

## CHAPTER 16

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## ARTICLE I

### Business, General Provisions

**§16-101** Title. The Title of the ordinance shall be "The Chatham County Business/Occupational Tax Ordinance."

**§16-102** Levy of Business Tax. For the year 1995 and succeeding years, each person engaged in any business, occupation, or profession in the unincorporated limits of Chatham County, Georgia, whether from a fixed location in Chatham County or as an out-of-state business with no location in Georgia but which exerts substantial efforts within the state and in the unincorporated limits of Chatham County jurisdiction, pursuant to O.C.G.A. §48-13-7, shall pay to Chatham County a business tax according to the provisions of this Article.

**§16-103** Purpose and Scope of Tax. The business tax levied herein is for revenue purposes only and is not for regulatory purposes. The business tax applies only to businesses and occupations which are covered by the provisions of O.C.G.A. §48-13-5 through §48-13-26. Other applicable businesses and occupations are subject to, Chatham County taxes pursuant to pertinent general law and/or Chatham County ordinance.

**§16-104** Definitions. The following words and terms shall have the meanings shown below when used in this Article:

1. Business. Any person, corporation, partnership, or other legal entity which exerts substantial efforts within the unincorporated limits of Chatham County, engages in, causes to be engaged in, and/or represents or holds out to the public to be engaged in any occupation or activity with the object of gain or benefit, either directly or indirectly.
2. Business Tax. A tax levied for revenue raising purposes on persons, firms, partnerships, corporations, and other entities for engaging in a business, occupation, or profession.
3. Administrative Fee. A component of a business tax which approximates the reasonable cost of registering, renewing, handling, processing, and enforcement the business tax, and issuing the business tax certificate.
4. Regulatory Fee. A regulatory fee, as provided under O.C.G.A. §48-13-9, is any payment to Chatham County, whether designated as a license fee, permit fee, or by another name, which Chatham County requires as an exercise of its police power and as a part of or an aid to regulation of a business, occupation, or profession. The amount of a regulatory fee

shall approximate the reasonable cost of the actual regulatory activity performed by Chatham County. Businesses subject to regulatory fees are identified in Section 16-131 of this Article, entitled Regulatory Fees and References. A regulatory fee may not include an administrative fee. Development impact fees as defined by O.C.G.A. §36-71-2(8), or other costs of zoning or land development are not regulatory fees.

5. Business Tax Certificate.

- a. The document issued by the Chatham County Inspections Department to a business, occupation, or profession which gives evidence of compliance with the requirements of this Article and payment of a business tax for the year. The certificate shows name and address of the business, business type, and other pertinent information, but not the amount of tax paid. The name in which a business is transacted and advertised must be the same as the name in which the tax certificate is issued.
- b. Businesses applying for new tax certificate that shows "Inc." or "Incorporated" in the business name must submit a copy of \*state incorporation acceptance certificate, or copy of yearly renewal form, showing the incorporated name as registered in the state. Business name will not reflect "Inc." unless this document is on file. (\* Does not necessarily have to be Georgia).

6. Gross Receipts.

- a. Inclusions. Gross receipts means the total revenue of the business or practitioner for the period, including but not limited to the following:
  - i. Total income produced from within the State of Georgia, whether produced from inside or outside the County unincorporated limits, unless the business or practitioner has already paid a business or occupation tax on the income produced outside the County;
  - ii. Total income without deduction for cost of goods or expenses incurred;
  - iii. Gain from trading in stocks, bonds, capital assets, or instruments of indebtedness;
  - iv. Proceeds form commissions on the sale of property, goods or services;
  - v. Proceeds from fees for services rendered; and

- vi. Proceeds from rent, interest, royalty, or dividend income.
- b. Exclusions. Gross receipts shall not include the following:
  - i. Sales, use, or excise tax;
  - ii. Sales returns, allowances, and discounts;
  - iii. Proceeds from sales to customers outside the State of Georgia;
  - iv. Payments made to a subcontractor or an independent agent;
  - v. Gross income on alcoholic beverage sales covered by alcohol license;
  - vi. Interorganizational sales or transfers between or among the units of a parent-subsidary controlled group of corporations as defined by 26 U.S.C. §1563 (a) (1) , or between or among the units of a brother-sister controlled group of corporations as defined by 26 U.S.C. §1563 (a) (2), or between or among wholly owned partnerships or other wholly owned entities;
  - vii. Governmental and foundation grants, charitable contributions, or the interest income derived from such funds received by a nonprofit organization which employs salaried practitioners otherwise covered by this ordinance, if such funds constitute 80 percent or more of the organization's receipts;
  - viii. State of local authority or nonprofit organization.
- 7. Refunds. Refunds will be made for new tax certificate fees paid in advance, but denied by issuing agent. No other refunds may be made for tax certificates issued under the provision of this Ordinance, except by the direction of the Board of Commissioners.
- 8. Business Location. Shall include any structure or vehicle where a business profession, or occupation is conducted, but shall not include a temporary or construction work site which serves a single customer or project or a vehicle used for sales or delivery by a business or practitioner of a profession or occupation which has a location or office.

9. Dominant Business Activity. The activity which is the major source of income of a business that conducts multiple activities. Such dominant business activity represents the largest percentage of business revenues but may not represent a majority of revenues. Businesses are classified according to dominant business activity.
10. Practitioner of Profession or Occupation. A person who is licensed and regulated by the State of Georgia for engaging in a profession or occupation. For purposes of this Article, practitioners of a profession or occupation shall not include a practitioner who on an annual basis is an employee of a business and the business pays a business tax pursuant to this Article.
11. Seasonal Business. A business that is conducted exclusively during a time of the year marked by a special activity or season. Businesses that are recognized as seasonal will not be required to renew their tax certificate by the yearly deadline, will have no proration of fees, and no late penalty. They are identified in the classification schedule by an "S" following the SIC code number.

**§16-105** Business Tax Fee Structure.

1. Administrative Fee. A nonproratable, nonrefundable administrative fee, as provided in the Business Tax Schedule, Section 5 of this Article, shall be required on all general business tax accounts for the initial application, renewal, handling, processing, and enforcement of those accounts. Such administrative fee shall be included in the business tax amounts shown in the Business Tax Schedule.
2. Business Tax.
  - a. A business tax shall be levied upon those businesses with one or more locations or offices in the unincorporated area of Chatham County and upon the applicable out-of-state businesses with no location or office in Georgia pursuant to O.C.G.A. §48-13-7, based upon gross receipts of the business or practitioner in combination with the profitability ratio for the type of business, occupation, or profession as measured by nationwide averages.
  - b. Classification by NAICS. Businesses and professions within the unincorporated area of Chatham County shall be classified by dominant business activity into occupation groups according to the classification set forth in the North American Industry Classification System, published by the U. S. Government, Executive Office of the President, Office of Management and Budget. See

classification schedule, Section 16-133. (Amended January 22, 1999)

- c. **Business Profitability Classes.** Businesses shall be assigned to profitability classes by the first two digits of the North American Industry Classification System (NAICS) number. Profitability classes shall reflect business profitability ratios, as measured by nationwide averages derived from statistics, classifications, or other information published by the U.S. Office of Management and Budget, the U.S. Internal Revenue Service, or successor agencies. The six profitability classes with tax rates expressed as decimals are incorporated into the Business Tax Schedule in Section 16-106. (Amended January 22, 1999)

<b>TAX RATE ON GROSS RECEIPTS</b>	
<u>PROFITABILITY CLASS</u>	<u>BRACKETS (PER \$1,000)</u>
A	\$ .17
B	.27
C	.37
D	.47
E	.57
F	.67

(Amended 27 June 1997)

2. Business Tax on Professions. Each person engaged in the practice of a profession as described in O.C.G.A. §48-13-9(c)(1) through (18); each attorney; physician; osteopath; chiropractor; podiatrist; dentist; optometrist; psychologist; veterinarian; landscape architect; land surveyor; physiotherapist; public accountant; embalmer; funeral director; civil, mechanical, hydraulic, or electrical engineer; architect; marriage and family therapist, social worker, and professional counselor practicing such profession, whether individually or as a member of a firm, partnership, or corporation, shall elect as such person's entire business or occupation tax one of the following:
- a. The business tax based on gross receipts combined with profitability ratios as set forth in paragraph A of this Section 16-105.
- b. A fee of \$400 per practitioner licensed by the State, such tax to be paid only at the practitioner's principal office or location. A practitioner paying a fee according to this paragraph shall not be required to provide information to Chatham County relating to gross receipts of the business or practitioner. The per - practitioner fee applies to each person in the business

who qualifies as a professional practitioner under the State's regulatory guidelines and framework.

This election is to be made on an annual basis and must be done by the business tax return due date each year.

No business tax on professions shall be assessed or collected from any practitioner of a profession whose office is maintained by and who is employed in practice exclusively by the United States, the State of Georgia, a municipality or county of the State, or instrumentalities thereof.

§16-106 Business Tax Schedule. The business tax amounts, including administrative fee, for the various brackets or ranges of gross receipts in each profitability class are shown below:

**CHATHAM COUNTY, GEORGIA  
Business Tax Schedule - 1995  
PROFITABILITY CLASS A**

**(Class = \$0.27 per \$1, 000. of Gross Receipts)  
Includes administrative fee of \$75.00**

GROSS RECEIPTS BRACKETS			TAX	GROSS RECEIPTS BRACKETS			TAX
BRACKET	RANGE IN DOLLARS			BRACKET	RANGE IN DOLLARS		
1	\$1 - \$	30,000...	\$ 79.	9	2,000,001 -	3,000,000...	750.
2	30,001 -	100,000...	93.	10	3,000,001 -	4,000,000...	1020.
3	100,001 -	200,000...	116.	11	4,000,001 -	5,000,000...	1290.
4	200,001 -	300,000...	143.	12	5,000,001 -	6,000,000...	1560.
5	300,001 -	500,000...	183.	13	6,000,001 -	8,000,000...	1965.
6	500,001 -	750,000...	244.	14	8,000,001 -	10,000,000...	2505.
7	750,001 -	1,000,000...	311.	15	10,000,001 -	and over ...	3045.
8	1,000,001 -	2,000,000...	480.				

**CHATHAM COUNTY, GEORGIA  
Business Tax Schedule - 1995  
PROFITABILITY CLASS B**

**(Class = \$0.27 per \$1, 000. of Gross Receipts)  
Includes administrative fee of \$75.00**

GROSS RECEIPTS BRACKETS			TAX	GROSS RECEIPTS BRACKETS			TAX
BRACKET	RANGE IN DOLLARS			BRACKET	RANGE IN DOLLARS		
1	\$1 - \$	30,000...	\$ 81.	9	2,000,001 -	3,000,000...	1000.
2	30,001 -	100,000...	99.	10	3,000,001 -	4,000,000...	1370.
3	100,001 -	200,000...	131.	11	4,000,001 -	5,000,000...	1740.
4	200,001 -	300,000...	168.	12	5,000,001 -	6,000,000...	2110.
5	300,001 -	500,000...	223.	13	6,000,001 -	8,000,000...	2665.
6	500,001 -	750,000...	306.	14	8,000,001 -	10,000,000...	3405.
7	750,001 -	1,000,000...	399.	15	10,000,001 -	and over ...	4145.
8	1,000,001 -	2,000,000...	630.				

**CHATHAM COUNTY, GEORGIA  
Business Tax Schedule - 1995  
PROFITABILITY CLASS C**

**(Class = \$0.27 per \$1, 000. of Gross Receipts)  
Includes administrative fee of \$75.00**

GROSS RECEIPTS BRACKETS			TAX	GROSS RECEIPTS BRACKETS			TAX
BRACKET	RANGE IN DOLLARS			BRACKET	RANGE IN DOLLARS		
1	\$1 - \$	30,000...	\$ 82.	9	2,000,001 -	3,000,000...	1250.
2	30,001 -	100,000...	106.	10	3,000,001 -	4,000,000...	1720.
3	100,001 -	200,000...	146.	11	4,000,001 -	5,000,000...	2190.
4	200,001 -	300,000...	193.	12	5,000,001 -	6,000,000...	2660.
5	300,001 -	500,000...	263.	13	6,000,001 -	8,000,000...	3365.
6	500,001 -	750,000...	369.	14	8,000,001 -	10,000,000...	4305.
7	750,001 -	1,000,000...	486.	15	10,000,001 -	and over ...	5245.
8	1,000,001 -	2,000,000...	780.				

**CHATHAM COUNTY, GEORGIA  
Business Tax Schedule - 1995  
PROFITABILITY CLASS D**

**(Class = \$0.27 per \$1, 000. of Gross Receipts)  
Includes administrative fee of \$75.00**

GROSS RECEIPTS BRACKETS			TAX	GROSS RECEIPTS BRACKETS			TAX
BRACKET	RANGE IN DOLLARS			BRACKET	RANGE IN DOLLARS		
1	\$1 - \$	30,000...	\$ 84.	9	2,000,001 -	3,000,000...	1500.
2	30,001 -	100,000...	112.	10	3,000,001 -	4,000,000...	2070.
3	100,001 -	200,000...	161.	11	4,000,001 -	5,000,000...	2640.
4	200,001 -	300,000...	218.	12	5,000,001 -	6,000,000...	3210.
5	300,001 -	500,000...	303.	13	6,000,001 -	8,000,000...	4065.
6	500,001 -	750,000...	431.	14	8,000,001 -	10,000,000...	5205.
7	750,001 -	1,000,000...	574.	15	10,000,001 -	and over ...	6345.
8	1,000,001 -	2,000,000...	930.				

**CHATHAM COUNTY, GEORGIA  
Business Tax Schedule - 1995  
PROFITABILITY CLASS E**

**(Class = \$0.27 per \$1, 000. of Gross Receipts)  
Includes administrative fee of \$75.00**

GROSS RECEIPTS BRACKETS			TAX	GROSS RECEIPTS BRACKETS			TAX
BRACKET	RANGE IN DOLLARS			BRACKET	RANGE IN DOLLARS		
1	\$1 - \$	30,000...	\$ 85.	9	2,000,001 -	3,000,000...	1750.
2	30,001 -	100,000...	119.	10	3,000,001 -	4,000,000...	2420.
3	100,001 -	200,000...	176.	11	4,000,001 -	5,000,000...	3090.
4	200,001 -	300,000...	243.	12	5,000,001 -	6,000,000...	3760.
5	300,001 -	500,000...	343.	13	6,000,001 -	8,000,000...	4765.
6	500,001 -	750,000...	494.	14	8,000,001 -	10,000,000...	6105.
7	750,001 -	1,000,000...	661.	15	10,000,001 -	and over ...	7445.
8	1,000,001 -	2,000,000...	1080.				

**CHATHAM COUNTY, GEORGIA  
Business Tax Schedule - 1995  
PROFITABILITY CLASS F**

**(Class = \$0.27 per \$1, 000. of Gross Receipts)  
Includes administrative fee of \$75.00**

GROSS RECEIPTS BRACKETS			TAX	GROSS RECEIPTS BRACKETS			TAX
BRACKET	RANGE IN DOLLARS			BRACKET	RANGE IN DOLLARS		
1	\$1 - \$	30,000...	\$ 87.	9	2,000,001 -	3,000,000...	2000.
2	30,001 -	100,000...	125.	10	3,000,001 -	4,000,000...	2770.
3	100,001 -	200,000...	191.	11	4,000,001 -	5,000,000...	3540.
4	200,001 -	300,000...	268.	12	5,000,001 -	6,000,000...	4310.
5	300,001 -	500,000...	383.	13	6,000,001 -	8,000,000...	5465.
6	500,001 -	750,000...	556.	14	8,000,001 -	10,000,000...	7005.
7	750,001 -	1,000,000...	749.	15	10,000,001 -	and over ...	8545.
8	1,000,001 -	2,000,000...	1230.				

**§16-107** Business Tax Restrictions and Authorizations.

1. No business or practitioner shall be required to pay more than one business tax for each of its locations.
2. No business tax will be required upon more than 100 percent of a business's gross receipts classification.
3. A business tax *shall* be required from real estate brokers, agents, or companies whose offices are located outside the taxing jurisdiction and who sell property inside the taxing jurisdiction (O.C.G.A. §48-13-17).

Any business which is registered with Chatham County and pays a business tax based on gross receipts in combination with profitability ratios shall be permitted to conduct its same business activities from a temporary site (a) during recognized public festivals and (b) with a group of registered dealers in a "show" arrangement, provided that any such temporary site shall meet all Chatham County zoning and building code requirements. This provision shall not apply to alcoholic beverage dealers (Chatham County Alcoholic Beverages Code), nor to any other business regulated by Chatham County.

**§16-108** Business Tax Certificate Required. No person shall conduct business from a location within the unincorporated limits of Chatham County without first registering with the County Inspections Department within thirty days of commencing the business activity. Each location shall be considered a separate business for purposes of this Article. Upon payment by the business of required business tax, the Inspections Department shall issue a business tax certificate to the business. (Amended October 8, 1999)

The business owner shall display such business tax certificate in a conspicuous place within the business premises, if the taxpayer has a permanent business location in Chatham County jurisdiction. If the taxpayer has no permanent business location in Chatham County, such business tax certificate shall be kept on the person or within the vehicle of the registered business.

Any business tax certificate issued under this Article shall be shown upon demand to any authorized employee of the Inspections Department, Police Department, or other County Department engaged in performing its authorized function. If any person should fail or refuse to show a business tax certificate upon demand of any authorized County employee, such person shall be in violation of this Article.

Any business which is registered with Chatham County and pays a business tax based on gross receipts in combination with profitability ratio shall be permitted to conduct its same business activities from a temporary site (a) during recognized public festivals and (b) with a group of registered dealers in a "show" arrangement, provided that any such temporary site shall meet all Chatham County zoning and building code requirements. This provision shall not apply to alcoholic beverage dealers (Chatham County Alcoholic Beverages Code), nor to any other business regulated by Chatham County.

**§16-109**    Business Tax Returns; Procedures.

1. Return to be filed. All business taxes levied under this Article (except for professionals electing to pay a flat fee) are levied on the gross receipts of the current calendar year. However, for convenience of both Chatham County and the taxpayer, each business subject to the business tax shall, on or before March 1 of the current calendar year, file with the Inspections Department, a signed return showing the gross receipts bracket representing the total actual income of that business during the preceding calendar year. This return shall be used to determine the final tax for the calendar year just completed and as an estimate of the gross receipts and business tax for the current year. The tax return for professionals shall show the election to pay either on gross receipts or a flat fee.
2. Operation for part of preceding year. Where a business has been in operation for only a part of the preceding year, the amount of gross receipts for such part shall be reported in said return. The return shall also show a figure putting the receipts for such part of a year on an annual basis with the part-year receipts bearing the same ratio the whole-year receipts as the part year bears to the whole year. Said figure shall be the estimate of gross receipts of the business for the current calendar year in establishing the business tax liability.
3. New business. In the case of a new business which did not operate for any period of time within the unincorporated limits of Chatham County during the preceding year, the owner or other person liable for business tax shall estimate on an application form the gross receipts bracket representing revenues from the date business is to begin within Chatham County to the end of the calendar year. Business tax on such estimate shall be paid within thirty days of commencement of the business activity. (Amended October 8, 1999)
4. Prorated Business Tax. New tax certificates issued between July 1 and December 31, shall have Business Tax prorated to

one-half ( $\frac{1}{2}$ ) of the yearly rate, unless otherwise stated in this ordinance. Administrative fees, Regulatory fees, businesses designated as seasonal are not proratable.

5. Payment of tax. Based on the gross receipts bracket identified on the above-described return, each business shall determine the business tax amount for its profitability class from the Business Tax Schedule provided by the Inspections Department with the return form. Such business shall submit payment of that tax amount along with the return by the due date prescribed by this Article.
6. Underpayment of tax. If the amount of business tax paid for the preceding year based on the prior year's estimate is less than the amount of business tax due for the preceding year based on gross receipts reported on the current year's return, the difference shall be due and payable. The Inspections Department will calculate the additional tax due for the preceding year, using the tax rate for that year, and will issue a bill for that amount. Such bill shall be due and payable within 30 days of the date rendered.
7. Overpayment of tax. If the amount of business tax paid for the preceding year based on the prior year's estimate exceeds the amount of business tax due for the preceding year based on gross receipts reported on the current year's return, the difference is refundable to the taxpayer. The Inspections Department will calculate the amount of overpayment for the preceding year, using the tax rate for that year, and will initiate a request for refund of that amount.

**§16-110** Duration of Business Tax Certificate. Each business tax certificate shall be for the calendar year 1995, or the remaining portion thereof, and each succeeding calendar year. Such certificate shall expire on December 31 of the year of issuance; provided, however, that a registered business may continue to operate on its previous year's expired certificate until the due date for renewal.

**§16-111** Due Date. Business taxes, and any applicable regulatory fees shall be due and payable in full to the Inspections Department as of January 1 of each year and shall, if not paid by March 1 of each year, be subject to delinquency penalties as prescribed in this Article. On any new business or profession begun in the unincorporated area of Chatham County in 1995 or succeeding years, the tax shall be delinquent if not paid within thirty days of commencing the business or professional activity in Chatham County. (Amended October 8, 1999)

**§16-112** Delinquency Fees. Where registration and payment of business tax is past due and unpaid, a delinquency fee of the greater of \$25 or ten percent (10%) of the amount due shall be imposed from the due date. Any business which fails to register and pay a business tax within thirty days of engaging in business within the Chatham County jurisdiction shall be considered delinquent and shall, in addition to the above, be subject to an additional fee fifty percent (50%) greater than the tax fee due for a full year, except businesses that are classified as *seasonal*. (Amended October 8, 1999)

Any business, including, but not limited to; owner, corporation, partnership or other legal entity that declares to be out of business, or fails to renew their tax certificate, then later, (within one year) reapplies for, or has an immediate family member to apply for a new tax certificate for the same or similar classification under the same or different business name, shall pay the full year's tax certificate fee in addition to applicable late penalties.

