

City of Pleasant Hill

203 Paul Street ~ Pleasant Hill, MO 64080 ~ Phone: 816-540-3135 ~ Fax: 816-987-5141
www.pleasanthill.com

New Business License Packet

(Located inside the City Limits of Pleasant Hill NOT operating a store front)

- [] Completed Business License Application (must be signed)
- [] MO Tax ID number and/or proof your business has been registered with the State of Missouri
**If your business is making any type of retail sales, a tax id number will be required and the address registered for Pleasant Hill even if you have a business in another city. You can get additional information on registering your business at:
<http://dor.mo.gov/business/> and at <http://www.sos.mo.gov/business/>*
- [] Certificate of "No Tax Due" (This is a requirement of the State of MO – we are not allowed to issue any license without this document if you are making retail sales.)
**This certificate can be obtained at <http://dor.mo.gov/business/sales/notaxdue/>
The certificate must be obtained within the last ninety (90) days.*
- [] Authorization from Community Development Department
**Please consult with the Community Development Department that the type of business you will be conducting is in compliance with the zoning districts in the City of Pleasant Hill as well as any subdivision regulations that are regulated depending on the location of your home. (Chapter 58 of the Pleasant Hill municipal code)*
- [] Business License Fee
**Our Business license year is July 1 to June 30. The fee is \$25.00 for the company (which includes one (1) owner) and \$5.00 for each additional employee or partner that will be working inside the City Limits. If you are opening your business at a different time than during the renewal period the fee schedule is as follows:*

After July 1 and prior to Sep. 30	100% of yearly fee
On or after Oct. 1 and prior to Dec. 31	75% of yearly fee
On or after Jan. 1 and prior to Mar. 31	50% of yearly fee
On or after Apr. 1 and prior to June 30	25% of yearly fee

** If your business is located in the Downtown Pleasant Hill Historic District please visit with our Community Development Department regarding the CID and the Historic Preservation Committee.*

** For your convenience an application for the Pleasant Hill Chamber of Commerce has been included in this packet. For additional information on the Chamber of Commerce you can visit their website at www.pleasanthillmochamber.com.*

If you have any questions or need any additional information please contact Pleasant Hill City Clerk, Nici Wilson. She can be reached at (816) 540-3135 or at niciw@pleasanthill.com.



City of Pleasant Hill, Missouri

203 Paul Street * Pleasant Hill, MO 64080 * Ph: (816) 540-3135 * Fax: (816) 987-5141

BUSINESS LICENSE APPLICATION

Date:					
Name of Business:					
Address:					
Mailing Address: <small>*if different than physical address</small>					
City:		State:		Zip Code:	
Phone No.	Alternate Phone No.				
Contact Name:	No. of Employees				
Type of Work:				*i.e: framing, general, electrician, antique shop, restaruant	
MO Tax I.D. No.:				*Use social security number if your company does not have a TIN.	
Signature:					

***Fee:** \$25.00 for the owner and \$5.00 for every employee working within the City Limits of Pleasant Hill

Applicant is hereby informed that Section 285.530, RSMo, prohibits any business entity or employer from knowingly employing, hiring for employment, or continuing to employ an unauthorized alien to perform work in the state of Missouri. Furthermore, Applicant is informed that if it fails to respond to a request of the Missouri Attorney General to provide identity information regarding any persons alleged to be unauthorized aliens, that the Attorney General is authorized to direct the City to suspend the Applicant's business license.

FOR OFFICE USE ONLY:

OCCUPANCY INSPECTION COMPLETE YES [] NO [] N/A []

CERTIFICATE OF WORKMANS COMP. YES [] NO [] N/A []

MASTERS LICENSE: ELECT, PLMBG, HTG & COOLING YES [] NO [] N/A []

EXPIRATION DATE: _____

AMOUNT: (\$25/COMPANY (1 OWNER) \$5 PER EMPLOYEE) _____

CLERK: _____

**Pleasant Hill, Missouri, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 10 -
BUSINESSES AND BUSINESS REGULATIONS >> ARTICLE II. - BUSINESS LICENSE TAX >>
DIVISION 1. - GENERALLY >>**

DIVISION 1. - GENERALLY

- Sec. 10-21. - Definitions.
- Sec. 10-22. - Applicability; exemptions.
- Sec. 10-23. - Payment prerequisite to doing business.
- Sec. 10-24. - No tax due statement prerequisite to license issuance.
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- Sec. 10-26. - False statements in application.
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- Sec. 10-42. - Applications, forms where filed.
- Sec. 10-43. - Suspension or revocation; hearing, notice.
- Secs. 10-44—10-74. - Reserved.

