consultants, contractors, barber shops, beauty parlors, laboratories, financial offices (banks, brokers, securities sales, etc.), and trade service establishments (printer, repair shops, photography service and supply, etc. )

50.00

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## **(3) RESTAURANTS**

first 100 seats.	50.00
Each additional seat.	.25

## **(4) COIN OPERATORS (Includes laundromats, video parlors, etc.)**

License	50.00
Each machine, additional	10.00

## **(5) APARTMENT HOUSES**

First three (3) units	20.00
Each additional unit	5.00

## **(6) RECREATION FACILITIES**

Permanent (Bowling alleys, pool rooms, etc.)	50.00
Temporary (Carnivals, circuses, etc.)	1,000.00

## **(7) HOTELS, MOTELS, ETC.**

First five (5) units.	50.00
Each additional unit	5.00

## **(8) HOSPITALS, NURSING, CONVALESCENT, OR RETIREMENT HOMES**

Twenty five (25) beds or fewer	25.00
Over twenty five (25) beds	50.00

## **(9) SCHOOLS**

(Not for profit)	50.00
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(10) SANITATION SERVICES

(With office in Town) 100.00

(11) MERCHANTS, previous year's annual sales of:

Under \$50,000. 25.00

50,001. to 200,000. 50.00

200,000. to 500,000. 75.00

500,000. to 1,000,000. 100.00

Each additional 500,000. 50.00

Newly established, first year 25.00

(12) NON-PROFIT ENTITIES

No fee required

(13) TRANSPORTATION

(a) TAXI SERVICE, when taxi phone is located in Town 50.00

(b) TAXI CABS, When taxi stand is located in Town, each taxi 10.00

(c) BUS STATION 50.00

(d) CARS FOR HIRE, CAR RENTAL SERVICE  
Each car 10.00

(14) SPIRITUALIST, ASTROLOGER, MEDIUM, FORTUNE TELLER, PALM READER  
ETC.

1,000.00

(15) UNCLASSIFIED Any person engaging in a business, occupation, profession, or  
avocation in which merchandise is sold or a service is rendered, for compensation, and not  
otherwise specifically provided for.

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(a) Fee to be determined by Commission upon application for license.

**SECTION 10-20. EXEMPTIONS.** The following shall be exempt from the provisions of this chapter.

(1) Any business operated from a residential address when the principle of the business is a legal resident of that address which generates total annual revenue of less than \$600.00, unless the nature of the business is such that it is required by any other portion of the Code of the Town or any other agency having jurisdiction in the Town to be licensed.

(2) Garage sales as provided for and limited elsewhere in the Code.

**SECTION 10-21.ADMINISTRATIVE PROCEDURES.** The Town Commission shall authorize the keeping of such records as shall be necessary to implement this chapter.

**Editors note:** Ordinance Number 89-7 repealed Section 10-19 in it's entirety and replaced with new Section 10-19 and added Section 10-20 and Section 10-21.  
09/25/89