**§16-113** Penalty for Violation.

1. If any person transacts or offers to transact business within the unincorporated area of Chatham County without first having registered and paid the business tax, and if any person transacts or offers to transact business within the unincorporated limits of Chatham County after said business tax becomes delinquent, such offender shall, upon conviction in either the Magistrate Court of Chatham County or the Recorder's Court of the City of Savannah and Chatham County, be punished by a fine not to exceed \$500, or sentenced to confinement in jail for not more than 30 days, either or both, in the discretion of the Magistrate Court Judge or the Recorder's Court Judge. (Amended December 1, 2017)

**§16-114** Business Tax on Business with No Location in Georgia. A business tax is hereby imposed on those businesses and practitioners of professions with no location or office in the State of Georgia if the business's largest dollar volume of business in Georgia is in the unincorporated limits of Chatham County and the business or practitioner:

1. Pursuant to O.C.G.A. §48-13-7, has one or more employees or agents who exert substantial efforts within the unincorporated area of Chatham County for the purpose of soliciting business or serving customers or clients; or
2. Owns personal or real property which generates income and which is located within the unincorporated limits of Chatham County.

Out-of-state businesses with no location in Georgia shall be assessed business taxes based on the gross receipts of the business as defined in O.C.G.A. §48-13-7 which are reasonably attributed to sales or services in the state of Georgia.

**§16-115** Allocation of Gross Receipts of Business with Multiple Intra- or Interstate Locations. For those businesses that have multiple locations inside and outside of the unincorporated limits of Chatham County, where the gross receipts can be allocated to each location, the gross receipts used to determine the business tax assessed will be those gross receipts distributed to each location within the jurisdiction of Chatham County. Where the dollar amount of gross receipts attributed locally cannot be determined in those businesses with multiple locations, the total gross receipts will be divided by the total number of locations in Chatham County and elsewhere and allotted to those locations. Upon request, the business or practitioner with a location of office situated in more than one jurisdiction shall provide to the Inspections Department the following:

1. Financial information necessary to allocate the gross receipts of the business or practitioner; and
2. Information relating to the allocation of the business's or practitioner's business tax assessed by other local governments.

Where the business has locations outside of the unincorporated limits of Chatham County and taxation is levied for a criteria other than gross receipts in the other local governments, Chatham County shall not tax more than the allotted share of gross receipts for the local operation.

**§16-116** Exemption for Non-profit Charitable Organizations. No person or firm on which a business tax is levied by this Article shall be exempt from said tax on the ground that such business is operated for a charitable purpose unless 50 percent or more of the entire proceeds from said business are devoted to such purpose. This exemption shall not apply to any such organization conducting business in an industry which is regulated by Chatham County ordinance. A non-profit charitable organization is defined as an organization which is classified as non-profit by the Federal Internal Revenue Service and is exempt from Federal Income Taxes under Internal Revenue Service regulations. The Inspection Department may require evidence of allocation of income to charitable purpose and evidence of tax exempt status before exemption is granted. Exemption from registration and payment of business tax does not exempt any such business from compliance with Chatham County's zoning, building code, and other regulations. Any

exemption granted shall be subject to revocation in the event any said organization should fail to maintain its tax exempt status.

**§16-117** Veteran's Certificate of Exemption. Each person operating a business in Chatham County jurisdiction under a Veteran's Certificate of Exemption issued by the State of Georgia, Department of Veterans Service, shall before conducting such business file with the Inspections Department an application for a free business tax certificate on a form furnished by the Inspections Department. Such application shall provide the name of the veteran, location of the proposed business, and other pertinent information about the operations of such business. An application for a free business tax certificate shall be subject to the same conditions for approval as regular business tax certificate. No person other than the applicant may be employed by such business.

**§16-118** Vocational Rehabilitation Exemption. Each person operating a business in the Chatham County jurisdiction as a client of the State Department of Education, Division of Vocational Rehabilitation, after being certified by such agency, shall before conducting business file an application for a free business tax certificate with the Inspections Department on a form furnished by the Inspections Department. Such application shall provide the name of the client, location of the proposed business, and other pertinent information regarding the operation of such business. Such application for a free business tax certificate shall be subject to the same conditions for approval as regular business tax certificate. No person other than the applicant may be employed by such business.

**§16-119** Free Permit for Charitable or Religious Solicitor, Solicitor for Subscriptions. Pursuant to the Transient Merchant, Peddler, and Solicitor Ordinance, the Inspections Department is authorized to issue a permit, as defined by Chatham County Code, Article III, Section 16-302, paragraphs #2 and #3, to any qualifying solicitor for charitable or religious purposes, as defined by Section 16-302, paragraph (6) of Code, and to any solicitor for subscriptions, as defined by paragraph (7) of said Code section. Application shall be made on forms to be provided by the Inspections Department. Said permit shall be free of charge, except that there shall be a \$25.00 administrative fee to defray administrative costs of issuing a permit.

**§16-120** Evidence of State Licensing Required If Applicable. Each person who is required to be licensed by the State of Georgia pursuant to O.C.G.A., Title 43, shall provide evidence of

proper and current state licensing before any initial Chatham County business tax certificate may be issued.

**§16-121** Evidence of Qualification Required If Applicable. Any person required to obtain health permits, bonds, certificates of qualification, certificates of competency, or any other regulatory matter shall first, before the issuance of a Chatham County business tax certificate, show evidence that such requirements have been met.

**§16-122** Businesses Not Covered by this Article. The following businesses are not covered by the provisions of this Article but may be assessed a business tax or other type of tax pursuant to the provisions of other general laws of the State of Georgia or by local law:

1. Alcoholic beverage establishments governed by Chatham County Code, Article I, Chapter 17, and Section 16-129 of this Article.
2. Insurance companies governed by O.C.G.A. 933-8-8, et seq., and Section 16-130 of this Article.
3. Depository financial institutions governed by O.C.G.A. §48-6-93, and Section 16-131 of this Article.
4. Those businesses regulated by the Georgia Public Service Commission.
5. Those electrical service businesses organized under O.C.G.A. Title 46, Chapter 3.
6. Any farm operation for the production from or on the land of agricultural products, but not including agribusiness.
7. Cooperative marketing associations governed by O.C.G.A. §2-10-105.
8. Motor common carriers governed by O.C.G.A. §46-7-15.
9. Those businesses governed by O.C.G.A. §48-5-355. (Businesses that purchase carload lots of guano, meats, meal, flour, bran, cottonseed, or cottonseed meal and hulls.)
10. Facilities operated by a charitable trust governed by O.C.G.A. §48-1355.
11. Agricultural products and livestock raised in the State of Georgia governed by O.C.G.A. §48-5-356.

The Inspections Department may require any business claiming not to be covered by the provisions of this Article to provide specific and detailed evidence showing such non-coverage.

**§16-123** Business Tax Inapplicable Where Prohibited by Law or Provided for Pursuant to Other Existing Law. A business tax shall not apply to any part of a business where such levy is prohibited or exempted by the laws of Georgia or of the United States.

**§16-124** Gross Receipts Information Confidential. Except for judicial or other proceedings necessary to collect the business tax hereby levied, it shall be unlawful for any officer, employee, agent, or clerk of Chatham County, or any other person to divulge or make known in any manner the amount of gross receipts or the gross receipts bracket set forth or disclosed in any business tax return required under this Article, or the amount of business tax paid if based on gross receipts. Gross receipts information shall be confidential and open only to the officials, employees, agents, or clerks of Chatham County using said information for the purpose of this business tax levy and collection of the tax. Independent auditors or bookkeepers employed by Chatham County shall be classed as "employees" and told of this confidentially requirement. Nothing herein shall be construed to prohibit the publication by County officials of statistics and other business information, classified and presented in such a manner so as to prevent the disclosure of the gross receipts of particular businesses. Nothing herein shall be construed to prohibit inspection of business tax records, including gross receipts information, by duly qualified employees of the tax departments of the State of Georgia, the United States, and other local governments.

**§16-125** Authority to Enter Business. For the purpose of classifying business activity or otherwise administering this Article, the Inspections Department, through its officers, agents, employees, or representatives shall have authority to enter any business premises at any reasonable time during regular business hours when said business is open to the public, or at another time arranged with the business.

The Inspections Department, through its officers, agents, employees, or representatives, may inspect the books and records of a business for the purpose of determining the accuracy of the information provided on the returns and shall have the right to inspect the books and records of the business at the registered business location in Chatham County, Georgia. Further, upon request of the Inspections Department, such business shall submit books and records within 30 days to the Inspections Department office for

inspection by a representative of Chatham County. Failure to make such books and records available at the business location and failure to submit such books and records to the Inspections Department within thirty days if so requested shall be considered a violation of this Article.

Adequate records shall be kept or made available in Chatham County, Georgia, for examination by the Inspections Department.

If, after examination of the books or records, it is determined that a deficiency occurs as a result of under reporting, such deficiency, plus a penalty of 10 percent of the past due tax amount and shall be immediately paid by the business.

**§16-126** Administrative and Enforcement Provisions; Authority to Require Financial Information. If at any time the Inspections Department has reason to believe that the dominant business activity has changed or has been misreported, or that the gross receipts bracket has changed or has been miscalculated or misreported, the Inspections Department may require the owner, operator, or an officer of such business to submit an affidavit setting forth under oath the dominant business activity and gross receipts bracket determined according to this Article.

The Inspections Department shall have authority to require any business to provide a copy of the page or section of its Federal and/or State income tax return which show gross income of the business, and to require that the owner, operator or an officer of the business certify under oath that such copy is true and correct. Any such required information shall be limited to that which discloses gross business income and any adjustments made to calculate the gross receipts reported to Chatham County for business tax purposes.

The Inspections Department shall have authority to require any business to provide a statement from a licensed and practicing Public Accountant (who is not an employee of the business), such statement to set forth and certify the gross receipts, or gross receipts bracket, upon which the business tax is based, along with a full and complete explanation of any adjustments to gross receipts.

All financial information provided by a business under this section shall be subject to the confidentiality provisions of Section 16-123 above.

Failure to provide such financial information to the Inspections Department within thirty days if so requested shall be considered a violation of this Article.

If examination of the financial information provided by a business shows that a deficiency occurs as a result of under reporting, such business shall immediately pay the deficiency, plus a penalty of ten percent (10%) of the past due tax amount.

**§16-127** Affidavit Authorized. If at any time during the tax year the Inspections Department has reason to believe that the dominant business activity has changed or has been misreported, or that the profitability ratio bracket has changed or has been miscalculated or misreported, the Inspections Department may require such business to submit a sworn affidavit setting forth under oath the dominant business activity and profitability ratio bracket as determined according to this Article.

**§16-128** Rules and Regulations. The Inspections Department shall have the power and authority to make and publish reasonable rules and regulations not inconsistent with this Ordinance or any other state or federal laws, for the administration and enforcement of the provisions of this Ordinance including the collection of the business/occupational tax fees hereunder.

**§16-129** Registration for Business Not Covered in Schedule. When for good and sufficient reasons it may become proper to require registration for business tax purposes of any person or persons, whether resident or non-resident, engaging or proposing to engage in a business or occupation within Chatham County jurisdiction, where such business activity is not specifically included in the Listing of Business Types, the Inspections Director may establish and implement an appropriate business category and a just and equitable business tax rate for such activity.

**§16-130** Requirement of Public Hearing Before Tax Increase. After January 1, 1996, the Chatham County Board of Commissioners shall conduct at least one public hearing before adopting any ordinance or resolution which will increase the business tax as set forth in this Article.

**§16-131** Suspension and Revocation. No business tax certificate issued under this Article shall be subject to revocation by the Commission Chairman and Board of Commissioners unless or until the registered business has been notified of the intention to revoke the same and said registered business has been afforded an opportunity to be heard as to the proposed grounds for revocation; provided, however, that in case of

denial, suspension, or revocation of any alcoholic beverage license, the provisions of the Chatham County Code, Section 17-118, shall apply.

**§16-132** Regulatory Fees and References.

1. Regulatory Fees. Any business of the type listed below operating within the unincorporated limits of Chatham County shall pay either a regulatory fee, or business tax, but not both to Chatham County or other jurisdiction:

<b>SIC</b>	<b>Business Type</b>	<b>Fee</b>
R7996	Amusement Park, Circus, Carnival - Itinerant (Ref.5)	\$200 per day
R7381	Auctioneer - Transient (Ref.35)	\$100 per day \$500 maximum
R7378	Auctioneer for Non-profit Organization Auction (Ref.7)	\$25 each auction
R5960	Book & Magazine Canvasser (Ref. 35) (Co. Code, Article II, Sec. 16-201 (Amend:1/25/91)	No Regulatory Fee \$25 Application Fee
R7319	Bus Stop Bench Advertising - annual fee	\$2.00 per bench
R5913	Drug Paraphernalia (Co. Code, Article II, Sec. 11-201 through 11-209).	\$150 annually
R7295	Escort Service (Ref. 30)	\$470 annually
R7999E	Fortune Teller (Ref.20)	\$1320 annually
R5969	Going Out of Business Sale, Distress Sale	\$240
R4953	Landfill (Co. Code, Article XII, Sec. 16)	No Regulatory Fee
R7299E	Massage Parlor, Masseuse (Massagist) (Ref. 27)	\$2000 annually
R8049	Massage Therapist (Ref. 39) (Amended April 24, 1998)	\$150 annually
R8049A	Massage Therapist - Grandfathered (Ref. 40) (Amended April 24, 1998)	\$150 annually
R6515	Mobile Home Park (Ref. 28)	\$5. per space up to 50 spaces, additional spaces @ \$15. ea. Maximum \$900.
R5998	Precious Metals Dealer - (Ref. 30) (Rev. 31)	\$150 per day, \$1,050 maximum annual fee
R5812	Eating Establishments/In conjunction w/Sunday Sales (Ref.2)(Ref.30)	No Regulatory Fee
R7999-N	Special Event (Ref. 33)	\$100 per/day,+ each vendor: \$10 per day
R7221A	Transient Merchant (Ref.30) (Ref.35)	\$110 per day, \$550 maximum fee
R7999S	Turkey Shoot (Ref. 30) (Ref. 32)	Seasonal/No Regulatory Fee

2. Regulatory References. The following regulatory references are separate and distinct from the business tax. References shall be used in conjunction with the reference numbers shown with individual business types in Section 16-133, Listing of Business Types.

1. Agriculture Department. Approval required before business license is issued for any food products not prepared for consumption by the seller. Including, but not limited to: Fruit/vegetable stand or mobile sales, seafood or meat sales to consumers.
2. Alcoholic Beverage Dealers. The licensing and sale of alcoholic beverages are regulated by the Chatham County Code, Article I, Section 17-101 through 17-121.
3. Amusement Devices. There shall be no decal, tax or fee required for individual amusement machines or devices (S.I.C. 7990 and S.I.C. 7993), and amusement devices restricted to adults (S.I.C. 7997 and S.I.C. 7994). Each location where such machines are placed for operation shall meet all County Zoning Regulations.
4. Amusement Devices, Coin-operated, Which Use is Restricted to Adults. The business tax prescribed shall be required when one or more movie machines or other machines are located in a premises or any portion thereof which is restricted to persons 18 years of age or older.
5. Amusement Park, Circus, Carnival - Itinerant. For a circus, carnival, or similar itinerant show or exhibition not presented within any regularly registered amusement park, theater, auditorium, arena, or building which is permitted to be used for the offering of entertainment for value, approval of the Health Department and the Inspections Department (zoning and electrical) shall be required before the business tax certificate may be issued. In addition, such itinerant show shall give evidence of compliance with the Code of Georgia, Section 43-1-15 O.C.G.A., as related to registered agent and insurance or bond, and shall submit with its registration application a hold-ha=less agreement addressed to the Chairman and Board of Commissioners of Chatham County.

The business tax may be waived when such carnival, circus, or exhibition is sponsored by a bona fide local non-profit organization under the following conditions: (a) evidence must be presented showing tax-exempt status of the sponsoring organization under Internal Revenue Service regulations, unless such organization is well-known and of long standing in the community, and (b) a sworn statement of intent to pay at

least 50% of net proceeds of the event to the sponsoring organization shall be submitted with license application.

6. Application Required Before Annual Renewal of Business Tax Certificate. Certain business classifications require annual application to be submitted for renewal. Application forms are mailed along with license renewal form.
7. Auctioneer for Non-Profit Organization Auction. This license shall be taken out by any auctioneer who is not otherwise licensed as an auctioneer by Chatham County and who conducts an auction in the County unincorporated limits solely for a non-profit tax exempt organization. Any non-profit organization sponsoring an auction has primary responsibility for ensuring that the auctioneer holds valid State and County licenses.
8. Bailbondsman. No business tax certificate shall be issued to a professional bail bondsman until applicant has complied with all regulations herein. Police Department approval is required.
9. Bed and Breakfast Inn. For the purposes of the Ordinance, a bedroom within a dwelling unit rented for lodging with breakfast to transient guests, provided such use shall be an incidental use within an owner-occupied principal dwelling structure. Zoning regulations shall apply. The sign requirements for such use shall be those established for home occupations.
10. Catering food. This business type is not authorized to sell alcoholic beverages. Tax certificate is not required for any tax certified restaurant providing catering services as a part of its business. Approval of the Health Department is required before a business tax certificate may be issued.
11. Chemical Spraying. Spraying or application of any pesticides, herbicides or "weed & feed" fertilizers in connection with any landscape or lawn maintenance classification, shall require a copy of current applicator certificate issued by the Dept. of Agriculture, before new or renewal tax certificate is issued yearly.
12. Child Day Care Center. Before a new business may be registered or a business tax certificate renewed, the Inspections Department shall review and check (for building codes, zoning, and fire inspection) , the Chatham County Health Department, and the Chatham County Department of Family and Children Services. An unfavorable recommendation from any one of these three agencies shall be grounds for withholding a business tax certificate; provided, however, that upon

timely correction of the defects upon which an unfavorable recommendation was based, a business tax certificate may be issued. Evidence of registration or licensing by the State of Georgia must be presented before Chatham County business tax certificate may be issued.

13. Contractors. General Contractors, Electrical, Plumbing, Razing, and Mechanical Contractors, House Movers. Business tax must be paid and business tax certificate issued before a permit may be issued or inspection services performed by the Inspections Department. Any contractor who may be required to pass a state qualification examination as referenced by the Chatham County Code must pass such examination before business tax certificate may be issued.
14. Detective Agency, Private Detectives, Watchmen, Security Guards, and Private Patrolmen. Application of such business for a business tax certificate must be approved by the police chief before a business tax certificate may be issued. County Code Article III, Section 10-301 through 10-306. State license is also required.
15. Disabled Veteran Certificate. A certificate is issued from the Probate Court to qualified Veterans and must be presented to the Inspections Department before a new or renewal business tax certificate may be issued.
16. Exterminator. Prior to issuance of a business tax certificate to engage in the business of extermination of rats, roaches, termites, or other such pests, the applicant therefore shall submit satisfactory evidence that applicant has been issued a license by the State of Georgia to engage in such business.
17. Fire Marshal. Approval from the County Fire Marshal is required on certain type businesses before a business tax certificate may be issued.
18. Flea Market. Booths in a bona fide flea market arrangement may be taxed individually or they may be taxed collectively under a single blanket business tax. The fee for a blanket business tax shall be calculated by multiplying the per-booth fee by the maximum number of booths to be occupied at any time, whether occupied at the time of tax or not. Incidental sale of prepackaged food items is authorized under this business tax; on-site preparation and serving of food or drink is not authorized and requires a restaurant tax certificate. Real jewelry - Gold, Silver or other precious metals or stones, new furniture, any personal services (ex: hair cuts, tattoo, etc.), any contractor or sub-contractor services (ex: installation of water purifier, installation of spa or any other such item being sold from flea market booth, sale of

pets or livestock are not covered under blanket business tax. Separate tax certificate for any of the above categories are required.

19. Food Service Permit. Application for business tax certificate to engage in the business of or which involves serving prepared foods from restaurants, lunch rooms, lunch counters, cook shops, boarding houses, day care centers, residential care facilities, food pushcarts, and any other such establishment serving or selling prepared foods, shall require a Food Service Permit from the Chatham County Health Department before business tax certificate may be issued.
20. Fortune Teller. Refer to Chatham County Code, Article V, Section 16-501 through Section 16-507.
21. Gasoline Service Station. The "per pump" tax certificate fee for any business selling gasoline or other motor fuels shall be based on the total number of hoses or nozzles at the service island.
22. Guns and Ammunition. All applications for a business tax certificate must be approved through the Zoning Administrator and Police Dept. Refer to Chatham County Code, Article II, Section 21-201 through Section 21-205.
23. Health Department. Application for tax certificate to engage in any business which involves serving prepared foods, child care facilities, and in-home health care units, shall be approved by the Chatham County Health Department before business tax certificate may be issued.
24. House Mover. Not including the right to raze, demolish or perform contracting work. Bond in the amount of \$2,000.00 must be filed with the Building Inspector of Chatham County before such license can be issued.
25. Landfills. (Co. Code, Article XII, Sec. 16-1201 through 16-1207). Copy of permit from the Ga. Dept. of Natural Resources. Approval from engineering dept. Affidavit completed by a CPA must be attached for business tax renewal.
26. Live Entertainment. Used in conjunction with a primary business, i.e., musical bands, comedy acts, etc. Also includes nude dancing (license must specify if nude dancing is included). See Zoning Ordinance, Section 2-2B and Use #61d for regulations and requirements.
27. Massage Parlor, Masseuse. Refer to County Code, Article Viii, Chapter 16, Sections 16-801 through 16-820.