Sec. 10-21. - Definitions.

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

Business, trade, vocation, profession or occupation means every person who shall deal in the selling of any goods, wares, merchandise or services or who shall, as a practice in the conduct of such business, trade, vocation, profession or occupation, make or cause to be made any wholesale or retail sales of goods, wares, merchandise or services to any person or association of persons, and shall be classified as a business, whether such sales are accommodation sales, made from a stock of goods on hand or by ordering from another source, or by listing, and whether the subject of such sales or services are similar or different than the type, if any, regularly offered or performed by the seller.

Employee means every individual natural person deriving either wages, tips, commissions, fees or draw accounts, or any combination thereof, from an employer, business, trade, vocation, profession or occupation.

Licensee means any person who shall apply and obtain a license under the terms and/or provisions of this article and in accordance therewith.

Manufacturer means every person who shall hold or purchase personal property for the purpose of adding to the value thereof by any process of manufacturing, or by the combination of different materials, or shall sell or purchase manufactured articles such as are manufactured by it, or such as are used in manufacturing.

(Code 1994, § 82-52; Ord. No. 994, § 2, 6-5-1972)

Sec. 10-22. - Applicability; exemptions.

This article shall apply to all corporations, joint stock associations, partnerships, co-partnerships, and persons and/or their lessees, duly constituted trustees or receivers, heirs, administrators or assigns, who shall engage in any business, trade, vocation, profession; specifically excepting those professions or callings exempted from license requirements by virtue of RSMo 71.620 and by any other applicable provision of state law, as amended from time to time.

(Code 1994, § 82-53; Ord. No. 994, § 1, 6-5-1972)

Sec. 10-23. - Payment prerequisite to doing business.

There are hereby levied license taxes as provided in this article, due and payable from any and all persons engaged in any business or manufacturing within the city, as contemplated by this article, and no such person shall engage in any such business or manufacturing without first having obtained a license therefor, paying the license tax, and registering such business or manufacturing establishment with the office of the city clerk.

(Code 1994, § 82-54; Ord. No. 994, § 3, 6-5-1972)

Sec. 10-24. - No tax due statement prerequisite to license issuance.

Pursuant to RSMo 144.083, no city license shall be issued or renewed under this chapter unless the license or license renewal application is accompanied by a statement issued by the state department of revenue indicating that the applicant owes no taxes under RSMo 144.010—144.510 or RSMo 143.191—143.261. The date of issuance on the statement that the applicant owes no tax due shall be no more than 90 days before the date of submission to the city of the application for license issuance or renewal.

Sec. 10-25. - Workers' compensation statement required for contractor's license.

Pursuant to RSMo 287.061, no city license shall be issued or renewed under this chapter for any contractor in the construction industry unless the license or license renewal application is accompanied by a certificate of insurance for workers' compensation coverage or an affidavit, in the form required by RSMo 287.06, signed by the applicant attesting that he is exempt. It is unlawful for any contractor to provide fraudulent information regarding workers' compensation coverage or exemption.

Sec. 10-26. - False statements in application.

- (a) No person shall knowingly make a false statement in his application for a license as to any conditions or factors upon which the license fee is or shall be based.
- (b) Any person found making a false statement in his application for a license as to the average number of employees in an amount less than the true number thereof, or knowingly making a false statement as to any other condition or factor upon which the license fee is or shall be based, the effect of which was or would be to reduce the amount of such fee, shall, in addition to all other penalties now provided by law, pay to the city clerk, upon demand therefor, the additional amount of license fee found to be due, plus a penalty of 25 percent of such additional fee together with interest on the additional license fee of one percent per month, not to exceed ten percent, for each month or fraction thereof, after the date when the original license fee was due and payable; and any license theretofore issued to any such person shall be subject to suspension or revocation if so determined by the city council.

(Code 1994, § 82-55; Ord. No. 994, § 22, 6-5-1972)

Sec. 10-27. - License year.

Except as otherwise specifically provided by ordinance, the license year for all business or manufacturer licenses issued under this division shall coincide with the fiscal year, beginning July 1 and ending June 30. The fees for all such licenses shall be due and payable on or before August 1 of each year.

