

City of Hardin

406 N Cheyenne, Hardin, MT 59034 ~ 406-665-9292 ~ www.hardinmt.com ~ fax 406-665-2719

2018 Business License Application

Name of Business: _____

Nature of Business: _____

Name of Applicant: _____

Business Physical Address: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone: _____ Emergency Phone (after hours): _____

~ IF DIFFERENT THAN ABOVE ~

Owner/Manager Name: _____ Phone Number: _____

Owner/Manager Address: _____

~~~Please Check One~~~

|  |                 |                                                                                                                                                                                                                                                                                    |
|--|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b>\$500.00</b> | <b>Utilities:</b> All gas, power and light, telegraph, telephone, and all other utility companies of a similar nature                                                                                                                                                              |
|  | <b>\$100.00</b> | <b>Public Services:</b> All persons, firms or corporations engaged in the business of extending services or accommodations to the general public, such as banks, financial institutions, pawnbrokers and money lenders, and all other agencies or institutions of a similar nature |
|  | <b>\$100.00</b> | <b>Elevators and Oil Dealers:</b> All grain and feed elevators, and all bulk gasoline and oil dealers, and all other business establishments of a similar nature                                                                                                                   |
|  | <b>\$50.00</b>  | <b>All others:</b> Businesses that are not listed in subsection A, B or C of Title 5, Chapter 1, Section 2D                                                                                                                                                                        |

|  |                                                                  |                                           |             |                                                                                        |
|--|------------------------------------------------------------------|-------------------------------------------|-------------|----------------------------------------------------------------------------------------|
|  | Temporary (90 Days)<br>50% of Regular Fee                        | \$ _____                                  | Start Date: | <u>Plumbers &amp; Electricians must</u><br>_____ <u>Attach a copy of State License</u> |
|  | Pro-Rated (50% After July 1 <sup>st</sup> )<br>New Business Only | \$ _____                                  | Start Date: |                                                                                        |
|  | Exemption Review Requested                                       | Per section 5-1-2E or 5-1-2K of City Code |             |                                                                                        |

After February 1, two hundred percent (200%) of the required fee will be charged.

After March 1, three hundred percent (300%) of the required fee will be charged.

I hereby authorize that this business   IS   **IS NOT** a home based occupation or profession that is conducted within a dwelling occupied by the inhabitants thereof or as otherwise defined under Section 11-1-8-1 of City Code, and authorize the City of Hardin, its agents, and employees to seek verification of the information contained in this application. If "yes" applicant must complete and submit City of Hardin Home Occupation Request Form or have an approved application on file with the City of Hardin.

I hereby authorize that this business   IS   **IS NOT** involved in the "cultivation, manufacture, delivery, and possession of Marijuana; under the Montana Marijuana Act(M.C.A. 50-46-301 etal). If "yes" applicant must complete and submit City of Hardin business license Exhibit A.

I understand that this application is made subject to all of the terms and conditions of [Title 5, Chapter 1](#) of the Code of the City of Hardin, which are hereby agreed to and this license is not transferable without prior City approval of said transfer.

All business licenses shall be **payable in advance on or before February 1 of each year**, and all licenses expire at the end of the calendar year for which they are issued. I understand that I must be in compliance with all zoning requirements as stated in Title 11 of the City Code and that my failure to be in compliance is grounds for the City to revoke this license at any time. I further certify under penalty of perjury that all the information in this application and all attachments are true and accurate.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

#### **5-1-1: APPLICATION FOR LICENSE OR PERMIT:**

Applications for all licenses and permits required by this code shall be made to the city clerk, unless otherwise specified. The applicant shall furnish such information as the city clerk may require for preparation of the license. (Ord. 2012-06, 10-2-2012)