28. Mobile Home Park. County Code requires all Mobile Home Parks to be inspected annually for code compliance before annual business tax certificate can be issued. See Code #9-101.
29. Pawn Shop, Pawnbroker. Before a business tax certificate may be issued to an applicant to engage in the business of pawnbroker. Zoning and police department approvals are required. See County Code Article XI, Section 16-1101 through 16-1109.
30. Police Department. Approval required before business tax certificate may be issued for certain business classifications, including, but not limited to: Alcoholic beverages, Sunday sales, Escort or dating service, Gun sales, Pawn brokers, Loan or Mortgage brokers, Detective agency or security guard service, All transient merchant & peddlers.
31. Precious Metal Dealers. Each precious metals dealer, whether local or transient, shall, as a condition to issuing of a business tax certificate by Chatham County, conform with all Georgia and local laws regulating buying and selling of precious metals and/or gemstones. Approval is required through zoning and police department.
32. Seasonal Business. Certain type businesses that are normally conducted for only a portion of the year. Businesses that are recognized as seasonal will not be required to renew their tax certificate by the yearly deadline, will have no proration of fees, and no late penalty. These include, but not limited to: Firewood sales, Fruit & Vegetables from stand or vehicle, Cut Flowers & House Plants from cart or stand, Christmas Tree & Pumpkin sales, ice Cream truck, Turkey Shoot, Certain Tax Preparation services, Chimney Sweeping or Cleaning. Seasonal businesses are identified in the classification schedule by an "S" following the SIC code.
33. Special Event. Activities conducted on County owned or privately owned property, including but not limited to parades, festivals, carnivals, fairs, concerts and rallies which may encompass one-day events as well as events spanning several days. Special events must be approved by the following persons to ensure compliance with the requirements contained herein and the Parade and Public Assembly Ordinance, if applicable: Zoning Administrator, Fire Marshal, Health Department, Police Department and the Director of Building Safety and Regulatory Services or his/her designee. The Director of Building Safety and Regulatory Services or his/her designee shall be responsible for reviewing compliance with the Parade and Public Assembly Ordinance. (Amended March 12, 2004)

34. State License Recruitment. Certain type businesses are required to hold, in addition to a local tax certificate, a Georgia State license. County tax certificate will not be issued until a copy of current state license is submitted yearly. Businesses required to hold a state license include, but not limited to:

- Auctioneer
- Automobile Dealer, Used
- Automotive Parts Dealer, Used
- Barber
- Beautician (Cosmetologist)
- Contractor - Electrical, Electric Signs
- Contractor - Low Voltage Alarm Systems
- Contractor - Low Voltage Communications Systems
- Contractor - Low Voltage Electrical, Unrestricted
- Contractor - Fire Protection Sprinkler Systems
- Contractor - Heating, Refrigeration, Air Conditioning
- Contractor - Plumbing
- Contractor - Prefabricated Building Erection/Installation
- Counseling Service - Personal)
- Counselor, Marriage and Family
- Day Care Center (SIC 8351, 8352, 8353, 8354)
- Exterminator, Pest Control Service
- Funeral Director
- Hearing Aid Dealer
- Motor Vehicle Dealer - New
- Polygraph Examiner
- Private Detective, Security Agency
- Professionals, as defined by State law
- Real Estate Agent (Broker)
- Warehouse (O.C.G.A. 10-4-10)

35. Transient Merchant, Peddler, and Solicitor. Refer to Transient Merchant, Peddler, and Solicitor Ordinance of County Code, Section 16-301 through Section 16-321.

By definition of Code Section 16-302, paragraph 2, a merchant is a person, firm or corporation, whether resident or non-resident of Chatham County, who has no permanent, regular place of business within the County and who engages in the business of selling or offering to sell goods or services from a temporary fixed place of business located within the County.

By definition of Code Section 16-302, paragraph 3, a peddler is a person who is a non-resident of the County who has no permanent, regular place of business within the County, and who engages in the business of selling or offering to sell goods or services by going from place to place within the County.

By definition of Code Section 16-302, paragraph 6, a solicitor is any person who solicits contributions from the public, either on the streets of the County or door-to-door, for any charitable or religious organization, and who does not sell or offer to sell any single item at a cost to the purchaser in excess of ten dollars (\$10.00).

36. Vending Machines. Each vending machine company, as a condition for holding a Chatham County business tax certificate, shall affix the company name to each vending machine placed on location within the unincorporated limits of Chatham County, so that the name of the owner can be clearly identified.
37. Wrecker Service. Refer to Chatham County Code, Article VI, Section 10-601 through Section 10-605 for regulatory ordinance.
38. Zoning. All business tax or license applications must be approved by the Zoning Administrator before further required approvals or issuance of tax certificate or license is processed.
39. Massage Therapist. Prior to the issuance of a business tax certificate to engage in the business of massage therapy, the applicant shall submit a certificate or diploma from an accredited or approved school or program. The school or program must be approved or accredited by American Massage Therapy Association (AMTA) Commission on Massage Therapy Accreditation (COMTA). Massage therapy is hereby defined as the systematic and scientific manipulation and treatment of soft tissues of the body, including but not limited to the use of effleurage, petrissage, pressure, friction, tapotement, kneading, vibration, range of motion stretches and any other soft tissue manipulation. This term shall not include diagnosis, the prescribing of drugs or medicines, spinal or joint manipulations or any service or procedure for which a license to practice is required by the State of Georgia. (Amended April 24, 1998)
40. Massage Therapist - Grandfathered. A Grandfathered Business Tax Certificate for a massage therapist or massage therapy business is hereby defined as one that can provide documentation or evidence of the following:

A valid Chatham County Business Tax Certificate for massagist, masseuse or massage parlor issued on or before January 1, 1997, and 125 hours of massage therapy experience/training on or before January 1, 1997. The applicant must be 18 years of age or older and provide three letters of professional reference. The regulatory fee structure shall apply to

business years beginning January 1, 1997. (Amended April 24, 1998)

§16-133 Classification Schedule.

<u>BUSINESS DESCRIPTION</u>	<u>S.I.C. CODE</u>	<u>PROFIT-ABILITY CLASS</u>
(A)		
ADVERTISING AGENTS (NO PRORATION)	7311	C
ADVERTISING: BILLBOARDS, FENCES, BLDGS, ETC.	7312	C
AIRCRAFT ASSEMBLY PLANTS	3721	A
AGENT FOR TRUCKING COMPANY	4731	A
AIR LINES, TICKET OFFICE	4729	A
AIRPORT & AIRFIELD	4581	A
AMBULANCE SERVICE	4119	A
AMUSEMENT MACH. DECALS-COIN-OP (PER MACH)	7993	D
AMUSEMENT PARKS, CIRCUS, CARNIVAL, LIKE PLACES (REF. 5)	R7996	F
ANIMAL BOARDING ONLY	0752	C
ANIMAL HOSPITAL AND VETERINARIAN	0742	C
ANIMAL KENNELS & BREEDERS	0752	C
ANTIQUÉ DEALERS	5932C	A
APPLIANCE STORE - RETAIL	5722	A
APPLIANCES/REPAIR SERVICE	7629	C
ARCHITECTS, OR PLAN DESIGNERS (SEC. 16-105 (B))	8712	D
ART SHOP - EACH DEALER	5999G	A
ARTS & CRAFTS/RETAIL DEALER	5947	A
ASBESTOS SIDING	1799	B
ASPHALT, SEE PAVING CONTRACTORS	1611	B
AUCTIONEERS - (STATE LICENSE REQUIRED) (REF. 7)	R7389B	C
AUCTIONEERS/REAL ESTATE (STATE LICENSE REQUIRED)	7389	C
AUTO AUCTION	5012	A
AUTO AUTOMATIC CAR WASH	7542	B

AUTO BRAKE BAN LINING, INSTALLATION	7539	B
AUTO BROKERS	5521A	A
AUTO/TRUCK DEALER- NEW & USED	5511	A
AUTO DEALER - USED ONLY (STATE LICENSE REQUIRED)	5521	A
AUTO ELECTRIC REPAIRS: AND/OR ACCESSORIES	7539	B
AUTO LEASING	7515	B
AUTO MUFFLERS & TAIL PIPES, RETAIL	7533	B
AUTO PAINT & BODY SHOP	7532	B
AUTO PARKING: EACH PERSON, FIRM OR CORP.	7521	B
AUTO PARTS, PAINTS, BATTERIES & ACCESSORIES	5531	A
AUTO PARTS, SECOND HAND/NO STORAGE	5531A	A
AUTO PARTS/SECOND HAND IN CONN WITH JUNK YARD	5015	A
AUTO RADIATOR REPAIR SHOP	7538	B
AUTO RENTALS, LEASING	7515	B
AUTO REPAIRING: NOT TO SELL GAS OR OIL	7538	B
AUTO REPAIRS: MOBILE (1 PERSON FROM VEHICLE)	7699	C
AUTO SALVAGE &/OR WRECKING	5093A	A
AUTO STORAGE GARAGE, EACH, INCL. RETAIL GAS	4226	A
AUTO TIRE RECAPPING & REPAIRS	7534	B
AUTO TIRE REPAIRS ONLY	7534	B
AUTO TIRE/RETAIL SALES & REPAIRS	5531	A
AUTO TIRES, RETAIL DEALERS IN, INCL. REPAIR	5531	A
AUTO TOP COVERS AND TRIM SHOP	7532	B
AUTO TRAILERS MISC. BUSINESS	7389	C
AUTO WRECKER SERVICE	7549	B
AUTO, TRUCK DEALERS/NEW & USED	5511	A
AUTOMOBILE-SPECIAL SALES LTD:2 PER YEAR	5512	A
AUTOS: WASHING & POLISHING	7542	B
AUTOS: CARRYING PASSENGERS FOR HIRE	7389	A
AWNING, METAL (MISC. ONE SMALL PRODUCT)	5999	A

(B)

BABY SITTING SERVICE	8811	A
BAKERIES - WITH BAKING ON PREMISES	5461	A
BAKERIES: WITHOUT BAKING ON PREMISES (RETAIL)	5461A	A
BANDS (MUSICAL)	7999B	C
BARBER & BEAUTY PARLOR FIXTURES/EQUIP&SUPPLIES	5087	A
BARBER SHOP (REF. 34)	7241	C
BATTERY SALES - RETAIL	5531	A
BEAUTY OR BARBER SHOP(I CHAIR) HM. OCCUP (REF. 34)	7230	C
BEAUTY PAGEANT - LOCAL RESIDENT (PER DAY) (REF. 30)	7299H	A
BEAUTY SHOP: (REF. 34)	7231	C
BED & BREAKFAST INN - LIMITED PER UNIT	7011A	B
BEER - RETAIL OR POURING	5813	REF. 2
BEER & WINE - RETAIL OR POURING	5813-2	REF. 2
BEER - WHOLESALE	5813-A	REF. 2
BEER, WINE & LIQUOR POURING	5813 -4	REF. 2
BICYCLES/RETAIL SALES & REPAIRS	5941A	A
BLDG. MATERIALS	5211	A
BLUE PRINTS SERVICE	7334	C
BOAT DEALERS INCLUDING REPAIRS	5551	A
BONDSMEN	7389D	C
BOOK STORE/BOOKS & MAGAZINES/RETAIL	5942	A
BOOKKEEPING SERV. AND/OR INCOME TAX RETURNS	8721	D
BOTTLING PLANT, ETC.	2086	C
BOWLING ALLEYS	7933	E
BRICK MASON CONTRACTOR	1741	B
BUSINESS MACHINES/NEW OR USED	5999E	C

(C)

CABINET MAKER (SHOP)	2434	A
CAMPGROUNDS	7033	B

CAMPER TOPS - RETAIL	5271B	B
CANDY-RETAIL: EACH PLACE OF BUS. OR FRM TRUCK	5441	A
CARPENTER	1751	B
CARPET & FLOOR INSTALLATION	1752	B
CARPET STORES	5713	A
CARPET, RUG OR MATTRESS CLEANING	7217	C
CATERING SERVICE	5812A	B
CEMENT BLDG. BLOCK OR STONES, MFG./DEALERS	3272	D
CEMENT, EXCLUSIVELY	5211	A
CEMENT, SEWER PIPES, SAND, LIME & BRICK	5211	A
CEMETERY, MAUSOLEUM OPERATION	6553	E
CERAMICS MFG.-OF ONE SMALL PRODUCT	3269	D
CHARTER BOAT	4499	C
CHILDREN'S READY-TO-WEAR CLOTHING	5641	B
CHIMNEY SWEEPING OR CLEANING (SEASONAL REF. 32)	73495	150.
CHRISTMAS TREE SALES (SEASONAL REF. 32)	5261S	150.
CHROME PLATING	3471	C
CLEAN BLDGS.-WATERPROOF, SANDBLAST, CAULKING	1799	B
CLEANING SEPTIC TANKS (MISC. BUS. SERV.)		
CLOTH SHOP, RETAIL		
CLOTHING STORE & ACC.		
COLLECTION AGENCY		
CLEANING SEPTIC TANKS (MISC. BUS. SERV.)	7699	
CLOTH SHOP, RETAIL	7399	
CLOTHING STORE & ACC.	5651	
COLLECTION AGENCY	7322	
COMMUNICATIONS-CABLE T.V. LINES-INSTALLATION	1731A	
COMPUTER DATING SERVICE	7299B	C
COMPUTER PROGRAMMING AND SOFTWARE	7371	C
COMPUTER SALES, SERVICE & LEASING	7377	C

CONCESSION STAND	5812B	B
CONCRETE PRODUCTS	5032A	A
CONFECTIONERY, PKGD FOOD, SOFT DRINKS & TOBACCO	5441A	A
CONSULTANT; MGMT., BUS. & PUBLIC RELATIONS	8748	C
CONTAINER STORAGE & REPAIRS	7699C	A
CONTRACTOR, CONCRETE	1771	B
CONTRACTOR, DOCKS, PILE DRIVING, ETC.	1629	B
CONTRACTOR, DRYWALL INST./OR REPAIR	1742	B
CONTRACTOR, FRAMING/INTERIOR TRIM	1751	B
CONTRACTOR, GENERAL - COMMERCIAL	1541	A
CONTRACTOR, GENERAL BUILDING	1521	A
CONTRACTOR, HOUSE PAINTING	1721	B
CONTRACTOR, PLASTER-AND/OR STUCCO	1742	B
CONTRACTOR, PREFABV. OR DEMOUNTABLE BLDGS.	1542	A
CONTRACTOR, REMODELER (NO NEW STRUCTURE)	1522	A
CONTRACTOR, SEPTIC TANK INSTALLATION	1711	B
CONTRACTORS, RAZING, WRECKING AND DEMOLITION	1795	B
CONVENIENCE STORE, INC. SOFT DRINKS, CIGS., ICE CREAM	5411A	A
COSMETICS - RETAIL	5999F	A
COSTUME JEWELRY	5632	B
COSTUME RENTALS	7299A	C
COUNSELORS - MARRIAGE OR FAMILY	8322	B
COUNSELORS: INVESTMENT COUNSELORS CREDIT BUREAU	5281	E
CREDIT BUREAU	7323	C
CROCKERY & CHINAWARE & GLASSWARE, ETC.	5719A	A
(D)		
DANCE STUDIOS, DANCING SCHOOLS	7911	E
DAY CARE CENTER: 3 TO 6 CHILDREN	8351	B
DAY CARE CENTER: 7 CHILDREN OR OVER	8351A	B
DELIVERY OF TEA/COFFEE/SPICES ETC FRM VEHICLE	7389	C

DELIVERY SERVICE, PARCELS: COURIER SERVICE	4215	
DEMOLITION, RAZING, & WRECKING CONTRACTOR	1795	
DENTAL LAB: ECH. MFG. OF DENTAL SUPPLIES	8072	
DENTIST	8021	
DEPARTMENT STORE	5311	
DETECTIVE AGENCIES (STATE LICENSE REQUIRED) (REF. 30)	7381	C
DISABLED VETERANS LICENSE - (REF. 16-115) (REF. 15)	0110	N/C
DISTILLED WATER DISTRIBUTORS	5499	A
DISTRIBUTORS - MISC. MERCHANDISE	5000F	C
DOCK BUILDER/BULKHEADS - RESIDENTIAL	1629	B
DOCTOR - MEDICAL & CHIROPRACTOR	8011	B
DOUGHNUT SHOP- MISC. BUSINESS	5461A	A
DRAPERY & SLIP COVERS	5714	A
DREDGING COMPANY, INC.	1629B	B
DRUGS - WHOLESALE	5122	A
DRUGS, RETAIL & MISC. MERCHANDISE	5912	A
DRY CLEANING LAUNDRY	7216	C
DRY GOODS - WHOLESALE	5099	A
DRYCLEANERS, PICK-UP STATIONS	7216A	C

(E)

ELECTRICAL CONTRACTOR -ST. LICENSE REQUIRED	1731	
ELEVATORS - SALES & INSTALLATION	1796	
EMPLOYMENT AGENCY	7361	
ENGINEERING SERVICE	8712A	
EQUIPMENT, HEAVY INDUSTRIAL OR CONSTRUCTION	5082	
ESCORT SERVICE (SEC. 16-127) (REF. 30)	R7299	
EXCAVATION	1794	
EXTERMINATOR, PEST CONTROL (REF. 1)	7342	

(F)

FABRIC SHOP/RETAIL	5949	A
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FAMILY CLOTHING STORE & ACCESSORIES	5651	B
FEED/STOCK & CHICKENS/WHOLESALE	5999	A
FENCE, WIRE SALES AND INSTALLATION	1799A	B
FIREWOOD SALES (SEASONAL) (REF. 32)	59895	150.
FIRE OR BURGLAR ALARMS, MISC. RETAIL TRADE	7389F	C
FIRE EXTINGUISHER: SALES & INSTALLATION	7389E	C
FISHING/BAIT & TACKLE	5941	A
FLEA MARKET - PER STALL (REF. 18)	5932A	A
FLEA MARKET (REF. 18)	5932	A
FLOOR, SCRAPING & SURFACING, POLISHING	1752	B
FLORIST, W/NURSERY AND/OR SALESROOM	5992	A
FLOWER SALES - RETAIL	5992	A
FLOWERS (CUT) FROM CART OR STAND (REF. 30)	59925	150.
FOOD PRODUCTS, SMALL MFG. OF ONE PRODUCT	3999	C
FORTUNE TELLING (REF. 20)	R7999E	E
FOUNDRIES, MACHINE SHOPS, MARINE RAILWAYS	5084	A
FREIGHT CONTAINER STORAGE & REPAIR	4789	A
FREIGHT FORWARDING AGENT	4731	A
FRUIT & VEGETABLES - RETAIL FROM STORE	5431	A
FRUIT & VEGETABLES-RETAIL: FROM STANDS (SEASONAL) (REF. 30)	5421S	150.
FRUIT & VEGETABLES-RETAIL: FROM VEHICLE (SEASONAL) (REF. 30)	5431	150.
FUNERAL DIRECTORS OR UNDERTAKERS	7261	C
FURNITURE STORE	5712	A
FURNITURE STORING, PACKING & STORING FURN.	4226	A
FURS OR FUR COATS, RECEIPT & STORAGE	4226	A
(G)		
GAME ROOM-IN CONNECTION W/OTHER BUSINESS	7999L	E
GARAGE DOORS, INSTALLATION G REPAIRS	1751A	B
GARDEN TOOLS/SUPPLIES, INCL. LAWN MOWERS-SALES & REPAIRS	5261	A
GAS PUMPS (EACH) IN CONNECTION W/BUSINESS	5542	REF. 21

GAS/OXYGEN/ ACETYLENE/EA PERSON/FIRM/CORP.	5984	A
GIFT SHOP & SOUVENIRS	5947A	A
GLASS COMPANY: SALES & INSTALLATION	1793	A
GOING OUT OF BUSINESS SALE ONLY (SEC. 16-131)	R5969	A
GOLD & SILVER IN BUSINESS OF BUYING & SELLS	5094	A
GOLF COURSE (MINIATURE)	7999M	E
GOLF COURSE/INCLUDES: CLUB AND PRO-SHOP	7997	E
GOLF DRIVING RANGE OR SIMILAR BUSINESS	7999F	E
GOLF SHOP/MISC RETAIL/ASSORTED MERCHANDISE	5941	A
GRANITE/MARBLE OR OTHER STONE YARDS	5032	A
GROCERS-RETAIL	5411	A
GREETING CARDS/RETAIL	5947B	A
GUN REPAIRS	7699	A
GUNS & AMMUNITION	5941B	C

(H)