(Code 1994, § 82-56; Ord. No. 994, § 6, 6-5-1972)

Sec. 10-28. - Issuance or denial; appeal.

- (a) All licenses required by this division shall not be issued until a validation receipt is issued by the city clerk. If, for good cause shown, the city clerk shall disapprove the application for a license or shall fail to

act within 15 days from the date of filing of the application, the applicant may within 30 days following the date of disapproval, submit a written appeal to the city council with the right of hearing, by filing such written appeal with the city clerk who shall thereupon docket the appeal with the city council for consideration and decision at the next regular or special duly convened meeting of the council.

- (b) All licensees shall comply in every respect with the provisions of this Code and any other ordinances of the city. On all new applications the codes enforcement officer shall certify that the premises meet minimum code standards as established by the city before issuance of the license.
- (c) Upon approval of the application it shall be the duty of the city clerk to collect the required license fee and to issue a proper validation receipt therefor prior to issuance of the license. Then it shall be the duty of the city clerk to issue a proper license.

(Code 1994, § 32-57; Ord. No. 994, § 7, 6-5-1972)

State law reference— *Time of payment of license tax, RSMn 71.265.*

Sec. 10-29. - Record of licenses issued.

It shall be the duty of the city clerk to keep a complete and accurate record of all licenses issued under this article, showing the nature of the license, its date of issuance, to whom issued and the amount of the fee collected therefor.

(Code 1994, § 82-58; Ord. No. 994, § 8, 6-5-1972)

Sec. 10-30. - License to be prominently displayed.

All licenses issued by the city under this article shall be carefully preserved and prominently displayed in a conspicuous manner in the place of business authorized to be conducted by the licensee.

(Code 1994, § 82-59; Ord. No. 994, § 9, 6-5-1972)

Sec. 10-31. - Separate license for each separate legal business entity.

A separate license shall be obtained for each separate legal business entity conducted, operated, maintained or carried on by every person engaged in any business or manufacturing plant for which a license is required by this article.

(Code 1994, § 82-60; Ord. No. 994, § 10, 6-5-1972)

Sec. 10-32. - Location change; nontransferability to another person.

A license may be amended to authorize the conduct of the same business or manufacturing plant at a different location, provided the control remains in the same person, upon filing with the city clerk an amended application, within 15 days of the change, showing the change of address accompanied by a location change fee as provided in section 10-38. It shall also be compulsory that section 10-26(b) be complied with in respect to the new location and premises. A license issued to any person under the provisions of this article shall not be transferable from one person to another person in the event of a change of ownership.

(Code 1994, § 82-61; Ord. No. 994, § 11, 6-5-1972)

Sec. 10-33. - More than one business at the same address.

Whenever any person making an application for a license under the provisions of this division is engaged in more than one business and the businesses are not operated as separate legal business entities at the same address, such person shall combine the information for all businesses conducted at the same address, as required for the purpose of determining the license fee, the same as if all were conducted as a single business operation. Nothing herein shall be construed to permit or authorize the city to levy more than one license tax on any business establishment at one location even though in the conduct of such business, several types of related, diversified businesses are conducted, even though such related businesses are set out separately in the list of business categories in this article.

(Code 1994, § 82-62; Ord. No. 994, § 12, 6-5-1972)

Sec. 10-34. - Business license required.

Except as otherwise provided for in sections 10-32 and 10-33, every person engaged in a business (excluding those exempted by RSMo 71.620 and as set forth in section 10-22) shall procure a license as required in this article.

(Code 1994, § 82-65; Ord. No. 994, § 15, 6-5-1972)

Sec. 10-35. - Formula for determining average number of employees.

The formula to be used in determining the average number of employees, for purposes of calculating licenses fees and taxes, shall be as follows: add the total number of employees paid on the last pay period of each month in the preceding calendar year and divide this total by 12 to obtain the average number of employees for the purpose of obtaining licenses and determination of fee.

(Code 1994, § 82-66; Ord. No. 994, § 16, 6-5-1972)

Sec. 10-36. - Alternate formula in event of dispute.

The alternate formula to be used in determining the average number of employees as contemplated in section 10-34 in the event of a dispute, shall be as follows: prevailing minimum wage ;times; 40 hours ;times; 52 weeks = average yearly pay. Average yearly pay divided into the total wages reported on Form W-3 (reconciliation of income tax withheld from wages) = average number of employees. The prevailing minimum wage shall be the one in effect as set by the federal government under the minimum wage law at the time of computing the license fee. Form W-3 herein referred to is the U.S. Treasury Department, Internal Revenue Service Form and shall serve as the basis for total wages paid all employees in determining the average number of employees paid by the business or manufacturer unless the applicant or licensee can prove to the satisfaction of the city clerk that a fewer number of employees were paid.

