

ORDINANCE 2023-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND  
AMENDING CHAPTER 8, ARTICLE II ENTITLED BUSINESS LICENSES, SECTION 8-19  
DEFINITIONS AND SECTION 8-22 LICENSE REQUIRED; FEE; TRANSFERABILITY

BE IT ENACTED BY THE MAYOR AND COUNCIL THAT SECTION 8-19 DEFINITIONS SHALL BE  
AMENDED AS FOLLOWS:

Sec. 8-19. - 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:

Authority means the authority as granted to the Mayor and Council by the Charter of the Town of  
Berlin.

Boundaries means the corporate, legal limits of the town as may be amended from time to time.

Business or business establishment means any retail, service, rental or professional business entity  
OPERATING WITHIN OR PROVIDING SERVICES WITHIN THE TOWN, REGARDLESS OF  
WHETHER SAID BUSINESS OR BUSINESS ESTABLISHMENT IS PHYSICALLY LOCATED WITHIN  
THE CORPORATE LIMITS OF THE TOWN.

Business license fee means the annual fee imposed upon any business operating within the town.

Person means any individual, firm, cooperation, partnership or joint venture.

~~Vendor means, for the purposes of this article, a person or business not operating a permanent  
location within the town limits, but who may, from time to time, operate at a one-day event or in  
another temporary venue.~~

(Code 1977, § 39-1; Ord. No. 2009-04, 5-11-2009)

BE IT FURTHER ENACTED BY THE MAYOR AND COUNCIL THAT SECTION 8-22, LICENSE REQUIRED; FEE; TRANSFERABILITY SHALL BE AMENDED AS FOLLOWS:

Sec. 8-22. - License required; fee; transferability.

(a) NO person shall operate any BUSINESS OR business establishment within the town without obtaining an annual license from the town. Failure to obtain or renew a business license within 90 days as required pursuant to this title constitutes a municipal infraction pursuant to chapter 1, section 1-23 of this Code and shall be punishable as a misdemeanor, the penalty for which shall not exceed a fine of \$1,000.00 and/or imprisonment for a term not to exceed six months.(b)The fee for the business license shall be as set forth by the Mayor and Council of the town. The annual fee schedule may be amended by the Mayor and Council from time to time.(c)The town administrator shall designate the appropriate department/personnel to oversee the billing and collection of the fee from the responsible person of each business establishment. The business license fee shall be due and payable on July 1 of each and every year, and the entire fee shall be collected before any license is issued.(d)Subject to all applicable provisions of other ordinances of the town, statutes of Maryland and all laws of the federal government, the business license shall be transferable, upon written notice to the town administrator, and shall be renewable from year to year during the continuous operation of the business by the licensee.(e)In the event that any person commences business operation in the town subsequent to July 1 in any year, the fee may be prorated based on the number of months of operation during the licensing year.

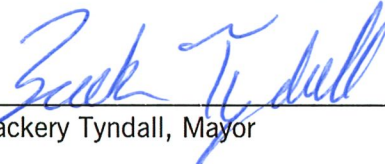
(Code 1977, § 39-4; Ord. No. 2009-04, 5-11-2009; Ord. No. 2019-01 , 5-13-2019)

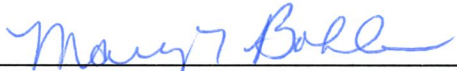
**THIS ORDINANCE** was introduced and read at a meeting of the Town Council held on the 22 day of May, 2023, and thereafter a statement of the substance of the Ordinance having been published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this 12<sup>th</sup> day of June, 2023, by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of 5 in favor, to 0 opposed, with 0 abstaining.

  
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Dean Burrell, Vice-President

Approved on this 12<sup>th</sup> day of June, 2023 by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the 3<sup>rd</sup> day of July, ~~2020~~ 2023

  
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Zackery Tyndall, Mayor

  
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ATTEST: Mary Bohlen, Town Administrator