HARDWARE STORE: INCLUD. GUNS & AMMUNITION	5251A	A
HARDWARE STORES, NOT INCL. GUNS & AMMO	5251	A
HAULING (SEE TRANSFER)	4212	A
HEALTH CARE: IN HOME CARE	8082	B
HEALTH FOOD STORE/RETAIL TRADE	5499A	A
HEALTH (FITNESS) SALON	7991	E
HEARING AID DEVICES	5999	A
HEATING & AIR CONDITIONING CONTRACTOR	1711	B
HIGHWAY BUILDING EQUIPMENT	7353	C
HOBBY SHOP	5945	A
HOTELS & MOTELS	7011	B
HOUSE MOVERS (BOND REQUIRED)	1799B	B
HOUSEHOLD/KITCHEN & BATHROOM SUPPLIES	5999	A

(I)

ICE CREAM - SOLD FROM TRUCK (SEASONAL) (REF. 30)	5963S	150.
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ICE CREAM PARLOR	5451	B
ICE MACHINES - IN CONN. W/OTHER BUSINESS	5999	A
IMPORTING OR EXPORTING (MISC BUSINESS SERVICE)	7389C	C
INDUSTRIAL MACHINERY & EQUIPMENT	7353	C
INSTALL-PIPES, BOILERS, TANKS & EQUIP.	1799	B
INSULATION CONTRACTOR	1742	B
INTERIOR DECORATION, NOT INCL/FURN. CARPET	7389	C
INVESTMENT BROKER/OR SECURITY BROKER	6211	E
IRON, WIRE, BRASS INCL. IRON FENCES MFG.	3312	B
(J)		
JANITOR SUPPLIES	5087	A
JANITORIAL SERVICE, HOUSECLEANING	7349	C
JEWELRY STORE	5944	A
JUNK YARDS (AUTO USED PARTS INCLUDED)	5015	A
(L)		
LABORATORY, MEDICAL, X-RAY, ETC.	5047A	B
LADIES & MISSES RETAIL CLOTHING & ACC.	5621	A
LAND CLEARING, GRADING, DREDGING, EARTH MOVING	1629A	B
LAND COMPANY/DEVELOPER EA. PER. OR FIRM	6552	E
LAND SURVEYING (REF. 34)	8713	
LANDFILL	R4953	
LANDSCAPE SERVICES (REF. 11)	0782	
LAUNDRY, COIN OPERATED	7215	
LAWN CARE/MAINTENANCE (NO NEW PLANTING) (REF. 11)	0782A	
LAWN MOWER SALES - RETAIL	5261B	A
LEATHER SHOP	5948	A
LIGHTING FIXTURES, EXCLUSIVELY	5718	A
LINEN SHOP	5717	A
LINEN SUPPLY SERVICE	7213	C
LIQUOR - RETAIL PACKAGE SHOP	5813-3	REF. 2

LIQUOR - WHOLESALE	5813-C	REF. 2
LIVE ENTERTAINMENT (MISC. AMUSEMENT & RECR.) (REF. 25)	7929	E
LOAN BROKER - (REF. 30)	6163	F
LOCAL PEDDLER RESTRICTED TO PRODUCE OR 1 ITEM	5963	A
LOCK @ GUNSMITH DEALER	7699B	E
LUMBER AGENT/BROKER	7389A	C
LUMBER YARD	5211	A
LUNCH COUNTER/IN CONN. W/OTHER BUSINESS	5812C	B
LUNCH/MOTORIZED PEDDLERS	5963A	A
	(M)	
MACHINE SHOP	3599	E
MAGS. & OTHER PUBL. IN CONN. W/OTHER BUSINESS	2711	D
MAIL ORDER SALES	5961	
MANAGERS, REAL ESTATE	6531A	
MANICURIST: WITHIN BEAUTY SHOP (REF. 34)	7231B	
MANUFACTURER'S AGENT, SALES REPRESENTATIVE	5099	
MANUFACTURER, OFFICE ONLY	2899	
MARINA OR FISH CAMP	4493	
MARINE CARGO	4491	
MARINE CONST./INCL. HARBOR CONST.	1629C	
MARINE REPAIRS	7699	
MASSAGE PARLOR: (REF. 27)	R7299E	
MATTRESS MFG. OR RENOVATING	2515	
MEAT MARKET, SEAFOOD MARKET, -RETAIL	5423	
MEN'S & BOYS CLOTHING/ACC. RETAIL	5611	
MERCHANDISE BROKER W/OR W/O STOCK	5399	
MERCHANDISE IN WAREHOUSES OR STORAGE	4225A	
MERCHANDISING - PARTY PLAN	5963C	
MFG. - APPAREL, NOT OTHERWISE CLASSIFIED	2339	
MFG. - BAGS, PAPER & ALLIED PRODUCTS	2621	

MFG. - BOX OR PAPER	2631	
MFG. - CHEMICALS & ALLIED PRODUCTS	2899	
MFG. - ELECTRICAL ELECTRONIC EQUIPMENT	3699	
MFG. - FABRICATED METAL PRODUCTS	3441	
MFG. - FOOD & KINDRED PRODUCTS	2299	
MFG. - FURNITURE & FIXTURES	2599	
MFG. - INSTRUMENTS, RELATED PRODUCTS	3823	
MFG. - LEATHER & LEATHER PRODUCTS	3199	
MFG. - LUMBER AND WOOD PRODUCTS	2421	
MFG. - MACHINERY, EXCEPT ELECTRICAL	3463	
MFG. - METALS PRODUCTS	3499	
MFG. - MISCELLANEOUS	3999	
MFG. - ONE SMALL PRODUCT	3999	
MFG. - PETROLEUM AND COAL PRODUCTS	2999	
MFG. - PICKLES (ONE SMALL ITEM)	2035	
MFG. - PIPE WORK, FABRICATION NOT EXC. \$225,000.	3498	
MFG. - PRIMARY METAL INDUSTRIES	3399	
MFG. - RUBBER, MISC. PLASTIC PRODUCTS	3089	
MFG. - SIGNS - NEON, PLASTIC LIGHTED, ETC.	3993	
MFG. - SODA & SOFT DRINKS, BOTTLING SOFT DRINKS	2086	C
MFG. - STONE, CLAY, GLASS PRODUCTS	3272A	D
MFG. - TEXTILE MILL PRODUCTS	2299	B
MFG. - TRANSPORTATION EQUIPMENT	3799	A
MFG. - WINDOWS AND DOORS	2431	A
MICROFILM	7389	A
MILK DEPOTS, DEALERS OR DISTRIBUTION	5143	A
MILK PROCESSING PLANT	2026	A
MIMEOGRAPHING AND/OR DUPLICATING	7334	C
MINERAL WATER, DEALERS OR DIST. OF	5499	A
MINING, FILL DIRT	1794	B

MIRRORS MADE TO ORDER	3231	C
MISC. AMUSEMENT & REC. SER. MUSEUMS, SKATING RINK	7999H	E
MISC. BUSINESS SERVICES	7389	C
MISC. HOME OCCUPATION	7389	A
MISC. PERSONAL SERVICES	7299	C
MISC. PROF. EDUCATIONAL, SCIENTIFIC SERV. (REF. 34)	8999	D
MISC. REPAIR SERVICE (ONE PERSON FROM VEHICLE)	7699A	C
MISC. RETAIL TRADE/ASSORTED MERCHANDISE	5999	A
MISC. TRANSPORTATION SERVICE	4119A	A
MOBILE HOME SALES - RETAIL	5271	A
MOBILE HOME MOVERS & SET UP	1799	C
MOBILE HOME PARK (REF. 28)	R6515	SEC. 16-132
MOBILE JUNK DEALERS	5093	A
MOBILE PEDDLER - LOCAL ONLY	5968	A
MOBILE SEAFOOD/MEATS	5421	A
MOBILE TOOLS/RETAIL SALES LOCAL ONLY	5961	A
MODELING, MUSIC, ARTS, EDUCATIONAL SERVICES	7363	C
MONEY LENDER OR LOAN COMPANY	6159	F
MONUMENTS	5999B	A
MORTGAGE COMPANY/REAL ESTATE LOANS	6162	F
MOTION PICTURE THEATER, WALK-IN PER SCREEN	7832	C
MOTION PICTURE THEATER: DRIVE-IN (PER/SCREEN)	7833	C
MOTORCYCLES/RETAIL SALES/REPAIRS & ACC.	5571	A
MUSIC SCHOOLS	8299	C
MUSIC STORE/RECORDS & TAPES	5735	A
(N)		
NEWSPAPERS, MAGS & OTHER PUBLICATIONS	2711	D
NURSING HOME	8051	B
NURSERIES/RETAIL W/FLORIST OR GREENHOUSE	5261	A

(O)

OFFICE EQUIPMENT - SALES & SERVICE	5734	C
OFFICE FURNITURE - RETAIL	5712A	A
OFFICE SUPPLIES - RETAIL	5999C	A
OIL, WHOLESALE DEALERS IN AUTO. LUB. OILS	5172	A
OIL/FUEL OIL DEALERS, RETAIL ONLY	5983	A
OUTBOARD MOTORS: REPAIR SERVICE	7699	C
OUTDOOR SHOOTING RANGE (REF. 30)	7999	E

(P)

PACKAGE SHOP	5813A3	REF. 2
PACKING HOUSES (MFG.)	2011	A
PAINTER, SIGN PAINTING OR LETTERING SHOP	7389	C
PAINTING AND WALLPAPERING CONTRACTOR	1721	B
PALLET MFG. AND SALES (ONE SMALL PRODUCT)	2448	B
PAPER/PAPER BAGS/PAPER SPECIALTIES/TWINE	5999	D
PAVING CONTRACTOR	1611	B
PAWN BROKER/RIGHT TO SELL PRECIOUS METALS (REF. 26)	5932B	A
PERFUMES: RETAIL	5999	A
PET GROOMING, PET CARE SERVICE	0752	C
PET STORE/RETAIL SALES	5999A	A
PHOTOGRAPHER: ONE PERSON ONLY, NO STUDIO	7389H	C
PHOTOGRAPHIC STUDIO	7221	C
PIANO, RETAIL SALES & REPAIRS	5736	A
PIPE FITTING CONTRACTOR	1799	B
PLANT NURSERY	0181	D
PLUMBING CONTRACTOR-ST. LICENSE REQUIRED	1711B	B
POOL HALLS	7999I	E
PORTABLE TOILETS, RENTALS	7359A	C
PRECIOUS METALS DEALER	R5998	SEC.16-132A
PRINTING	2754	D

(R)

RACE TRACK - SPEEDWAY	7948	E
RADIO BROADCASTING STATIONS	4832	E
REAL ESTATE AGENT/BROKER/APPRaiser/RENTAL AGENT	6531	E
RECLAIMING OF BY-PRODUCTS	1629D	A
RECREATIONAL VEHICLES, CAMPERS, MOTOR HOMES	5561	A
REFRIGERATOR REPAIRS	7629	C
REFUSE AND WASTE COLLECTIONS	4953A	
RENTAL - FURNITURE, TOOLS, EQUIP., APPLIANCES	7359	
REPAIR SERVICE - (MOBILE)	7699	
REPAIR SHOP	7699	C
RESTAURANT	5812	B
RETAIL- ASSORTED MERCHANDISE	5999	A
RETAIL- COSMETICS	5999	A
RETAIL- FERTILIZER	5999	A
RETAIL- NOT OTHERWISE CLASSIFIED	5999	A
RETAIL- ONLY: RADIO/TV/OR SERVICE & COMM. EQUIP	5999	A
RETAIL- PAINT STORE, GLASS, WALLPAPER	5231	A
RETAIL- PROFESSIONAL EQUIP. X-RAY & MEDICAL LAB	5099	A
ROOFING CONTRACTOR	1761	B
ROOFING MFG.	5033	A
RUBBER STAMP OR STENCIL/DEALER OR MANUFACTURE	3953	D
RV & CAMPER - RENTAL	5272A	B

(S)

SAND DEALER	5211A	A
SANDWICHES: PREP. LOCALLY & DIST. FROM TRUCKS	2099A	C
SATELLITE DISH SALES/INSTALLATION	1799	B
SCALES, COMMERCIAL	5046	A
SCHOOL OF BEAUTY CULTURE, 3 OR MORE CHAIRS (REF. 34)	7231A	
SCHOOLS: ART, DRIVER TRAINING, FLYING, MODEL, CERAMIC	8299A	

SEAFOOD - MOBILE (RETAIL)	5424	
SEAMSTRESS-TAILOR, OR ALT. SHOP	7219	
SECURITY GUARD SERVICE (SEC.X, ART.III, 10-301 - 10-306)	7381	
SEED & FEED STORES	5261	A
SERVICE STATION, 4 PUMPS (ECH. ADD'L: \$40.00)	5541	A
SERVICE: NOT OTHERWISE CLASSIFIED	8999	D
SEWING MACHINES/RETAIL SALES & REPAIRS	5722	A
SHIP CHANDLER, TRANSPORTING EQUIP.& SUPPLIES	4731	A
SHIPBUILDING	3731	A
SHIPPING AGENT, ST @ SHIP AGENCY, FREIGHT AGENCY	4731	A
SHIPPING EXPORT	7389	
SHIRT MANUFACTURING	2321	
SHOE SHINE STAND	7299	
SHOE SHOP, REPAIRING	7251	
SHOE STORE	5661	
SIGHTSEEING TOURS	7999	
SIGN ERECTOR SUB-CONTRACTOR	1799E	
SIGN RENTAL PORTABLE	7389	
SOFT DRINKS IN CONN W/OTHER BUSINESS	5971	
SOLAR SYSTEMS	1799	
SPECIAL EVENT (REF. 33)	R7999-N	
SPECIAL TRADE CONTRACTORS	1799	B
SPORTING GOODS INCLUDING BICYCLES	5941C	A
SPRINKLER SYSTEMS	1711A	B
STEAMBOAT OR STEAMSHIP COMPANY	4412	A
STEVEDORES (MISC. PROF. SERVICES)	4491	D
STORAGE & COLD STORAGE FACILITY	4222	A
STORAGE (SEE FREIGHT CONTAINER)	4225A	A
STORAGE-UTILITY BLDG.: SALES/INSTALLATION	5211B	A
STRUCTURAL STEEL ERECTION	1791	B

SUGAR REFINERY	2062	C
SUNDAY SALES OF ALCOHOLIC BEVERAGES	5813-5	REF. 2
SWAP SHOPS MISC RETAIL TRADE	5932	A
SWIMMING POOL CONTRACTOR	1799C	B
	(T)	
TAILOR, ALTERATION AND REPAIR	7219A	C
TATTOO PARLOR (REF. 23)	7299D	C
TAX PREPARATION SERVICE (SEASONAL) (REF. 32)	8721S	
	150.	
TAXI CABS	4121	A
TAXIDERMY	7699D	
TEA OR COFFEE STORE	5499B	
TELEGRAPH COMPANIES	4822	
TELEPHONE ANSWERING SERVICE	7389J	
TELEVISION AND RADIO CONCERNS COMBINED, ETC.	4833	
TELEVISIONS/STEREOS/ETC.	5731	A
TENNIS CLUB	7999K	E
TILE CONTRACTOR	1743	B
TILE MANUFACTURER	3253	D
TIN AND SHEET METAL WORKS, CONTRACTOR	17990	B
TIRES, RETREADING	7534	B
TIRES/TRUCK/RETAIL SALES & REPAIRS	5531	A
TOBACCO/CIGARETTES & CIGARS & SNUFF/RETAIL	5993	A
TOOLS/SMALL/SALES OR RENTAL	3546	E
TOWBOAT COMPANY	4492	A
TRACTORS, STONE CRUSHERS, CONCRETE MIXERS	5082	A
TRAILER CAMP	6515A	E
TRAILER: DEALERS IN TRAILERS	5599	A
TRANSFER, TRUCKING	4214	A
TRANSIENT MERCHANT (REF. 35)	R7221A	REF. 35

TRANSIENT PEDDLER (REF. 35)	R7221B	REF. 35
TRANSIENT SOLICITOR	7221C	REF. 35
TRANSPORTATION SERVICE (MISC.)	4731A	A
TRAVEL AGENCY	4724	A
TREE SURGEON, TREE TRIMMING	0783	C
TRUCK - SURF. MIN, PITS ADD'L SITE IN OPER.	1794	B
TRUCKING COMPANY, TRANSFER W/OR W/O STORAGE	4214	A
TRUCKING, SURFACE MINING PITS (FIRST SITE)	1794	
TURKEY SHOOT (SEASONAL) (REF. 30)	R7999S	150.
TYPEWRITER REPAIRING	7699E	
	(U)	
UPHOLSTERING	7641	C
	(V)	
VACUUM CLEANERS/SALES & SERVICE	5722A	A
VARIETY STORE	5331	B
VENDING MACHINE CO	5962	A
VENETIAN BLINDS, MFG.	2591	B
VIDEO, TAPES: RENTAL & SALES	7841	C
	(W)	
WAREHOUSES-MINI-STORAGE	4226A	A
WATER HEATERS-SOLAR SYSTEMS	1799G	A
WATER SUPPLY SYSTEMS	4941	E
WATERPROOFING CONTRACTOR	1799H	B
WELDERS OR CUTTERS, USING ACETYLENE, ELEC., GAS	7692	C
WELL DRILLING, DRILLING WELLS FOR WATER SUPPLY (REF. 34)	1381	E
WHOLESALE - SPECIAL ITEMS	5000A	A
WHOLESALE DEALERS-TOYS	5092	A
WHOLESALE TRADE-NOT OTHERWISE CLASSIFIED	5199	A
WHOLESALE, CONST. MACHINERY & EQUIPMENT	5082	A

WHOLESALE, ELECTRICAL & ELECTRONIC SUPPLIES	5065	A
WHOLESALE, FURNITURE & HOME FURNISHINGS	5021	A
WHOLESALE, INDUSTRIAL MACHINERY & EQUIP.	5084	A
WHOLESALE, LUMBER & OTHER CONST. MATERIALS	5031	A
WHOLESALE, METALS & MINERALS	5051	A
WHOLESALE, OFFICE & BUSINESS MACH. & EQUIP.	5044	A
WHOLESALE, SCRAP & WASTE MATERIALS	5093B	A
WHOLESALE- FLORIST	5193	A
WHOLESALE- FRUIT & VEGETABLES	5148	A
WHOLESALE- GRAIN DEALERS	5153	A
WHOLESALE- SHOES	5139	A
WHOLESALE-AUTO DEALERS, SECOND-HAND	5012	A
WHOLESALE-AUTO PARTS & SUPPLIES, TIRES, ETC.	5013	A
WHOLESALE-AUTOMOTIVE VEHICLES	5012	A
WHOLESALE-BAKERY PRODUCTS	5149	A
WHOLESALE-BOOKS, NEWSPAPERS, MAGS. & PUBLICATIONS	5192	A
WHOLESALE-CHEMICALS & ALLIED PRODUCTS	5169	A
WHOLESALE-CIGARS, CIGARETTES & SNUFF	5194	A
WHOLESALE-CLOTHING: MEN & BOYS	5136	A
WHOLESALE-CLOTHING: WOMEN, CHILDREN & INFANTS	5137	A
WHOLESALE-CONFECTIONERY, CANDY, CHIPS, ETC.	5145	A
WHOLESALE-DAIRY PROD: BUTTER, CHEESE, EGGS, ETC.	5143A	A
WHOLESALE-ELECT. APPL./TV, RADIO & OTHER EQUIP.	5064	A
WHOLESALE-ELECTRONIC PARTS & EQUIPMENT	5065	A
WHOLESALE-FARM EQUIP., GARDEN EQUIP, LAWNMOWERS	5083	A
WHOLESALE-FLORIST & NURSERY SUPPLIES	5193	A
WHOLESALE-FROZEN FOODS	5142	A
WHOLESALE-FUEL OILS	5172	A
WHOLESALE-GASOLINE & OIL	5172A	A
WHOLESALE-GROCERIES	5141	A

WHOLESALE-GROCERS, WHERE TOBACCO PROD. ARE SOLD	5141	A
WHOLESALE-HARDWARE, TOOLS, ETC.	5072	A
WHOLESALE-ICE CREAM, FROZEN JUICES, MFG. OF:	5143	A
WHOLESALE-INDUSTRIAL SUPPLIES	5085	A
WHOLESALE-JEWELRY, WATCHES & GEMSTONES	5094	A
WHOLESALE-MEATS	5147	A
WHOLESALE-MEDICAL DENTAL & OPTOMETRIC EQUIP.	5047	A
WHOLESALE-PAINTS & PAINT SUPPLIES	5198	A
WHOLESALE-PETROLEUM, OIL/GASOLINE, OTHER PROD.	5172	A
WHOLESALE-PLUMB. & HEATING EQUIP. & SUPPLIES	5074	A
WHOLESALE-SEAFOOD	5146	A
WHOLESALE-STATIONERY, BUS. FORMS & OFFICE SUPPLIES	5112	A
WHOLESALE-SUPPLIES: JANITORIAL, BEAUTY, LAUNDRY	5087	A
WHOLESALE-TEA PACKING PLANT	2099B	A
WHOLESALE-TOBACCO PRODUCTS	5194	A
WHOLESALE-TOYS, GAMES, SPORTING GOODS, PHOTO	5092	A
WINDOW CLEANING	7349A	C
WINE - RETAIL OR POURING	5813-1	REF. 2
WINE - WHOLESALE	5813-B	REF. 2
WRECKER SERVICE - WITH STORAGE YARD	7549	B

**§16-134**    Alcoholic Beverage Licenses.

1. Regulatory Fees. Not being covered by the provisions of O.C.G.A. §48-13-5 through §48-13-26, regulatory fees for alcoholic beverage establishments are levied pursuant to the Chatham County Code, Chapter 17, as follows:

SIC	LICENSE CLASSIFICATION	FEE
5813	Retail Beer - Sale by package only	\$580
5813	Retail Beer - Sale by drink for consumption	580
5813-3	Retail Liquor - Sale by package only	2,355
5813-3	Retail Liquor - Sale by drink for consumption	2,355
5813B3	Retail Liquor - Sale by package and drink	3,465

both in one building under same ownership

5813-1	Retail Wine - Sale by package only	140
5813-1	Retail Wine - Sale by drink for consumption	140
5813-5	Sunday Sales Permit - Beer, drink only for consumption	165
5813-5	Sunday Sales Permit - Wine, drink only for consumption	165
5813-5	Sunday Sales Permit - Liquor, drink only for consumption	165
5813-A	Wholesale Beer	1,155
5813-C	Wholesale Liquor	4,620
5813-B	Wholesale Wine	580
2080	Distiller, Brewer, or Manufacturer of Alcoholic Beverages	N/A

2. Transfer of Alcoholic Beverage Regulatory Fee. An alcoholic beverage license may, upon approval of the Board of Commissioners, be transferred in ownership if the transferee is the bona fide successor at the same business location of the transferor, if all indebtedness due on said license by the transferor is fully paid, and if all other requirements and obligations have been met.