(Code 1994, § 82-67; Ord. No. 994, § 17, 6-5-1972)

Sec. 10-37. - Liquor sales not authorized.

Nothing in this article shall be construed as authorizing any person to sell intoxicating liquor or nonintoxicating beer by virtue of such license.

(Code 1994, § 82-68; Ord. No. 994, § 18, 6-5-1972)

Sec. 10-38. - Term of license; fees; prororation.

All licenses provided for in this division shall expire on June 30 of each year and no license shall be issued for a period of less than three months. Fees for issuance and transfer of licenses shall be as provided in the city fee schedule. Any application for a new license under this article received after July 1 of any fiscal year shall be prorated during the terms and in the percentages as follows:

After July 1 and prior to Sep. 30	100% of yearly fee
On or after Oct. 1 and prior to Dec. 31	75% of yearly fee
On or after Jan. 1 and prior to Mar. 31	50% of yearly fee
On or after Apr. 1 and prior to June 30	25% of yearly fee

(Code 1994, § 82-69; Ord. No. 994, § 19, 6-5-1972)

Sec. 10-39. - Delinquencies, penalties.

All licenses or occupational taxes required to be paid by this article or any ordinance of the city shall be deemed delinquent if not paid on the date such payment is due, and all persons so delinquent in the payment of such taxes shall be required to pay an additional ten percent of the tax found to be due for the first month, or fraction thereof, and one percent per month, or fraction thereof, during such time that such delinquency shall continue. The penalty provided for in this section shall be in addition to any other penalty prescribed by ordinance.

(Code 1994, § 82-70; Ord. No. 994, § 20, 6-5-1972)

Sec. 10-40. - Claims for refund.

No claims for refunds shall be allowable under the structure of this division as ample provision is provided for in sections 10-35 and 10-36 to settle disputes prior to payment of the license fee.

(Code 1994, § 82-71; Ord. No. 994, § 21, 6-5-1972)

Sec. 10-41. - Payment of personal tax or other obligation.

It shall be unlawful for any person to operate a business or manufacturing plant, engage in a trade, vocation, profession or occupation unless and until all personal taxes, merchant taxes, manufacturer taxes, other license fees, inspection fees or any other financial obligations, which are delinquent and owing to the city, have been paid. No license provided for or required under this division, or any other ordinance of the city, shall be issued by any department until compliance with this section has been fulfilled.

(Code 1994, § 82-72; Ord. No. 994, § 4, 6-5-1972)

State law reference— Collection of personal tax by special charter cities, RCMu 94.370.

Sec. 10-42. - Applications, forms, where filed.

All applications for licenses provided for in this article shall be filed with the city clerk. The city council shall prescribe the form of application and license form. Except as otherwise provided by this division, all licenses issued under this article shall be signed by the mayor and the city clerk and shall be invalid for any purpose, unless so signed.

(Code 1994, § 82-73; Ord. No. 994, § 5, 6-5-1972)

Sec. 10-43. - Suspension or revocation; hearing, notice.

- (a) The city council shall have the power to suspend or revoke any license granted under this article whenever it shall be shown, or whenever they have knowledge that a licensee is conducting a business or manufacturing plant in violation of any provision of this Code or any other ordinance of the city. The city council shall have the power to issue subpoenas and all necessary processes and to require the production of papers, to administer oaths and to take testimony and to make findings thereon.
- (b) The city council shall not suspend any license granted under this article for a period in excess of 60 days.
- (c) Where action of suspension or revocation is to be taken pursuant to this section, the licensee shall have five days' written notice of the city council's intention to suspend or revoke the license prior to the hearing on such suspension or revocation. The written notice shall be directed by certified or registered U.S. mail to the business address of the licensee on the licensee's application on file in the office of the city clerk, and shall specify the grounds upon which the license is sought to be suspended or revoked.
- (d) The licensee shall have full right to be represented by counsel at such hearing, to produce witnesses in his behalf, and any such hearing, as provided in this section, shall be before the city council.

(Code 1994, § 82-74; Ord. No. 994, § 23, 6-5-1972)

Secs. 10-44—10-74. - Reserved.