#### **5-1-2: PERSONS SUBJECT TO LICENSE; FEES:**

Unless specifically exempted by state law or other provisions of this chapter, all persons and/or entities doing business or engaged in commerce in the city, whether residents or nonresidents, are required to pay city license fees.

- A. Public Services: All persons, firms or corporations engaged in the business of extending services or accommodations to the general public, such as banks, financial institutions, pawnbrokers and money lenders, and all other agencies or institutions of a similar nature, shall pay a license fee of one hundred dollars (\$100.00).
- B. Utilities: All gas companies, power and light companies, telegraph companies, telephone companies and all other utility companies of a similar nature, shall pay a license fee of five hundred dollars (\$500.00).
- C. Elevators And Oil Dealers: All grain and feed elevators, and all bulk gasoline and oil dealers, and all other business establishments of a similar nature shall pay a license fee of one hundred dollars (\$100.00).
- D. Other Businesses: All other businesses that are not listed in subsection A, B or C of this section shall pay a license fee of fifty dollars (\$50.00).
- E. Exemptions: Charitable or fraternal organizations sponsoring or conducting a business enterprise may apply to the city council for an exemption to the license requirement herein. (Ord. 2012-06, 10-2-2012)
- F. Proration Of Fees: All fees set forth in this chapter shall be prorated on July 1 of each calendar year to fifty percent (50%) of the fee provided that the business did not operate within the city limits at any time during the current calendar year preceding July 1. If the business operated or conducted business within the city limits at any time during the calendar year prior to July 1 and obtains the license after July 1 then the full fee shall be collected and the business is not entitled to a proration.
- G. Temporary Business License: Any person or entity doing business or engaged in commerce in the city on a temporary basis may purchase a temporary license that is valid for a period of ninety (90) days from the date of purchase. The fee for a temporary license shall be fifty percent (50%) of a regular business license and subsection F of this section shall not apply to determining the fee. (Ord. 2014-03, 7-15-2014)
- H. Regular Routes; Delivery Service: Merchants servicing regular routes within the city, individuals or organizations rendering a supply or delivery service to the business establishments of the city shall pay a license fee of fifty dollars (\$50.00) per year.

Nothing herein shall be construed as requiring license fees on wholesale distributors provided that nothing herein shall be construed as authorizing or allowing any solicitor, peddler, hawker, itinerant merchant or transient vendor or merchant to operate in violation of [chapter 3](#) of this title.

- I. Additional Licenses: In any case where any persons conduct, operate, transact, engage in or carry on two (2) or more different lines of business, industry, trade, pursuit, profession or vocation, they shall be charged a separate and distinct license fee for each such individual business, industry, trade, pursuit, profession or vocation. For the purposes of determining the assessment of more than one license fee against any person, the city clerk shall consider the uniqueness and individuality of each such additional business enterprise as opposed to the interdependence of such enterprises and the location of said business enterprises. If one engages in more than one type or classification of business as described herein and it is determined that only one license fee shall be assessed, then the licensee shall pay the highest applicable license fee.
- J. Objection: It shall be the privilege of any persons assessed for more than one city license fee to file a written objection to such additional license fee with the city clerk and thereafter he will be afforded a hearing before the council upon such objection. The council shall be the final arbiter of such objections.

Any persons wishing to file an objection to the assessment of the city license fee must file written objection within fifteen (15) days after notice of license fee assessment is received.

Fees assessed must be paid when due, regardless of whether any hearing or final determination relating to an objection is pending. All fees paid, which the council shall, after hearing on objections, determine to have been assessed in error will be promptly refunded by the finance officer. (Ord. 2012-06, 10-2-2012; amd. Ord. 2014-03, 7-15-2014)

- K. Exemptions: The Mayor is authorized to review and grant any request by a person or a group for an exemption to the business license requirement, upon sound discretion, if the Mayor determines that the party requesting should qualify for the exemption, and that such waiver is in the best interest of the community. The Mayor shall grant an exemption for farmer's markets, bakes sales, garages sales, lemonade stands, and may grant exemptions for other small and irregular business activities if he determines they are similar to those listed. The Mayor may, if needed, seek the guidance of the City Council for determining if an application for exemption should be granted.