An alcoholic beverage license may, upon approval of the Board of Commissioners, be transferred from one location to another, and the license will be valid at the new location if the new location conforms to all zoning, building code, and other regulations of Chatham County, and if all indebtedness due on said license is fully paid. Application for transfer of business location must be approved and new license issued before the business is moved.

3. Alcoholic Beverage License Application and Transfer Fees. Each applicant for a new license and each applicant to transfer an alcoholic beverage license, whether ownership or location, shall pay a fee according to the following schedule:

<b>Type License</b>	<b>Fee</b>
Retail Beer (package)	\$25.
Retail Beer (drink)	25.
Retail Wine (package)	25.
Retail wine (drink)	25.
Retail Liquor (package)	25.
Retail Liquor (drink)	25.
Retail Liquor (package and drink)	25.
Other Alcohol	25.

Application and transfer fees shall be paid cumulatively at the time application is submitted. After application for new license or transfer has been submitted, application or

transfer fee shall not be refundable in any portion, even if license is not issued or transferred.

The applicant for transfer of an alcoholic beverage license shall submit with the application form and transfer fee the original business license document.

4. Alcoholic Beverage Permit for Special Event. Upon application to the Inspections Department and payment of the applicable fees as provided by this Section, the County Commissioners shall be authorized to approve the issuing of a permit for the temporary dispensing of alcoholic beverages in conjunction with a Special Event, under the following conditions:
  - a. Any temporary Special Event for which dispensing of alcoholic beverages is requested must meet the following criteria:
    - (1) Sponsored by a private non-profit organization as classified by the U. S. Internal Revenue Service, and no less than 80% of the proceeds of the event must benefit the sponsoring non-profit organization, or;
    - (2) Sponsored by a for-profit business, the applicant must possess a valid Chatham County Tax Certificate or valid license from a municipality within Chatham County for the sale of alcoholic beverages for on-premises consumption under this ordinance, and;
    - (3) Food must be served during any period of time that alcoholic beverages are served, and;
    - (4) The hours of any such Special Event must be between 8:00 A.M. - 11:00 P.M. Monday through Saturday; 12:30 P.M.-11:00 P.M., Sunday.
    - (5) All applicants and permit holders must comply with all State statutes and County Ordinances governing the dispensing of alcoholic beverages including but not limited to hours of operation, setback requirements and noise limitations.
    - (6) Each Special Event shall last a maximum of five (5) calendar days induration and the applicant shall not be eligible for a Special Event License more frequently than once every six (6) months.
2. Advertisement. All persons, firms or corporations desiring to engage in the dispensing of alcoholic beverages in conjunction with a Special Event must advertise the application in a local newspaper prior to being placed on the agenda for the Chatham County Commissioners approval. The fee charged for such advertising shall be paid by the applicant.
3. Fees. Each applicant for a new Special Event Alcoholic Beverage License shall pay an application fee of \$25.00 and a

regulatory fee according to the following for each calendar day of the event.

- a. Beer \$100.00
- b. Wine \$100.00
- c. Liquor \$100.00  
(§16-134, 4., 1-3, amended 4/11/97)

- 4. Compliance with the Parade and Public Assembly Ordinance, as determined by the Director of Building Safety and Regulatory Services or his/her designee. (Amended March 12, 2004)

**§16-135** Insurance Licenses. Not being covered by the provisions of O.C.G.A. §48-13-5 through §48-13-26, insurers are to be licensed by Chatham County as follows:

- 1. Life Insurers. There is hereby levied an annual license fee upon each life insurer doing business within the County in the amount of \$150.00. For each separate business location in excess of one not covered by the following paragraph, which is operating on behalf of such insurers within the County, there is hereby levied a license fee in the amount of **\$150.00**. As used in this section, the term "insurer" means a company which is authorized to transact business in the class of insurance designated in subsection 1 of O.C.G.A. 33-3-5.
- 2. Loan Protective Life Insurers. For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales, offers, solicits, or takes application for insurance through a licensed agent of a life insurer for life insurance, said insurer shall pay an additional license fee of **\$52.50** for each such location within the unincorporated limits of Chatham County.
- 3. Casualty Insurers. There is hereby levied an annual license fee upon each fire, surety, liability, and casualty insurer doing business within the unincorporated limits of Chatham County in the amount of **\$150.00**. Pursuant to O.C.G.A. 33-8-8, a license fee of **\$150.00** shall be levied for each separate business location which is operating on behalf of such fire, surety, liability, and casualty insurer within Chatham County. For the purposes of this section, the term "insurer" means any insurance company transacting business in any class of insurance other than the class of insurance designated in subsection 1 of O.C.G.A. 33-3-5.

4. Independent Insurance Agencies. There is hereby levied an annual license fee upon independent insurance agencies and brokers in the amount of \$150.00 for each insurance company represented at each location where an insurance business is conducted within the jurisdiction of Chatham County. Each broker, agency, agent, or sub-agent issuing, signing, or countersigning certificates of insurance for any insurance company shall be deemed an agent of such insurance company and shall pay the license fee specified in this ordinance for such insurance company when the company itself does not pay the said tax. In any case where an insurance business may not have an agency contract with any insurance company, the minimum license fee shall be **\$150.00**. Any insurance company separately licensed by the State of Georgia shall be deemed to be an insurance company for purposes of this ordinance.
5. Due Date for Insurance License Fees. Licenses imposed by this ordinance shall be renewed and fees shall be due and payable by January 31. Any insurer who shall become liable for a business license at any time during the year shall, before commencing business, apply for and take out the required license and pay for the same.

**§16-136** Business Tax on Banks. Not being covered by the provisions of O.C.G.A. §48-13-5 through §48-13-26, a business tax is hereby levied on depository financial institutions ("banks") as follows:

1. Levy of Business Tax on Financial Institutions. Pursuant to O.C.G.A. §48-6-93, there is hereby levied a business tax upon each state and national banking association, federal savings and loan association, state building and loan association, and other depository banking institution doing business from one or more locations within the jurisdiction of Chatham County.
2. Rate; base. The business tax rate on any depository financial institution subject to this tax shall be 0.25 percent of profitability ratio of said institution during the calendar year immediately preceding the year for which the tax shall be due; provided, however, that the minimum amount of business tax due from any depository financial institution shall be \$1,000. Profitability ratio shall mean profitability ratio as defined in O.C.G.A. §48-6-93.
3. Filing of Return. Each depository financial institution subject to this tax shall file a return of its profitability ratio with the Finance Department on or before March 1 of the year following the year in which such profitability ratios were measured. Said return shall be in the manner and in the form prescribed by the Commissioner of the State Department of Revenue, and shall be based upon the allocation method set

forth in O.C.G.A. §48-6-93, Subsection (d). The tax levied pursuant to this ordinance shall be assessed and collected based upon the information provided in said return.

4. Due Date. The due date for business taxes on banks shall be April 1 of each tax year.

**§16-137** Responsibility. Chatham County or any of its agents cannot be held responsible for loss or theft of tax certificates or other documents through the mail.

**§16-138** Administration of Ordinance. The Inspections Department shall administer and enforce the provisions of this Ordinance for the levy, assessment and collection of license fees and penalties imposed herein.

**§16-139** Duties of Inspections Department. The Inspections Director or an authorized representative, shall have, among others, the following duties:

1. To prepare and provide the necessary forms for the registration and application for the occupation/business tax of a business, and for the submission of required information as may be necessary to properly administer and enforce the provisions of this Ordinance.
2. To issue to each person, a business tax certificate within a reasonable time after the payment of the business tax fee assessed and levied in this Ordinance; provided, however, where under other Ordinances of the County permits, certifications and compliance with the enumerated conditions are required for the operation of the business, the Inspections Department shall not issue such business tax certificate until the applicant exhibits to the Inspections Department such obtained permits, certifications and compliance.
3. To issue executions for the collections of all outstanding fees levied and assessed under the terms of this Ordinance, together with penalties and interest. Such executions shall be collected in the manner provided by law for the collection of other taxes and fees due the County.

**§16-140** Rules and Regulations. The Inspections Department shall have the power and authority to make and publish reasonable rules and regulations not inconsistent with this Ordinance or any other state or federal laws, for the administration and enforcement of the provisions of this Ordinance including the collection of the business/occupational tax fees hereunder.

**§16-141** Repealer Clause. All Ordinances, other laws or parts of Ordinances, of Chatham County concerning "Business/Occupation Taxes" enacted prior to this Ordinance are hereby repealed in their entirety and any other Ordinance or other law that is inconsistent or in conflict with the provisions of this Ordinance is hereby repealed. This Ordinance shall not be construed to apply in any way to the selling of alcoholic beverages or wines which has a specific license Ordinance separate and apart from this Ordinance.

**§16-142** Severability. Should any section, provision, or clause of any part of this ordinance be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the County that this ordinance would have been adopted had any such invalid portion not been included herein. (Amended March 12, 2004)

**§16-143** Effective Date. This Ordinance shall become effective April 28, 1995.

## ARTICLE II

### Books and Magazines

#### §16-201 Soliciting Book and Magazine Orders.

1. Notwithstanding any other ordinance or provision within the licensing regulations of Chatham County, each person engaged in canvassing for the purpose of taking book orders or magazine orders where no deliveries are made by the canvasser and where money may or may not be collected by the canvasser in the unincorporated areas of Chatham County, shall be required to have a license and shall pay a license fee of Twenty-five Dollars (\$25.00) for each week or portion thereof while canvassing. This license requirement shall be exclusive for the type of business and occupation defined herein. The license shall issue for the period of time requested by the applicant and shall be issued upon the payment of the proper license fee for the period of time requested.
2. Any person canvassing in the unincorporated area without a license while canvassing for the purposes set forth in subsection 1 of this section, shall be guilty of a violation of this ordinance and fined \$100.00 or 30 days in the Chatham County jail or both. Each day of canvassing without a license shall constitute a separate offense. (#480, 12/7/73)

#### §16-202 Adult Book Stores, etc.; Definitions. The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

1. Person. Any individual, firm, partnership, co-operative non-profit membership corporation, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate, or other group or combination acting as a unit, and the plural as well as the singular number.
2. Business. Any person who engages in, causes to be engaged in, and/or represents himself to be engaged in, any occupation or activity with the object of gain, benefit, or advantage either directly or indirectly. Any person advertising by any means, including but not limited to sign, cards, circulars, newspapers, etc., that he is engaged in a business of any kind shall be liable for the appropriate license required under this ordinance and the payment of the appropriate fee therefor.
3. Engaged in Business. Any person shall be deemed to be engaged in business and thus subject to the requirements of this ordinance when real property owned by such person is offered

for rent or rented, when such person performs any act of selling any goods or services or solicits business or offers goods or services or solicits business or offers goods or services for sale for payment primarily in an attempt to make a profit, for all of the foregoing either as an owner, operator or agent in any business, trade, profession, or occupation within the County.

4. County. That area of Chatham County, Georgia which is located outside the corporate limits of any municipality located therein.
5. Inspections Department. The Inspections Department of Chatham County, Georgia.
6. The definitions of sexual conduct and nudity used herein shall be the same as defined in Georgia Laws 1971, pp. 888, 889. (#493, 6/7/74, Sec. 1)

**§16-203** Same; Businesses Regulated. It is declared that for the protection of public health, safety and morality the following businesses shall be regulated and an annual business license required to be obtained by them before they shall operate in Chatham County, Georgia, outside the corporate limits of any municipality. For purposes of issuing an annual license to operate, each of the following is declared to be a separate and distinct business necessary for regulation and requiring a separate license therefor:

1. Adult Book Stores, in which there is offered for sale to persons eighteen (18) years of age or above any book or publication, film, or other medium which depicts non-obscene nudity or sexual conduct, shall pay a license fee as listed in the County Business Regulations and License Ordinance (see §16-127).
  - a. Said Adult Book Stores shall not sell or distribute any of the above material to a minor nor shall said store allow a minor to enter its premises.
  - b. Said Adult Book Stores shall not maintain on their premises any coin-operated movies or video tapes; sell artificial sexual devices, aids or contraptions; maintain, keep or operate any closed circuit TV shows; or maintain or operate an adult movie house without first obtaining the license hereafter provided.
2. Any business that sells or operates coin operated movie machines or video tape machines that show or display non-obscene sexual conduct or nudity shall pay an annual license

fee for each machine as listed in the County Business Regulations and License Ordinance (See §16-127).

- a. The premises in which said coin-operated movies are operated shall be opened only to those persons eighteen (18) years of age and above and shall not be opened to minors. Minors shall not be allowed to view sexual conduct or nudity shown in said machines.
  - b. Each machine shall have prominently displayed on it the name of the owner and the person renting, the address of the owner and person renting, the date of purchase or rental and the place said machine was purchased or rented and the date said machine was first operated in Chatham County.
3. Any business that sells or distributes artificial sexual devices, aids or contraptions without medical prescriptions shall pay an annual license fee as listed in the County Business Regulations and License Ordinance (See §16-127).
- a. Said devices, aids and contraptions shall not be sold to minors and the premises on which said devices and contraptions are sold shall be opened only to those individuals who are eighteen (18) years of age or above. Minors shall not be allowed to enter the premises.
  - b. The business shall provide the purchaser the name and address of the person from whom the business obtained said devices, aids or contraptions and the date and place purchased by said business.
4. Any business owning or operating, or both, owning and operating, closed circuit television shows whereby there is shown, heard or displayed non-obscene sexual conduct or nudity by video tapes, motion picture films, audio materials, still pictures or any combination of the above shall pay an annual license fee as listed in the County Business Regulations and License Ordinance (See §16-127).
- a. Said closed circuit TV shows shall not be shown to minors.
  - b. The premises on which said closed circuit TV show is operated shall be opened only to those persons eighteen (18) years of age or above. Minors shall not be allowed on the premises.
  - c. Each closed circuit TV receiver used for the purposes herein shall have displayed, so that it may easily be seen and read, the name and address of the owner and if

leased or rented the name and address of the person leasing or renting the same; the date the machine was first operated in Chatham County, and the Code used to unscramble the material in order to display or show same.

5. Adult Movie Houses, which on a regular, continuing basis, show non-obscene films rated X by the Motion Picture Coding Association of America, or any movie theater which presents for public viewing on a regular continuing basis so-called "adult films" depicting nudity or sexual conduct, shall pay an annual license fee as listed in the County Business Regulations and License Ordinance (See §16-127). (#493, 6/7/74, Sec. 2)

**§16-204** Same; Calendar Year Licenses. The licenses required above shall be required for the calendar year 1974 and each successive calendar year thereafter. (#493, 6/7/74, Sec. 3)

**§16-205** Same; Criteria for License. In determining whether or not a license applied for hereunder shall be granted the following shall be considered in the public interest, health and welfare:

1. The moral character of the applicant;
2. The location of the business in an area zoned for commercial or industrial purposes;
3. The location of the business as to creation of traffic congestion or traffic hazards;
4. The effect the location of the business has on the adjacent and surrounding property values;
5. The precautions the license applicant is to take in preventing minors from entering the business establishment or seeing the materials;
6. The precautions the license applicant is to take to prevent sales and dissemination of obscene materials as defined by the laws of Georgia; and
7. The applicant shall have attached to the license application a certificate from the Chief of Police of Chatham County certifying the following:
  - a. The applicant has been investigated by the Chatham County Police Department and he has not been convicted of any crime.

- b. The location of the business establishment is not within 200 yards of any church, Christian book store, public park, public housing project, hospital, any school, college, recreation center or private residence.
- c. Applicant has delivered to the Chief of Police of Chatham County a diagram showing the location of all mechanical and electrical equipment to be used in the operation of said business. The name and address of the owner of said equipment and the name and address of any person leasing or renting the same.
- d. Applicant has delivered to the Chief of Police of Chatham County all codes necessary to decipher or unscramble all video tapes, magnetic tapes, films or any other material written or otherwise, which is in code. (#493, 6/7/74, Sec. 4)

**§16-206** Same; License for Each Business. If any person desires to operate one (1) or more of the above regulated businesses on or in the same building it shall be necessary to have a license for each business in order to carry on such commercial enterprise. (#493, /7/74, Sec. 5)

**§16-207** Same; Location of Business. All businesses required to be licensed under this ordinance shall be licensed to do business only in areas zoned for commercial or industrial purposes. The location of the business shall not be within 200 yards of any church, synagogue, or other religious house of worship, Christian book store, public park, public housing project, hospital, any school, college, recreation center or private residence. Said businesses regulated herein are hereby prohibited from operating at any location that does not conform to the requirements of this ordinance. (#493, 6/7/74, Sec. 6)

**§16-208** Same; Qualifications of Applicant. All applicants for a license hereunder shall be of good moral character and shall not have been convicted of any crime and they shall satisfactorily meet all the requirements set forth in Section 16-205 (#493, 6/7/74, Sec. 7)

**§16-209** Same; Minors. Any person or business that sells to a minor or allows a minor on the premises of the business or sells obscene materials shall be guilty of violating this ordinance and shall, upon conviction, be penalized as hereunder provided and the same shall constitute a public nuisance subject to being enjoined therefrom. (#493, 6/7/74, Sec. 8)

- §16-210** Same; New Business; Start of Operations. Any person desiring to operate a business in said County must, prior to conducting or offering to conduct any transactions, secure a valid license. (#493, 6/7/74, Sec. 9)
- §16-211** Same; Separate Business. Where a business is conducted at more than one location or place, each location or place shall be considered a separate business under the terms of this ordinance and a separate license fee shall be levied and paid. (#493, 6/7/74, Sec. 10)
- §16-212** Same; License To Be Displayed. All persons shall exhibit and display the license issued to them in some conspicuous place in their business establishment. (#493, 6/7/74, Sec. 11)
- §16-213** Same; Duration of License. Such license, referred to in this ordinance shall automatically expire on December 31 of the year of its issuance. (#493, 6/7/74, Sec. 12)
- §16-214** Same; Refunds. No refunds may be made for license issued under the provisions of this ordinance. (#493, 6/7/74, Sec. 13)
- §16-215** Same; Prorated Licence Fees. All licenses issued must be for the full amount of the prescribed fee except when date of issuance is between July 1 and December 31, in which case one-half ( $\frac{1}{2}$ ) the prescribed fee shall be levied. (#493, 6/7/74, Sec. 14)
- §16-216** Same; License Transfers. All business licenses issued hereunder shall be non-transferable. (#493, 6/7/74, Sec. 15)
- §16-217** Same; Change of Address. Any person moving from one (1) location to another shall require a new certification from the Chief of Police of Chatham County. (#493, 6/7/74, Sec. 16)
- §16-218** Same; Name of Business on License. The name in which business is transacted and advertised must be the same as the name in which the license is issued. (#493, 6/7/74, Sec. 17)
- §16-219** Same; Renewals. License renewals shall be effected by paying the prescribed fee on or before the tenth (10th) of January of the year for which the license is issued. (#493, 6/7/74, Sec. 18)
- §16-220** Same; Penalties. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall

constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County Jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

**§16-221** Same; Administration of Ordinance. The Inspections Department shall administer and enforce the provisions of this Ordinance. (#493, 6/7/74, Sec. 20)

**§16-222** Duties of Inspections Department. The Inspections Director or his authorized representative, shall have, among others, the following duties:

1. To prepare and provide the necessary forms for the registration and application for license of a business, and for the submission of required information as may be necessary to properly administer and enforce the provisions of this Ordinance;
2. To issue to each person a business license within a reasonable time after the payment of the license fee assessed and levied in this Ordinance; provided, however, where under other ordinances of the County permit, certifications and compliances with the enumerated conditions are required for the operation of the business, the Inspections Department shall not issue such business license until the applicant exhibits to the Inspections Department Director such obtained permits, certifications, and compliances; and
3. To issue executions for the collection of all outstanding fees levied and assessed under the terms of this Ordinance, together with penalties and interest. Such executions shall be collected in the manner provided by law for the collection of other taxes and fees due the County. (#493, 6/7/74, Sec. 21)

**§16-223** Same; Rules and Regulations. The County Manager shall have the power and authority to make and publish reasonable administrative rules and regulations not inconsistent with this Ordinance or other laws of the County and the State of Georgia, or the constitution of this State or the United States, for the administration and enforcement of the

provisions of this Ordinance and the collection of the license fees hereunder. (#493, 6/7/74, Sec. 22)

**§16-224** Same; Use of Funds. Funds received under this Ordinance shall be used in the County. (#493, 6/7/74, Sec. 26)

## ARTICLE III

### **Transient Merchant, Peddler and Solicitor**

**§16-301** Title. The title of this Ordinance shall be "The Transient Merchant, Peddler and Solicitor Ordinance."

**§16-302** Definitions. The following words and phrases shall have the meanings set forth below, unless the use of any such word or phrase in context clearly indicates otherwise:

1. Street. The word "street" shall mean and include any street, alley, avenue, court, sidewalk, public right-of-way, or any other public place within the unincorporated area of Chatham County.
2. Transient Merchant. A transient merchant is any person, firm, or corporation, whether resident or non-resident of Chatham County, who has no permanent, regular place of business within the County and who engages in the business of selling or offering to sell goods or services from a temporary fixed place of business located within the County, including any room or space in a hotel or motel, boarding house, public or private building, or any other fixed place of business within the County; provided, however, that no merchant shall be considered a transient merchant under this Ordinance if, (1) such merchant is a bona fide commercial traveler selling goods at wholesale by samples; or (2) such merchants has already paid a license fee to Chatham County for the privilege of conducting a permanent business; or (3) such merchant is a peddler otherwise licensed by the County to sell goods from place to place.
3. Transient Peddler. A transient peddler is any person who is a non-resident of the County, who has no permanent, regular place of business within the County, and who engages in the business of selling or offering to sell goods or services by going from place to place within the County, except a person selling agricultural products and holding a letter from a County Agent certifying that the products were produced by that person.
4. Local Peddler. A local peddler is any person who is a resident of the County, who has no regular fixed place of business within the County, and who engages in the business of selling or offering to sell goods or services by going from place to place within the County, except a person selling agricultural products and holding a letter from a County Agent certifying that the products were produced by that person.

