

REVIEW OF CHAPTER 117-12

CONCERNS

The fine for failure to acquire a business license is \$500.

- As written, a business can only be fined a one-time fee of \$500. This is cheaper than certain business license fees.
- Should any other penalties be written into code?

CODE REFERENCE

Chapter 117. Licensing of Businesses

Article I. General Provisions

§ 117-12. Violations and penalties.

A. Any person, firm, corporation, or business entity conducting ongoing business operations in Dewey Beach that fails to obtain and post its annual business license according to the schedule in § 117-6 shall have committed a civil offense pursuant to Chapter 80[1] of the Municipal Code of Dewey Beach and shall be subject to a fine of \$500.[2]

[Amended 5-10-1997 by Ord. No. 371; 8-13-2004 by Ord. No. 515; 12-6-2008 by Ord. No. 636 cont'd; 2-12-2011 by Ord. No. 683; 12-8-2012 by Ord. No. 699[3]; 1-14-2017 by Ord. No. 735]

[1] Editor's Note: See Ch. 80, Civil Offenses.

[2] Editor's Note: Subsection B, regarding each day of a violation constituting a separate offense, which immediately followed, was repealed 5-20-2022 by Ord. No. 792.

CURRENT BUSINESS LICENSE FEES

- Motels and hotels: \$503 base fee, plus \$29 per room.
- Food and beverage service establishments: \$359 base fee, plus \$10 per person, based on Fire Marshal occupancy and seated dining capacity.
 - Occupancy shall include Fire Marshal-determined capacities for all patron areas, indoor and outdoor, where food and beverages are or can be served,

plus any seated dining capacity for which Fire Marshal determinations are not available.

- For small establishments for which the Fire Marshal has not established occupancy (e.g., under 35 persons), the \$10 per person multiplier shall be based upon seating capacity as reported to and approved by the Town of Dewey Beach.
- One-day business license: \$27.
- Conference center (2,500 square feet or larger): \$2,872.
- Small in-Town businesses not classified above (one to four employees): \$359.
- Large in-Town businesses not classified above (five or more employees): \$503.
- Small out-of-Town business (one to four employees): \$143.
- Large out-of-Town business (five or more employees): \$503.