

TITLE VII

Chapter 34

MISCELLANEOUS LICENSES

34.01	Cigarette License
34.02	Vending Machines
34.03	Game Establishments
34.04	Exterior Heating Facilities
34.05	Penalties

34.01 CIGARETTE LICENSE.

- (1) It shall be unlawful for any person to sell, keep for sale, exchange, manufacture or dispose of any cigarettes or cigarette products without first obtaining a license.
- (2) Application for such license shall be made to the Clerk upon such forms as the Clerk shall provide.
- (3) The Clerk is responsible for the content of the form of license and all record keeping functions connected with the filing, payment of fee and insurance of said license.
- (4) Fee for such cigarette license shall be the sum of ten dollars (\$10.00) and shall be an annual fee from July 1st to June 30th of each year, or any portion thereof.
- (5) Any person violating this ordinance shall be subject to a forfeiture of not less than \$50.00, nor more than \$250.00, for each offense. Failure to pay the forfeiture, upon conviction, will result in the issuance of a Civil Commitment Order

34.02 VENDING MACHINES.

Vending machines shall be regulated and be subject to the provisions of Section 31.02 of these ordinances, as if said vending machines met the definition of amusement device as set forth in Chapter 31.

34.03 GAME ESTABLISHMENTS.

- (1) Game establishments, such as pool halls, billiard rooms, bowling alleys and the like, shall be subject to licensure by the City.
- (2) By resolution of the Council, license requirements shall be consistent with the licensing of amusement arcades, Chapter 31, except that the provisions relating to hours of operation (Section 31.04) shall not apply. The Council may by resolution, adopt other restrictions as it relates to hours of operation and other conduct of business.

34.04 EXTERIOR HEATING FACILITIES

(1) This ordinance is enacted to regulate the installation and utilization to exterior heating facilities. An exterior heating facility is a self-contained heating device located outside of and providing heat to a residence or other building.

(2) Any person intending to construct, erect or install an exterior heating facility shall submit an application for permit to the City Clerk. The fee for the permit is forty dollars (\$40.00) and is to accompany the application.

(3) Upon receipt of the application and requisite fee, the Clerk is authorized to:

- (a) Conduct an inspection of the premises and the intended location of the exterior heating facility;
- (b) Refer the application to the Public Property and Buildings Committee for review and recommendation;
- (c) Conditionally approve the application subject to receipt of additional information and / or subject to the holding and conducting of a public hearing;
- (d) Approve the application and issue the permit;
- (e) Deny the application for permit.

(4) The exterior heating facility shall only be erected in residential zones within the City. The minimum setbacks for such exterior heating facilities shall be no less than fifteen feet (15') from the rear property line and no less than ten feet (10') from the side property line. No exterior heating facility shall be located within twenty-five feet (25') of another structure. No exterior heating facility shall be erected in front of any residence.

(5) The exterior heating facility shall be completely enclosed with a substantial fence. The fence is to be secure to provide safety and to protect against children or others coming in contact with the facility.

(6) In the storage of fuel for the exterior heating facility, in whatever form, shall be arranged in such a manner so as not to become a nuisance. Such fuel storage may be within the enclosure described in Sections (4) and (5).

34.05 PENALTIES

Any person violating this ordinance shall be subject to a forfeiture of not less than \$50.00, nor more than \$250.00, for each offense. Failure to pay the forfeiture, upon conviction, will result in the issuance of a Civil Commitment Order.