5. Street Barker. For purposes of this Ordinance, a street barker is defined as any peddler, whether transient or local, who does business during recognized festival days in Chatham County, and who limits his business to selling or offering to sell novelty items and similar goods in the area of the festival or parade.
6. Solicitor for Charitable or Religious Purposes. Any person who solicits contributions from the public, either on the streets of the County or door-to-door, for any charitable or religious organization, and who does not sell or offer to sell any single item at a cost to the purchaser in excess of ten dollars (\$10.00), shall be defined as a solicitor for charitable or religious purposes. No qualification as a "charitable" or "religious" organization shall exist unless the applicant, (1) is able to demonstrate a current exemption certificate from the Internal Revenue Service pursuant to Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, or (2) has maintained in Chatham County a continuous existence as a charitable or religious organization for a period of three years prior to the date of its application pursuant to this Ordinance.
7. Solicitor for Subscriptions. Any person who solicits subscriptions by going from place to place within the County and who offers for sale subscriptions to magazines or other materials protected by the First Amendment of the Constitution of the United States of America shall be defined as a solicitor for subscriptions.
8. License. The right or privilege granted by the County of Chatham to engage in business as a transient merchant or peddler within the corporate limits of the County. Evidence that such right or privilege has been granted shall be in the form of a license document issued by the County, which document shall be kept at the merchant's place of business within the County or on the peddler's person or within the peddler's vehicle.
9. Permit. The authorization granted by the County of Chatham to solicit for charitable or religious purposes or to solicit subscriptions as defined by this Ordinance, there being no fee nor charge for such permit. Evidence that such authorization has been granted shall be in the form of a document issued by the County.
10. Booth, Stand. Any table, shelf, counter, cart, or other facility, whether mobile or fixed, which is placed on a street or other public place within the County for purpose of selling or offering to sell any good or service to the public, or for soliciting for any purpose, except for any non-motorized

wheeled vehicle which is properly licensed under Section 16-315 of this Ordinance.

**§16-303** License or Permit Required. No person, firm, or corporation shall operate a business as a transient merchant or peddler within the County unless a license for such business has first been granted by the County, and no solicitor for charitable or religious purposes or solicitor for subscriptions as defined by this Ordinance shall solicit within the County unless a permit has been granted by the County in accordance with the provisions of this Ordinance. Such license or permit shall be effective only for the period stated in the document, unless suspended or revoked prior to expiration.

Application for a license or permit shall be made on forms provided by the County and shall provide such information as is required by this Ordinance, and such additional information as may be necessary to define completely the activities to be conducted within the County.

**§16-304** Application for License. An application containing the following information shall be completed and filed with the County Inspections Department Director by each applicant for a license to do business within the County as a transient merchant or as a transient peddler:

1. Name of the applicant;
2. Permanent address and telephone number of the applicant;
3. Local address and telephone number of the applicant;
4. Applicant's date of birth and age, if an individual;
5. Applicant's Social Security Number, or Federal Employer Identification Number;
6. If applicant is a partnership or corporation, the name and home address of each partner, principal, registered agent, or corporation officer;
7. If applicant is a corporation, the state and date of incorporation;
8. If applicant is a partnership or corporation, the name, home address, date of birth, age, and Social Security Number of the principal representative or registered agent in the County;
9. Name and home address of all employers who will work in the County;

10. Name of business represented by the applicant; if, different from applicant;
11. Name of parent company of said business, if applicable;
12. Permanent address of the business represented by the applicant;
13. Name of agent conducting sale, if any;
14. Local address and telephone number of sales agent, if any;
15. Type merchandise or service to be offered for sale;
16. Place where business is to be conducted;
17. Dates to be in business, and total number of days to be in business;
18. Hours during which business will be conducted;
19. Manner in which business is to be conducted;
20. Georgia Sales Tax number or authorization;
21. Georgia State Business License number, if required;
22. State and license tag number of each vehicle to be used in the business; and
23. List of cities where business has been conducted by the applicant within the past twelve months.

The license application shall be signed under oath by the applicant.

**§16-305** Application for Solicitor's Permit. Any applicant for a permit to solicit funds for a charitable or religious organization, and any applicant for a permit to solicit for subscriptions, shall make application to the County Inspections Office. Such applicant shall provide the name and address of the applicant, the name and address of the business or organization represented, the dates during which activities will be conducted within the County, the identity of all persons to solicit within the County, and such other information as the County Inspections Director may find necessary to identify the solicitors and defined the activities to be conducted. Any such applicant who has not resided in Chatham County for the preceding six months shall register at the Chatham County Police Department, and shall be subject to a police investigation of any and all solicitors listed in the application. Any solicitor's permit may be

denied or revoked under any circumstances as shown in Section 16-308 below.

**§16-306** Registered Agent Required. Transient merchants shall submit evidence with each license application showing that such transient merchant has filed with the Clerk of Superior Court of Chatham County the name and permanent address of the transient merchant's registered agent. Such registered agent shall be a resident of Chatham County and shall be an agent of such transient merchant upon whom any process, notice or demand required or permitted by law to be served upon the transient merchant may be served in the same manner provided by law for the services of a summons or complaint. Said registered agent shall agree in writing to act as such agent and a copy of the agreement shall be filed with the license application.

Any such registered agent shall act in the same capacity and have the same duties and responsibilities, and be subject to the same actions of the Superior Court, as would any agent registered as required by H.B. 1568 of the General Assembly of Georgia adopted in 1980 and known as the "Transient Merchant Act of Georgia".

**§16-307** Georgia Corporations and Registered Corporations Excepted. No applicant which is a corporation, and which submits evidence that the said corporation is chartered by the State of Georgia, shall be required to secure a registered agent within Chatham County.

No applicant which is a corporation chartered outside the State of Georgia, and which submits evidence that said corporation is currently registered with the Secretary of State of the State of Georgia, shall be required to secure a registered agent within Chatham County.

**§16-308** Disapproval or Revocation of License. No application shall be approved and any license previously issued may be revoked if any investigation determines that:

1. Any false statement, material omission, or untrue or misleading information is contained in or left out of the application; or
2. The applicant, or any principal participant in the business, has been convicted within the past five years of a felony, or of any crime involving moral turpitude, whether in connection with operation of the business or not; or

3. Said business is operated or is proposed to be operated, in violation of any law of the United States or the State of Georgia, or in violation of any ordinance of Chatham County.

**§16-309** Inspections Department Approval Required. Any application for a transient merchant's license or a transient peddler's license shall be reviewed by the County Inspections Department Director to insure compliance with zoning and safety code requirements of the County. The application must be approved by the Inspections Director, or the director's designee, before a license may be issued by the Inspections Department.

**§16-310** License Fee for Transient Merchants. A daily license fee as listed in the County Business Regulations and License Ordinance (see 16-127), shall be paid by any transient merchant as defined by this Ordinance, up to a maximum amount for any one period of continuous business operation within the County during a calendar year; provided, however, that in any case where a higher license fee is required by another Ordinance, the higher fee shall apply; and provided further that any such license shall expire no later than December 31st of the year in which business is conducted.

**§16-311** License Fee for Transient Peddler. A daily license fee as listed in the County Business Regulations and License Ordinance (See §16-127) shall be paid by an transient peddler as defined by this Ordinance, up to a maximum fee amount for any one period of continuous business operation within the County during a calendar year; provided, however, that in any case where a license fee higher than the maximum limit is required by other ordinances, the higher fee shall apply; and provided further that any such license shall expire no later than December 31st of the year in which business is conducted.

**§16-312** License Fee for Local Peddler. Any local peddler as defined by this Ordinance shall be licensed in the same manner and in the same amount as is required by any other local resident, merchant, as provided by other ordinances.

**§16-313** License Fee for Street Barker. No peddler who does business as a street barker as defined by this Ordinance shall be required to comply with the foregoing application requirements for transient merchants and transient peddlers. Application for such license shall be on the regular license application form, and such license shall be issued for a period not to exceed the duration of the festival or parade. The license fee for each such street barker shall be daily, as listed in the County Business Regulations and License Ordinance (See §16-127), up to a maximum fee amount for any one period of continuous business operation within the County

during a calendar year; provided, however, that any such license shall expire no later than December 31st of the year in which business is conducted.

**§16-314** Peddler and Solicitor Regulations. The following regulations shall apply to any peddler doing business within the unincorporated area of Chatham County, whether transient or local, and to any solicitor for a charitable or religious organization or for subscriptions who is required to obtain a license or permit:

1. No peddler or solicitor shall be permitted to set up and operate a booth or stand on any street or sidewalk, or in any other public area within the County, except with the written permission of the County's Director of Inspections.
2. No peddler or solicitor shall stand or sit in or near the entrance to any house or place of business, and no peddler or solicitor shall stand or sit in any place which may disrupt or impede pedestrian or vehicle traffic.
3. No peddler or solicitor shall offer to sell goods or services or solicit in vehicular traffic lanes of the County, and no such peddler or solicitor shall operate a "roadblock" (a complete or partial obstruction) directed toward vehicular traffic.
4. If any officer of the County Police Department should determine that pedestrian or vehicular traffic congestion is such that public hazard or inconvenience would result from peddling or soliciting in the congested area, such officer shall have authority to require any peddler or solicitor to move from the area.
5. No peddler or solicitor shall enter a private residence, place of business, public building, or other premises within the County under false pretenses for the purpose of peddling goods or services, soliciting orders for the sale of goods or services, soliciting subscriptions, or soliciting contributions; no peddler or solicitor shall remain in or on such premises after the owner, occupant, or other person in charge has requested the peddler or solicitor to leave; and no peddler or solicitor shall go in or on such premises when the owner, occupant, or other person in charge has displayed a "No Soliciting" sign or other similar sign on the premises.
6. Any peddler or solicitor's stand or booth to be located on private property shall be with the prior express permission of the property owner, and shall meet zoning regulations and all safety and health code requirements of the County.

7. No peddler or solicitor shall harass, (badger or irritate) or intimidate (threaten) the public in any manner.
8. Each peddler, each solicitor for subscriptions, and each solicitor for a religious or charitable organization shall be required to display a valid license or permit issued by the County, or a copy thereof, in a conspicuous manner which can be clearly observed by any person being solicited for a sale, subscription, or contribution; provided, however, that each member or representative of a religious or charitable organization which has been issued a permit to solicit contributions within the county may, in lieu of displaying a copy of the permit, display an identification badge or insignia of the organization if such insignia has been established by a statutory service or trademark, in a manner which can be clearly observed by any person being solicited.
9. When any officer of the County Police Department or any other authorized County officer, deems that a peddler or solicitor is in violation of any provision of this Ordinance, such officer shall have authority to direct the peddler or solicitor to correct the violation immediately, and such peddler or solicitor shall comply with the directive or be subject to the penalties prescribed by this Ordinance.

**§16-315** Sales from Non-Motored, Wheeled Vehicles. Sale of any item from a non-motorized wheeled vehicle at a stationary site shall be confined to the area of streets contiguous to and around the squares, parks, and recreation areas of the County; no sales from such vehicles shall be permitted on sidewalks along streets, within, or around parks or squares. Any person making sales from such vehicles shall be responsible for collecting all trash and materials discarded by customers of the business within a fifty foot (50') radius of the vehicle. Such vehicles shall be licensed in accordance with the provisions of the Chatham County Ordinance, and no such license shall be issued to a transient merchant or transient peddler, until such vehicle is licensed as provided by the Chatham County Ordinance.

**§16-316** Penalty for Violation. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County Jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the

case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

**§16-317** Severability. This Ordinance is severable, and if any phrase, clause, sentence, paragraph, or part of this Ordinance shall for any reason be determined invalid, such determination shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to such phrase, clause, sentence, paragraph, or part hereof directly involved in the determination.

**§16-318** Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**§16-319** Jurisdiction. This Ordinance shall be effective in the unincorporated area of Chatham County, outside the corporate limits of any municipality found therein.

**§16-320** Effective Date. This Ordinance shall be effective on April 23, 1981. (4/23/81)

**§16-321** [16-321 - 16-399 RESERVED]

## ARTICLE IV

### Kerosene Heaters

**§16-401** Sale of Oil-Fueled Stoves and Heaters Shall Be Approved by Chatham County. It shall be unlawful to possess, sell or use in the unincorporated areas of Chatham County any wick-type stove or wick-type heater which is not approved for sale and use by Chatham County.

**§16-402** Locations Where Approved Heaters May Be Used. Approved oil-fueled wick-type heaters may only be used as follows:

1. In one- and two-family dwelling units.
2. In accessory buildings located separate and apart from the main building on a lot.
3. In an agricultural building.
4. In buildings under construction.

**§16-403** Requirements for Approved Heaters. Approved oil-fueled wick-type heaters shall adhere to the following requirements:

1. Approved oil-fueled wick-type heaters shall have labeling affixed thereto that provides precautions and information concerning:
  - a. Provision of an adequate source of ventilation when the heater is in operation;
  - b. Use of suitable fuel only in the heater;
  - c. Proper manner of fueling;
  - d. Proper placement and handling of the heater when in operation;
  - e. Proper procedures for lighting, flame regulation and extinguishing the heater; and,
  - f. The statement that: "This heater must not be operated while unattended."
2. Approved oil-fueled wick-type heaters shall be packaged with instructions concerning proper maintenance and operation.
3. Approved oil-fueled wick-type heaters shall be constructed with a low center of gravity and minimum tipping angle of 30 degrees from the vertical with an empty reservoir.

4. Approved oil-fueled wick-type heaters shall have an automatic shut-off device or other inherent design feature which eliminates fire hazards in the event of tipover, and which conforms to the standards set forth in National Fire Protection Association (NFPA) No. 31.
5. Approved oil-fueled with-type heaters shall not produce carbon monoxide at rates which create a hazard when operated as intended and instructed.
6. Approved oil-fueled wick-type heaters all be "Listed", meaning that such heater has been evaluated with respect to reasonable foreseeable hazards to life and property by any nationally recognized testing agency, such as Underwriters Laboratories, Inc., Canadian Standards Association or Factory Mutual System, and is shown to be reasonably safe for its specific purpose and shown in a list published by such agency and bears the mark, name or symbol of such agency as an indication that it has been so authorized. Such evaluation shall include, but not be limited to, the requirements listed above.
7. Approved oil-fuel, wick-type heaters shall have the following warning affixed to the front, top, or area adjacent to the fueling point of the heater, in red lettering of not less than on-half inch ( $\frac{1}{2}$ " ) in height:  

**WARNING - DO NOT USE GASOLINE**
8. Any listed oil-fueled, wick-type heater shall be approved if it satisfies the requirements herein set forth.

**§16-404** Kerosene Containers. Kerosene fuel shall be distributed, sold or stored only in metallic containers that are clearly marked "Kerosene." These containers shall be approved by a licensed testing agency. The "kerosene" marking shall be permanently attached and shall not be rendered illegible through normal use. Kerosene shall not be stored in the living areas of a building.

**§16-405** Severability. If any portion or section of this Ordinance shall be deemed invalid, it shall not affect the remaining sections which shall be deemed valid.

**§16-406** Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**§16-407** Effective Date. This Ordinance shall be in full force and effect on April 23, 1982. (4/23/82; 5/14/82)

**§16-408** Penalties for Violation. Failure to comply with any of the requirements and provisions of these regulations,

including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County Jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

**§16-409**    [§16-410 - §16-450 RESERVED]

## ARTICLE V

### Fortune Tellers

**§16-501** License Required. Every person or firm in Chatham County, Georgia, outside the corporate limits of any municipality therein, engaged in any of the following businesses: Fortune tellers, palmists, astrologists, clairvoyants, phenologists, or mediums or any other form of fortune telling shall, before engaging in said business, in Chatham County, as aforesaid, file with the Inspections Department Director or the Director's designee, and application for a license to conduct and carry on said business. (No. 547, 6/6/74, Sec. 2)

**§16-502** Same; Application. Each applicant for a license to conduct a business involving the telling of fortunes or predicting of the future shall file a completed application on forms provided therefor, together with payment of the applicable license fee with the Inspection Department Director or the Director's designee. Each application shall contain the following information:

Before the undersigned attesting officer duly authorized by law to administer oaths, personally comes the applicant for a license to conduct the hereinafter described business and, being first duly sworn, on oath, says that the information hereinafter given and the statements hereinafter made in answer to the following questions are true:

1. What is the kind of business to be operated?
2. What is the name of the business?
3. What is the location where such business is proposed to be carried on and the telephone number at said location?
4. What is the name of the applicant for the license, and the home address and telephone number of said applicant?
5. Where has applicant resided for the six (6) months preceding the date of this application?
6. What was the applicant's previous home address, and how long was applicant a resident there?
7. What is the Social Security Number of said applicant?
8. What are the names and addresses of all persons having an interest in said business?

9. What interests do such persons have?
10. Who is the landlord or owner of said location, and what is the address and telephone number of said landlord or owner?
11. Has the applicant or any person connected with or having an interest in said business:
  - a. Been charged or convicted of any violation of law (other than minor traffic violations) in any locality?
  - b. Served time in prison, or other correctional institution?
12. If the answer to Section (a) of the above question is "yes", state circumstances in detail. Information must be complete as to dates, charges, court of jurisdiction, and disposition for each violation.
 

If the answer to Section (b) of the above question is "yes", state circumstances in detail. Information must be complete as to dates, charges, court of jurisdiction, and disposition for each violation.
13. Give the name, home address and telephone number and place of employment of two (2) persons who are residents of this city, who are familiar with your character and reputation.

All of the foregoing information is hereby given and all of the foregoing statements are hereby made on oath, willfully, knowingly and absolutely, and the same is and are hereby sworn or affirmed to be true under penalty for false swearing, as provided by law.

**§16-503** Granting of License; Revocation; Expiration; Residence.  
 Chatham County shall have the right and privilege of granting or declining such license to conduct said business, and if the same shall be granted it shall be subject, however, to revocation at any time by Chatham County. Any person, persons or firm to whom such license shall be issued shall take such license subject to the same being revoked as herein provided. Such permit shall not be transferable. Licenses so granted shall expire at the end of each calendar year, and may be renewed only in the manner and form provided in this Chapter for the original granting of license. No license shall be issued to any person or persons who have not resided in Chatham County at least six (6) months immediately prior to the filing of their application for a license or to any corporation which has not been doing business in Chatham County at least six (6) months immediately prior to filing of its application for a license. (No. 547, 6/6/75, Sec. 4 as amended by No. 555, 7/3/75, Par. 1)

**§16-504** License Fee. The license fee is listed in the Business Regulations and Licensing Ordinance (See §16-127)

**§16-505** Rules and Regulations. The following rules and regulations are hereby established, and shall govern the conduct and operation of every such place of business, and every person, person or firm operating such place of business:

1. All noisy, boisterous or disorderly conduct at any such place of business, conducted by any person, and used by them for the following businesses: Fortune Tellers, Palmists, Astrologists, Clairvoyants, Phenologists, Mediums, or any other form of fortune telling, is expressly forbidden in this chapter, and every such person, persons or firms conducting any place of business for which a permit or license has been granted, and for which a license fee has been paid, shall be subject to have said permit or license revoked in the manner provided for in this Chapter for permitting any such boisterous, noisy or disorderly conduct in such place of business.
2. If any person, persons or firm to whom a permit has been issued under the provisions of this chapter, shall violate any of the provisions of this chapter, or any of the rules or regulations of this chapter for the conduct of his place of business, and such person, persons or firm is convicted in the Magistrate Court or Recorder's Court of Chatham County, Georgia, of such violation, the Director of Inspection is hereby vested with the power and authority to immediately revoke such permit and license; such revocation shall continue until the next meeting of the Commissioners of Chatham County, Georgia, when and where such person, persons or firm whose permit and license have been revoked may appear and be heard, and shall show cause, if any, why such revocation of such permit or license should not be confirmed by said Commissioners of Chatham County, Georgia. If such action of the Director of Inspection of Chatham County in revoking such permit and license is confirmed by said Commissioners of Chatham County, Georgia, the holder of such permit and license shall no longer engage in such business, the amount paid for such license as a license fee shall be forfeited to Chatham County, Georgia and if such person shall continue to do business, he shall be subject to prosecution for doing business without a license and punished accordingly. (No. 547, 6/6/75, Sec. 6)

**§16-506** Location of Business. Said business of fortune tellers, palmists, astrologists, clairvoyants, phenologists, mediums, or any other form of fortune telling shall be located only in business zones as provided in the zoning ordinance for Chatham County, as amended. (No. 547, 6/6/75, Sec. 7)

**§16-507** Penalties for Violation. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements, shall upon conviction thereof, be fined not more than \$500, or imprisoned in the County Jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

## ARTICLE VI

### Child Day Care Agencies

**§16-601** Definitions. Child day care agency. The term "child day care agency" shall mean and include any institution or place, whether known as a day nursery, nursery school, kindergarten, play school, or any other name, in which four or more children not within the third degree of kinship of the operator are received for temporary custody for more than one (1) day or portion thereof a week, whether for compensation or otherwise. Excluded from this definition are recognized elementary or secondary schools that do not conduct kindergarten or nursery programs below the first grade.

Operator. The word "operator" shall mean the person who controls and manages the actual business of operating a child day care agency. (#124, 9/26/58, Sec. 1)

**§16-602** Application for License. Before any person shall begin the operation of a child day care agency, such person must make application for a license, in writing, to the Director of Inspections of Chatham County, Georgia, setting forth the following:

1. The name of the person who is going to operate, conduct and manage said agency;
2. Where said agency shall be located;
3. The number of people to be employed or connected therewith; and
4. A description of the house or the premises to be used or utilized in connection therewith.

Before beginning the operation of such agency, said person must receive a license for this purpose. Thereafter, the operator must reapply annually before the first day of January for renewal of such license, and may not continue to operate a child day care agency if such renewal of license is not received by the 1st of January each year. (#124, 9/26/58, Sec. 2; #74, 8/8/47, Sec. 1)

**§16-603** Inspections and Recommendations. Before issuing or renewing a license to any person for the operation of a child day care agency, the application shall be referred to the Chatham County Board of Health, the Chatham County Department of Family and Children Services, and the Chatham County Fire Inspector for their respective inspections and a recommendation regarding the application from an authorized

representative of each of these three bodies must be on file with the Chatham County Inspections Department before action may be taken; provided, that if thirty (30) days shall lapse without such recommendation being delivered, action may proceed.

If inspection and recommendation by any of the three designated bodies might be unreasonably delayed in any instance through limitation of personnel or the fulfillment of primary commitments, such a body or bodies may seek the assistance of other qualified sources in executing the responsibilities described herein.

If recommendations from any of the three designated inspection bodies are "unfavorable", such unfavorable report shall state in what respects the proposed child day care agency is unsuitable for such purposes. If applicant meets the objections stated in the report within two weeks and notifies the reporting body in writing of the correction of such defects, a re-inspection shall be made and the report may be amended from "unfavorable" to "favorable". If, however, the applicant desires a hearing on the application after an unfavorable report, such applicant shall request, in writing, such hearing which shall be arranged by the Chatham County Inspections Department Director at the earliest practicable date thereafter, with reasonable notice being given to the applicant and to the inspecting body of the date of such hearing. If the Director of Inspections rules against the applicant, the applicant may appeal the decision to the Board of Commissioners. All parties shall have the right to present evidence and to be represented by counsel at such hearing before the Board of Commissioners which shall be open to the public. (#124, 9/26/58, Sec. 3)

**§16-604** Contents of License. If the action of the Chatham County Commissioners is favorable, the Inspections Director shall issue the license, showing the date of expiration of such license and, when specified by the Chatham County Commissioners for reasons of safety, health, or welfare, showing the maximum number of children that may be accommodated in said child day care agency. (#124, 9/26/58, Sec. 4)

**§16-605** Regulations. By filing an application for license to operate a child day care agency, the applicant thereby agrees that such child day care agency may be inspected during reasonable hours from time to time, with or without notice, as to its continued suitability as a child day care agency, by any authorized representative of the three inspecting bodies named herein. If such inspection shows the child day care agency to have become unsuitable for its purpose since the

issuance of the license, the operator shall be given written notice of the defects noted and that the permit will be subject to revocation unless conditions complained of shall have been corrected within two weeks of receipt of notice in regard thereto. Action regarding revocation of license shall follow the same procedure set forth herein (Section 16-603) for action regarding denial of license after an "unfavorable" report by inspecting body. (#124, 9/26/58, Sec. 5)

**§16-606** Continued Supervision and Inspection. When a permit has been issued for the operating of a foster home, day nursery, nursery school, kindergarten, play school, or any other name, the same shall continue to be subject to the supervision and inspection as herein set forth at all times. (#124, 9/26/58), Sec. 6)

**§16-607** License Fee. The license fee for child day care agencies is listed in the County's Business Regulations and Licensing Ordinance (See §16-127)

**§16-608** Penalties for Violation. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County Jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

## ARTICLE VII

### Foster Homes

**§16-701** Compliance with Article. It shall be illegal to conduct or maintain in Chatham County any foster home whether for the compensation or otherwise for the boarding and/or lodging of minor children who are not within the third degree of kinship of the owner of said home without complying with the terms and provisions of this article. (#101, 12/9/55, Sec. 1)

**§16-702** Application Procedures. Before any person, firm, or corporation shall begin the operation of a foster home for the boarding and/or lodging of minor children who are not within the third degree of kinship of the owner of said home such operator shall make application in writing to the Inspections Director of Chatham County for a permit to operate such foster home. The application shall set forth the following information in detail:

1. The name of the person who is to be in charge of said home and who is to be responsible for the compliance therein of the terms of this Ordinance.
2. The address and location of the home.
3. A description of the home as to type of building (whether it be frame, brick, or otherwise), the number of rooms therein, extent and type of sanitary and toilet facilities available, and such other information as may be necessary for proper determination as to fire safety and sanitary conditions thereof.
4. The number of children that the operator intends to accommodate in said foster home. (#101, 2/9/55, Sec. 2)

**§16-703** Inspections and Reports. The Director shall, upon receiving the said application, transmit it to the Chatham County Department of Family and Children Services, which shall promptly make an inspection of the proposed foster home and thereafter make a report of either "favorable" or "unfavorable", thereon to the Director of Inspections. If the report is "unfavorable", the report shall state in what respects the proposed foster home is unsuitable for such purpose. If the applicant meets the objectives stated in the report within a reasonable time from the date of notification (not exceeding two weeks), and notifies said department in writing of the correction of such defects, the report from the Department may be amended from "unfavorable" to "favorable." If, however, the applicant desires a hearing on the application after an unfavorable report, such applicant shall

request, in writing, such hearing which shall be held by the Chatham County Commissioners at the earliest practicable regular meeting thereafter with reasonable notice being given to the applicant and to the Chatham County Department of Family and Children Services of the date of such hearing. All parties shall have the right to present evidence and to be represented by counsel at such hearing which shall be open to the public. The decision rendered at such regular meeting upon the application shall be final and binding after such hearing. (#101, 2/9/55, Sec. 3)

**§16-704** Maximum Number of Children Specified. If the report upon the application is "favorable" such report shall state the maximum number of children that may be accommodated in said foster home and the Inspections Director shall issue the permit for such foster home. The operator shall not maintain more than such maximum number at any time in said foster home. (#101, 2/9/55, Sec. 4)

**§16-705** Names, etc., to be Registered. The operator of said home shall register with the Chatham County Department of Family and Children Services the name and age of each child accepted by such operator, which registration shall also state the name and address of the parent, guardian or next of kin responsible for such child. Foster homes which are supervised by licensed child placement agencies are relieved from such registration. Such registration may be made orally in person or by telephone or in writing. (#101, 2/9/55, Sec. 5)

**§16-706** Notification of Release of Children. Whenever a registered child is released, dismissed or discharged from such foster home, the operator shall promptly in writing notify the Chatham County Department of Family and Children Services as to the date of such release, dismissal or discharge, stating the name and address of the person to whom the child was delivered and the name and address of the person assuming responsibility for said child. (#101, 2/9/55, Sec. 6)

**§16-707** Inspections. In filing an application for the operation of a foster home, the applicant thereby agrees that such foster home may be inspected during reasonable hours from time to time, with or without notice, as to its continued suitability as a foster home by any representative of the Chatham County Department of Family and Children Services. (#101, 2/9/55, Sec. 7)

**§16-708** Revocation of Permits. All permits for foster homes are revocable for cause. Whenever it shall appear to the Chatham County Department of Family and Children Services that any foster home is not being conducted to serve the best interests

of the children therein, the operator shall be given notice in writing as to the conditions complained of and the permit will be subject to revocation unless good cause is shown at the next regular meeting of the Chatham County Commissioners, at which time the operator of the foster home involved may appear and present evidence and be represented by Counsel. The decision thereon rendered at such regular meeting of the Chatham County Commissioners shall be final and binding. (#101, 2/9/55, Sec. 8)

**§16-709** Renewal of Permits. Each permit that is granted hereunder is to be renewed annually on or before July 1 of each year. Renewal shall be by the applicant completing in June of each year the same application forms as when securing the original permit for such foster homes and upon failure to so apply the permit theretofore granted shall automatically expire. (#101, 2/9/55, Sec. 9)

**§16-710** Penalty for Violation. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County Jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

## ARTICLE VIII

### Massage Parlors

#### §16-801 Definitions:

1. Massage Parlor shall mean a place of business wherein the principal purpose is the administering of a body massage to a customer by an owner, employee or agent who is (and must be) of the same sex of the customer.
2. Public Place means any place where the conduct involved may reasonably be expected to be viewed by people other than members of the actor's family or household. (#503, 7/5/74, Sec. 1).
3. Masseur means a male who practices massage or physiotherapy or both (O.C.G.A. 16-6-17).
4. Masseuse means a female who practices massage or physiotherapy or both (O.C.G.A. 16-6-17).
5. Physical therapist or physiotherapist means a person licensed to practice physical therapy as defined in O.C.G.A. 43-33-3 and such practice shall not be considered a massage parlor as herein defined.
6. Therapeutic massage means a massage performed by a person licensed by the State of Georgia for therapeutic (healing) purposes e.g. a physical therapist, physician, osteopath, chiropractor, podiatrist, nurse or other licensed person, and such licensed person practicing therapeutic massages shall not be considered as a massage parlor as herein defined. (Amended 4/13/90)

§16-802 License Fee. It is declared that for the protection of the public health, safety and general welfare, massage parlors shall be regulated and that an annual business license shall be required to operate a massage parlor in the unincorporated areas of Chatham County, Georgia. Any license issued hereunder shall be subject to the regulations, restrictions and revocation as set forth herein. The annual license fee for each massage parlor shall be the amount set forth in the Chatham County Business License Ordinance. (#503, 7/5/74, Sec. 2) (See Article I, Section 16-127)

§16-803 Public Places. Massage parlors are hereby declared to be a public place. (#503, 7/5/74, Sec. 3)

#### §16-804 Prohibitions:

1. A massage of the genitals of a person is prohibited in massage parlors licensed hereunder.
2. Acts of public indecency are prohibited in massage parlors.
3. Acts of pandering, pimping and solicitation for prostitution are prohibited in massage parlors.
4. A prostitute or woman of ill repute shall not be permitted to work in a massage parlor licensed hereunder.
5. No person who has a venereal disease shall be allowed to work in a massage parlor licensed hereunder. (#503, 7/5/74, Secs. 4-8)
6. It shall be unlawful and a violation of this ordinance for any masseur or masseuse to massage any person in any building, structure, or place used for the purpose of lewdness, assignation, prostitution, or masturbation for hire (O.C.G.A. 16-6-17). (Amended 4/13/90)

**§16-805**    Criteria for License.

1. In determining whether or not a license applied for hereunder shall be granted the following shall be considered in the public interest, health and welfare:
  - a. The moral character of the applicant;
  - b. The location of the business in an area zoned for commercial or industrial purposes;
  - c. The location of the business as to creation of traffic congestion or traffic hazards;
  - d. The effect the location of the business has on the adjacent and surrounding property values; and,
  - e. The precautions the license applicant is to take to prevent violations of the provisions of this chapter.
2. The applicant shall have attached to the licensed application a certificate from the Chief of Police of Chatham County certifying the following:
  - a. The applicant has been investigated by the Chatham County Police Department and he has not been convicted of any crime;
  - b. The location of the business establishment is not within 200 yards of any church, religious book store, public

park, public housing project, hospital, any school, college, recreation center or private resident; and,

- c. The name, age, present address, the address for the past five (5) years of each employee of the massage parlor and a statement listing any criminal charges or convictions of the employees, and the city, county, and state where such charge or conviction occurred.
3. Should false information be given by the applicant in obtaining the massage parlor license, it shall be grounds to revoke said license. Notice and hearing shall be given to the license owner or holder as elsewhere provided herein. (#503, 7/5/74, Sec. 9)

**§16-806** Statements Provided to Chief of Police. After the massage parlor license is issued, the license applicant shall provide to the Chief of Police of Chatham County, Georgia, the name and address and a statement listing any criminal charges or convictions of each person subsequently employed in the massage parlor. Such statements shall also contain the city, county and state where such criminal charge or conviction occurred. A violation of this provision shall be cause to revoke the license issued. (#503, 7/5/74, Sec. 10)

**§16-807** Health Card or Certificate. All employees of a massage parlor must obtain a health card or certificate from the Public Health Department or a licensed medical doctor of Chatham County which shows that the employee does not have a communicable disease. New cards or certificates must be obtained quarterly by each employee. The employment of a person who does not have a valid health card or certificate shall be grounds to revoke the license issued herein. (#503, 7/5/74, Sec. 11) (Amended 4/13/90)

**§16-808** Location of Massage Parlor. All massage parlors to be licensed under this chapter shall be licensed to do business only in areas zoned for commercial or industrial purposes as specified in the Chatham County Zoning Ordinance. The location of the massage parlor shall not be within 200 yards (600 feet) of any property containing a church, religious book store, public park, public housing project, hospital, any school, college, recreation center or private residence. No license shall be issued for a massage parlor whose business location violates the provisions of this section or the provisions of the Zoning Ordinance or other applicable ordinances, regulations or rules of Chatham County. (Amended 4/13/90)

**§16-809** Revocation of License. Any Massage Parlor whose owner, employee, or agent violates or attempts to violate any of the

regulations provided in Sections 16-803 or 16-804 shall have the license issued under this chapter revoked. (#504, 7/5/74, Sec. 13/#507, 8/2/74)

**§16-810** Violations. A violation of any one (1) or more of the sections of this chapter shall constitute cause to revoke the license issued to a massage parlor hereunder. (#503, 7/5/74, Sec. 14)

**§16-811** Revocation Hearing. Should a charge be made to the Commissioners of Chatham County that a violation of this chapter has occurred, the Director of Inspections shall give at least seven (7) days notice to the owner of the license to appear before the Commissioners of Chatham County to show cause why the license should not be revoked. Notice shall be sufficient when delivered to the business location and handed to an employee, owner or agent. At the time of the hearing the holder of the license shall be given the opportunity to be heard and present evidence as to why the license should not be revoked. Should the Commissioners of Chatham County decide from the evidence presented that the license should be revoked, they shall so declare by a vote and enter the same upon the minutes. The license shall be immediately surrendered or if necessary, confiscated or declared void. (#503, 7/5/74, Sec. 15)

**§16-812** Penalties. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

**§16-813** Operation without License. Any person, corporation, or association operating a massage parlor without the license required herein shall be guilty of violating this chapter.

**§16-814** Display of License. The business license of a massage parlor shall be exhibited and displayed at all times in some conspicuous place near the entrance to the business where it may be seen by all customers entering the premises. A

violation of this Section shall constitute grounds to revoke the license. (#503, 7/5/74, Sec. 18)

**§16-815** Term of License; Transfer; Prorate Fee. The license shall automatically expire on December 31st of the year of issuance. The license issued hereunder shall not be transferable. No refunds shall be made for a license issued under this chapter. The name in which the massage parlor is transacted and advertised must be the same as the name in which the license is issued. (#503, 7/5/74, Sec. 19)

**§16-816** Administration of Article. The Inspections Department shall administer and enforce the provisions of this Chapter for the levy, assessment and collection of license fees and penalties imposed herein. (#504, 7/5/74, Sec. 21)

**§16-817** Duties of Inspections Department. The Inspections Director or his authorized representative shall have, among others, the following duties:

1. To prepare and provide the necessary forms for the registration and application for license of a business, and for the submission of required information as may be necessary to properly administer and enforce the provisions of this Chapter.
2. To issue to each person a business licence within a reasonable time after the payment of the license fee assessed and levied in this Chapter; provided, however, where under other ordinances of the County permits, certifications and compliance with the enumerated conditions are required for the operation of the business, the Inspections Department shall not issue such business license until the applicant exhibits to the Inspections Department such obtained permits, certifications and compliances; and,
3. To issue executions for the collection of all outstanding fees levied and assessed under the terms of this Chapter, together with penalties and interest. Such executions shall be collected in the manner provided by law for the collection of other taxes and fees due the county. (#503, 7/5/74, Sec.22)

**§16-818** Rules and Regulations. Repealed 4/13/90.

**§16-819** Records; Business Hours; Minors. Licensees must keep records of the names and addresses of their customers. The said locations of businesses shall be allowed to operate between the hours of 8:00 A.M. to 10:00 P.M. The said licensee is forbidden to allow minors to patronize any massage parlor, except under the orders of a doctor. (#507, 8/2/74, Sec. 24)

**§16-820** Treating Person of Opposite Sex. It shall be unlawful for any person holding a license, his employee or agent, to treat a person of the opposite sex, except upon the signed order of a licensed physician, osteopath, chiropractor, or registered physical therapist, which order shall be dated and shall specifically state the number of treatments, not to exceed ten (10). (#507, 8/2/74, Sec. 25)

## ARTICLE IX

### Miscellaneous Business Regulations

**§16-901** Billiard Rooms; Exemption from State License Requirement.

The provisions of this chapter [O.C.G.A. Chapter 43-8] shall not apply in counties or municipalities having a population of 100,000 or more, according to the United States Decennial Census of 1970 or any future such census, if the governing body of any such county or municipality, by appropriate local ordinance or resolution, provides that the provisions of this Chapter O.C.G.A., Chapter 43-8 shall not apply and, pursuant to its home rule authority, provides for the licensing and regulation by such county or municipality of billiard rooms located therein. (1978 Ga. Laws 1488, Sec. 3)

Editorial Note: The provisions of the above section were enacted as O.C.G.A. 43-8-16.

**ARTICLE X**

**Street Maintenance Decal Ordinance**

**§16-1001** Purpose. For the purpose of imposing a tax and raising revenues for the use of the streets and roads in the unincorporated areas of Chatham County for business purposes, persons, firms and corporations engaged in business in the unincorporated areas of Chatham County are hereby classified as (1) those who operate business without the use or employment of vehicles upon the streets and roads of said county in connection with their business, and (2) those who operate business with the use and employment of vehicles upon the streets and roads of the unincorporated areas of said county in connection with their business. Those persons, firms or corporations engaged in business without the use or employment of any of said vehicles in connection with their business shall pay the specific tax provided for each specific kind of business required as set forth in the Chatham County Ordinance. Those persons, firms or corporations engaged in business in said county and who use and employ vehicles upon the streets and roads of the county in connection with the business, either for the purpose of delivering goods, products, or merchandise sold, created or manufactured by them, or for any other purpose, shall pay in addition to the specific tax required of them for their business and as a part thereof, as well as for the use of the streets and roads of said county, a graduated tax as follows:

**§16-1002** Fees.

One ton or less and automobiles	\$50.00
More than One ton up to Two tons	60.00
More than Two tons up to Three tons	70.00
More than Three Tons up to Four Tons	85.00
More than Four Tons	100.00

LATE PENALTY - Decals will be valid from January 1 through December 31 of each year. Failure to renew decals by January 31 shall be considered in violation of this ordinance and shall be assessed a late penalty of Ten Dollars (\$10.00) per decal.

REDUCED FEE - Except those that have been issued a citation - decals purchased by new business on or after July 1 will pay one half (½) the yearly fee.

DUPLICATE - A duplicate decal may be issued only if the purchaser produces all or portion of decal showing decal

number that is being replaced. The charge for a duplicate decal shall be Five Dollars (\$5.00).

**§16-1003** Placement of Decal. Every person transacting or offering to transact the business of transporting or carrying goods, etc., passengers or baggage for hire by means of automobiles, trucks or any other vehicles, and every such business using or employing such vehicles, and any other person, firm or corporation using such vehicles in other kinds of business shall, upon paying the tax prescribed in this ordinance, take out a decal, which will be furnished by the County Inspections Department, for each vehicle to be so employed, and which shall be placed on the passenger's side of the windshield on such vehicle (except vehicles used for pleasure or convenience). Any vehicle being used in such business without decals affixed shall be considered in violation of this ordinance and the operator shall pay the cost of the decal.

**§16-1004** Enforcement. This ordinance shall be enforced by the Chatham County Police Department and citations shall be issued on the Accusation and Subpoena form. The operator of any vehicle found to be in violation of this ordinance shall be subpoenaed to the Recorders Court of Chatham County. In order to clarify the enforcement of this ordinance to different classifications of vehicles and businesses, appendix "A", entitled Guidelines for Street Maintenance Decal Enforcement is hereby adopted as part of this ordinance by reference.

**§16-1005** Penalties for Violation. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this ordinance. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00, or imprisoned in the County jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this ordinance.

**§16-1006** Responsibility. Chatham County or any of it's agents cannot be held responsible for loss or theft for decals through the mail.

**§16-1007** Severability. If any portion or section of this ordinance shall be deemed invalid, it shall not affect the remaining sections which shall be deemed valid.

**§16-1008** Repeal of Conflicting Ordinances. All ordinances or parts of ordinances enacted prior to this ordinance, resolution, or regulation are hereby repealed in their entirety and any other ordinance, resolution or regulation that is inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

**§16-1009** Effective Date. This ordinance adopted and shall become effective this 25th day of August, 1989.

## ARTICLE XI

### The Chatham County Pawnbrokers Ordinance

**§16-1101** Title. The title of the Ordinance shall be "The Chatham County Pawnbrokers Ordinance."

**§16-1102** Definitions.

1. Pawnbroker means any person engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in this paragraph.
2. Pawn transaction means any loan on the security of pledged goods or any purchase of pledged goods on condition that the pledged goods may be redeemed or repurchased by the seller for a fixed price within a fixed period of time and any purchase of a motor vehicle on the condition that such motor vehicle may be redeemed or repurchased by the seller for a fixed price within a fixed period of time and may be leased back to the seller during such period of time.
3. Person means an individual, partnership, corporation, joint venture, trust, association, or any other legal entity however organized.
4. Pledged goods means tangible personal property other than choses in action, securities, or printed evidences of indebtedness, which property is purchased by, deposited with, or otherwise actually delivered into the possession of a pawnbroker in connection with a pawn transaction.

**§16-1103** License Required. All persons, before beginning the business of operating a pawnshop, or similar place involving pawn transactions, shall secure a valid license pursuant to the requirements of the Chatham County Business License Ordinance.

**§16-1104** Records to be Kept; Inspection by Law Enforcement Officers. Every pawnbroker shall maintain a permanent record book in which shall be entered in legible English at the time of each loan, purchase, or sale:

1. The date of the transaction;

2. The name of the person conducting the transaction;
3. The name, age, and address of the customer; a description of the general appearance of the customer; and the distinctive number from the customer's driver's license or other similar identification card;
4. An identification and description of the pledged or purchased goods, including, if reasonably available, the serial, model, or other number, and all identifying marks inscribed thereon;
5. The number of the receipt or pawn ticket;
6. The price paid of the amount loaned;
7. If the payment is made by check, the number of the check issued for the purchase price or loan;
8. The maturity date of the transaction; and
9. The signature of the customer.

Entries shall appear in ink and shall be in chronological order. No blank lines may be left between entries. No obliterations, alterations, or erasure may be made. Corrections shall be made by drawing a line of ink through the entry without destroying its legibility. The book shall be open to the inspection of any duly authorized law enforcement officer during the ordinary hours of business or at any reasonable time. The record of each pawn or purchase transaction shall be maintained for a period of not less than four years.

**§16-1105 Daily Report to Police; Fingerprints, etc., to be Secured; Exception.**

1. Every pawnbroker shall make a daily report in writing to the Chatham County Police Department, in such form as may be prescribed by the Chief of Police, of all property pledged to or bought by him during the twenty-four (24) hours ending at 8:00 p.m. on the date of the report. Such reports shall be typewritten. In addition to any other information required by the Chief of Police, they shall show: the name and address of the pawnbroker; time of transaction; serial number of pawn tickets; amount paid or advanced; full description of articles, including kind, style, material, color, design, kind and number of stones in jewelry and all identifying names, marks and numbers; and a description of persons selling or pawning, including name, address, color, weight and height. Insufficient reports shall be rejected, any pawnbroker making them shall be deemed guilty of an offense. In addition, pawnbrokers shall make daily reports of all typewriters,

adding machines and radios coming into and going out of their places of business. The daily report shall be in such form and shall contain such information as may be required by the Chief of Police, but shall contain sufficient information to identify each of such articles.

2. In addition to other records and information as called for above, each pawnbroker shall obtain from each person pawning any articles with such pawnbroker the fingerprint of the right hand index finger, unless such finger is missing, in which event, the print of the next finger in existence on the right hand of the person pawning the article or articles shall be obtained with a notation as to the exact finger printer. All prints shall be made on forms to be furnished by the County Police Department, and the pawnbroker shall obtain all other information called for on the said form furnished. Fingerprints and the information as required herein shall be obtained from all persons each time such persons pawn any article with a pawnbroker regardless of whether or not that person may have previously pawned an article with such pawnbroker and have been fingerprinted.

**§16-1106** Hours of Operation. Pawnbrokers may keep their place of business open from 7:00 a.m. to 8:00 a.m., except Saturdays and the week before Christmas, when the hour of closing shall be midnight.

**§16-1107** Articles not to be Disposed of for Ten Days after Acquisition. Any pawnbroker or agent thereof who takes goods on pawn or buys goods, taking full title thereto, shall hold such goods so taken in pawn or purchased for at least ten (10) days before disposing of same by sale, transfer, shipment or otherwise.

**§16-1108** Enforcement. Failure to comply with any of the requirements and provisions of this Ordinance shall constitute a violation. Any person who violates this Ordinance shall, upon conviction thereof, be fined not more than Five Hundred Dollars (\$500.00), imprisonment in the County jail for 30 days, or labor on the work gang for 60 days for any single offense, or any combination thereof, and shall pay all costs and expenses. Each day such violation continues shall be considered a separate offense. Nothing contained herein shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

**§16-1109** Effective Date. This Ordinance shall become effective on the 23rd day of February, 1990.

**ARTICLE XII  
LANDFILLS**

**§16-1201** Definitions.

1. Commercial Landfill. A landfill and inert landfill, as defined in the Chatham County Zoning Ordinance, that a person engages in, causes to be engaged in, and/or represents himself to be engaged in, with the object of gain, income, profit or advantage, either directly or indirectly.

**§16-1202** Application for License. It is declared that for the protection of the public health, safety and general welfare, commercial landfills shall be regulated and that an annual business license shall be required to operate a commercial landfill in the unincorporated areas of Chatham County, Georgia. Any license issued hereunder shall be subject to the regulations, restrictions and revocation as set forth herein.

An application provided by the County Inspections Department Director shall be completed and filed with the County Inspections Department for each applicant for a license to do business within the unincorporated areas of the County as a commercial landfill.

A copy of the permit required from the Georgia Department of Natural Resources must be filed along with the license application. The landfill must also be approved by the Chatham County Engineering Department prior to the business license being issued.

An affidavit for a transfer or renewal must be completed by an independent certified or registered public accountant. This affidavit must be attached to the application for each yearly license renewal or transfer attesting to the annual gross receipts. Failure to attach such affidavit will result in disapproval of the license transfer or renewal.

In enforcing this Ordinance, Chatham County and its authorized agents, employees and representatives have the right to audit the records and financial books of applicants and license holders and to inspect the premises to determine whether they comply with the Ordinance.

**§16-1203** License Fee. The license fees are assessed on an annual basis at a rate of one half of one percent of the previous years gross receipts, with a minimum and first year rate of one hundred dollars. The prorated fee is assessed as set forth in the Chatham County Business License Ordinance. (See Article I., Section 16-110)

**§16-1204** Disapproval or Revocation of License. No application shall be approved and any license previously issued may be revoked if:

1. Any false statement, material omission, or untrue or misleading information is contained in or left out of the application; or
2. The permit from the Georgia Department of Natural Resources is not obtained or is revoked; or
3. The landfill is not approved by the Chatham County Engineering Department.

**§16-1205** Penalty for Violation. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Ordinance.

**§16-1206** Severability. This Ordinance is severable, and if any phrase, clause, sentence, paragraph, or part of this Ordinance shall for any reason be determined invalid, such determination shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to such phrase, clause, sentence, paragraph, or part hereof directly involved in the determination.

**§12-1207** Repealer. All Ordinances or part of Ordinances in conflict herewith are hereby repealed.

**§12-1208** Effective Date. This amendment shall become effective immediately. Adopted the 25th day of February, 1993.

**ARTICLE XIII**  
**SHORT TERM RENTAL ORDINANCE**

**§16-1301** Purpose. Whereas, Chatham County is vested with the authority and responsibility of protecting the safety, welfare and economic development in Chatham County, it is hereby the purpose of this ordinance to regulate the use of property in unincorporated Chatham County that is leased, rented or otherwise traded for money for a short term rental of less than 30 consecutive days.

**§16-1302** Definitions.

1. "Short Term Rental" is any use of real property by leasing, renting, trading or otherwise bartering for funds or services for 30 days or less at one time. Short term rental shall not include allowing any family member or other blood kin to use any property nor shall this term apply to any use of property not done in exchange for consideration of funds or in kind services.
2. "Advertisement" means listing of any real property as a short term rental whether on a social media platform, app on smart phone, computer or other device, or printed ads.
3. "Board" means the Chatham County Board of Commissioners.
4. "Building Safety and Regulatory Services" means that department of the County as defined by the County Manager and referred to herein as "BSRS."
5. "Charitable Donations" shall mean the giving without compensation or other consideration the use of property to a registered 501(c)(3) to use by that charity.
6. "License" shall mean the documents issued by Building Safety and Regulatory Services annually that contain the official number granting the right to rent a rental unit pursuant to this Code Section.
7. "Occupancy rate" shall mean no more than two adults per bedroom plus two additional adults are permitted in the rental property. Should the rental property be a Recreational Vehicle or tent, the occupancy rate shall be that as listed by the manufacturer.
8. "Property" shall mean the real property parcel and dwelling unit(s) being offered for rental.

9. "Rental Unit" shall mean a dwelling that is offered for lease, rental, trade or barter. A house is generally defined as one rental unit, regardless of number of rental opportunities being provided. A property may have multiple rental units when the property has separate structures located therein as determined in sole discretion of the Director of BSRS based upon definitions located in the Chatham County Zoning Ordinance or other common meaning.
10. "Tax Commissioner" shall mean the Tax Commissioner of Chatham County.
11. "Zoning Board of Appeals" shall mean the Zoning Board of Appeals of Chatham County.
12. Any term used herein that is also used in Chatham County's Zoning Ordinance shall have the same meaning as defined in the Zoning Ordinance.

**§16-1303 License Requirement.**

1. Any property being used as a short term rental shall have a license validly issued by BSRS.
  - a. Said license shall be posted inside the rental unit in a location easily visible to the persons who are renting the property.
  - b. In addition to the license, a sign shall be posted listing the parking rules, occupancy rate, any noise restrictions, emergency contact information and point of contact listed in the license.
  - c. Failure to post the applicable license and sign shall result in punishment up to and including the revocation of the license.
2. No person operating a property as a short term rental shall violate the occupancy rate outlined here.
3. It shall be a violation of this article to operate any short term rental without the required license.
4. Any license issued pursuant to this Section is non-transferrable and must be maintained by the person in whose name the license was issued. Any new owner shall apply for the license as with all other properties. If a property is deeded in the name of more than one person, the person applying for the license affirmatively represents that he or she has the consent of all parties holding legal title to the land.

5. Should any property owner have more than one rental unit, a license shall be required for each unless otherwise provided herein.
  - a. In the sole discretion of the County Manager or his designee, the Director of Building Safety and Regulatory Services, a singular license may be issued for multiple rental units or properties if the application of requiring individual licenses would not further the purpose of this Article.
  - b. Should any property owner have more than one rental unit, the violation of any section of this Article shall be grounds for the revocation of any license held for the purposes of short term rentals.
6. All advertisements must include a valid license number and conform to the scope of the license.
7. All persons being issued a license under this Code Section shall keep records sufficient to demonstrate that all information necessary to the collection and remittance of taxes as well as other issues of compliance with the license are kept and maintained until one year past the expiration of the license. Provided, however, should the license be renewed the license holder shall keep the records included herein for a period of three (3) years before the renewal date of the present license held.
8. All requirements outlined to obtain a license must be continuously maintained throughout the duration of the license. All changes are to be officially made in writing to the Department of Building Safety and Regulatory Services.

**§16-1304** Qualifications/Requirements of Property Owners to Receive a License.

1. Each property or rental unit subject to this ordinance shall qualify for a license when the following conditions have been met:
  - a. All applications for the initial license shall pay to Chatham County BSRS a fee of \$350.
  - b. All ad valorem taxes that are due at the time of the application shall be paid in full.
  - c. All rental units have been identified.

- d. All applicants must have an ownership interest. Renters of real property are not eligible for short term rental license.
- e. Each application shall be reviewed by the Chatham County Police Department or any other law enforcement agency to determine if illegal activity has occurred on the property in the last two years or since ownership of the property, whichever period is longer.
- f. Each application shall list a valid local point of contact that is responsible for receiving and responding to contact from both the renter and Chatham County or other governing bodies.
- g. Each application shall outline the parking rules of the rental and the manner in which any occupant shall comply with those rules.
- h. Each application shall be submitted to the Tax Commissioner to verify that all taxes owed on the property have been paid and to notify BSRS if the property is being used for homestead exemption or Stephen's Day exemption.
- i. Each application shall affirm that the license holder shall collect and timely remit all taxes owed to local and state authorities for hotel/motel taxes as outlined in the Chatham County Revenue Ordinance and State sales and use taxes.
- j. Each application shall affirm that rentals regulated under this ordinance are not in violation of any other land usage restrictions to include covenants, deed restrictions, homeowner association rules and regulation or other such restriction.
- k. All animals being housed at any short term rental shall comply with the Animal Control Ordinance of the County including noise violations and all other regulations.
- l. The property being used as a rental regulated under this Ordinance shall carry homeowner's or other structural coverage in an amount at least equal to the value of the structure or \$300,000, and the insurance declarations shall list the unit as a rental property.
- m. All rental units listed in any application must have the following services on site at each unit:
  - i. Proof of fire subscription service

- ii. Fire extinguisher
  - iii. Trash service that removes waste at least once a week.
  - iv. All trash must be contained in secured containers when outside the residence.
2. Each license once granted shall be valid for one year from the date is license is granted unless otherwise outlined for a license granted prior to July 1, 2020.

**§16-1305 Renewal of Short Term Rental License.**

1. Each license shall be renewed each year on the anniversary date of its issuance. In order to qualify for a renewed license, each property or rental unit must:
- a. Pay a \$250 renewal fee to Chatham County BSRS or any such other amount as may be specified in the Chatham County Revenue Ordinance;
  - b. Affirm that all ad valorem taxes that are due at the time of the application have been paid in full;
  - c. Affirmatively list any contact with Chatham County Police Department or any other law enforcement agency requested by the County Manager to determine if illegal activity has occurred on the property in the last year;
  - d. Affirm the local point of contact that is responsible for providing information to both the renter and Chatham County or other governing bodies;
  - e. Affirm that all taxes have been collected and timely remitted to local and state authorities for hotel/motel or other taxes;
  - f. Affirm that to the best of the license holder's knowledge that all animals housed at the property have complied with the Animal Control Ordinance of the County including noise violations, immunizations and all other regulations;
  - g. Affirm that the rental unit is not in violation of any other land usage restrictions to include covenants, deed restrictions, Homeowner Association rules and regulations or other such restrictions; and,
  - h. Affirm that all the following services are provided on site:

- i. Proof of fire subscription service
  - ii. Fire extinguisher
  - iii. Trash service that removes waste at least once a week.
  - iv. All trash must be contained in secured containers when outside the residence.
2. The renewed license shall be valid for one year from the date the renewal is granted. Should a renewal be denied, the denial can be appealed as outlined below. Each license once granted shall be valid for one year from the date is license is granted.

**§16-1306** Right to Audit. Chatham County or its authorized representatives ("County") shall have the right to audit, to examine, and to make copies of or extracts from all financial and related records (in whatever form they may be kept, whether written, electronic, or other) relating to or pertaining to County ordinances that are kept by or under the control of the Applicant, including, but not limited to those kept by the Applicant, its employees, agents, assigns, successors, and subcontractors. Applicant shall establish and maintain a reasonable accounting system to readily identify Applicant's assets, revenues and expenses.

**§16-1307** Suspension of License.

1. Grounds for suspension:
  - a. For Public Safety - the Chief of Police, the Sheriff, or the Director of the Counter Narcotics Team shall have the authority to suspend the license until investigation can be conducted upon a good faith belief that the suspension is in the best interest of the County's public safety. This suspension shall be valid for no more than 30 days without a hearing on the matter if one is requested by the license holder.
  - b. For Public Health, Welfare or Interest - the County Manager shall have the authority to suspend the license until investigation can be conducted upon a good faith belief that the suspension is in the best interest of the County's public health, welfare, or public interest. This suspension shall be valid for no more than 30 days without a hearing on the matter if one is requested by the license holder.

- c. Upon Repeated Public Complaints - upon three or more complaints to BSRS or County Manager for violations of the Chatham County Code, state law, or this Article which such violation amounts to a danger to the peace or welfare of the community, an investigation into license compliance shall occur. While such an investigation is conducted, the County Manager may, in his sole discretion, suspend the license. This suspension shall be valid for no more than 30 days without a hearing on the matter if one is requested by the license holder.
- d. For nonpayment of property taxes or hotel/motel taxes as authorized under County ordinances and state statutes.

**§16-1308** Revocation or Denial of License.

- 1. A license may be revoked or denied for any of the following reasons:
  - a. For Public Safety - if the Chatham County Police Department or other law enforcement agency is called to the residence for substantiated complaints of noise, illegal drug use, or other violation of state or local law where arrest(s) are made and convictions result therefrom.
  - b. For Public Health and Welfare - upon inspection by County officials, the accommodation is deemed to be of such a nature that it is unfit for human occupation and is a danger to the peace, public health or welfare of the community;
  - c. Any other circumstances that are deemed in the County Manager's discretion, or his designee, to make the rental non-conforming to this Article including:
    - i. Substantiated complaints for violations of any of the following:
      - (a) Parking regulations associated with the license;
      - (b) Criminal laws or noise violations to any law enforcement agency;
      - (c) Failure to pay hotel/motel tax, sales tax or other taxes except property taxes.
      - (d) Occupancy rates;
      - (e) Noise violations; or,

- (f) Other violations of the rules herein.
- d. Failure to make timely payment of any and all taxes/fees due to Chatham County related to the rental of the property.
  - i. Any fraud, misrepresentations, false statements or other attestations that are untrue shall be grounds for immediate revocation of the license.
- 2. Effect of Revocation - Should a license be revoked under this ordinance, then no license shall be issued to that property owner for that location for 12 months. Each license is held per location and the license of one location shall not affect the other unless there is a factual reason to connect the properties and believe further violations of law will occur.
- 3. All requirements outlined to obtain a license must be continuously maintained throughout the duration of the license. All changes are to officially be made in writing to BSRS.

**§16-1309 Appeal to Short Term Rental Appellate Board.**

- 1. There shall be a board created to hear appeals from suspension or denial of any license issued under this Article called the Short Term Rental Appellate Board ("STRAB") comprised of :
  - a. The Director of BSRS, the Chief of Chatham County Police Department, the Director of the Chatham County Health Department or his designee, the Director of Public Works and the County Engineer.
  - b. All decisions of the STRAB shall be in the form of a recommendation made to the County Manager. The County Manager shall have final decision-making authority with regards to any license issued, suspended or revoked under this article.

**§16-1310 Punishment of Violation of Ordinance.**

- 1. Any violation of §16-1303 wherein a short term rental is being operated without a license for greater than one night shall be punished as follows:
  - a. Upon first conviction, any property rented without said license shall be punished by a fine that equals two nights rental that was conducted in violation of this article.

- b. Upon second conviction, any property rented without said license shall be punished by a fine that is equal to five times the nightly rental rate for the property.
  - c. Upon the third and any subsequent conviction, the punishment shall be a fine greater than the fine imposed for previous convictions, but not greater than \$1000 or as otherwise allowed by law.
  - d. No fine per night under this Paragraph shall exceed the maximum fine allowed by law. Should the rental rate exceed the maximum amount allowed by law, then the maximum rate shall be imposed in lieu of the nightly rate structure outlined in 1 -3 above.
- 2. Should any property be cited for exceeding the parking limitations listed in the application for the license, the violation shall be punished by a fine of not less than \$100.
  - 3. Should any property be cited for the noise ordinance of Chatham County, the violation shall be punished by a fine of not less than \$100.
  - 4. Should any property be cited for exceeding the maximum occupancy rate, the punishment upon conviction shall be a fine of not less than \$150.
  - 5. Should the Chatham County Police respond to any property violations under this article, the police shall forward any report to BSRS.
  - 6. Nonpayment of taxes shall be subject to additional consequences as outlined in State statutes and County ordinances.

**§16-1311** Effective Date. This Ordinance shall become effective on July 1, 2020. Any property owner seeking a license under this ordinance between January 1, 2020, through June 30, 2020, that is granted shall be valid beginning on July 1, 2020. (Ordinance adopted March 6, 2020.)