

AN ORDINANCE OF THE CITY OF WILLISTON AMENDING SECTIONS 18-19 AND 18-23 OF THE WILLISTON CODE OF ORDINANCES REGARDING INVESTIGATION OF APPLICANTS OF APPLICANT(S) AND ADDING AN ANNUAL FEE FOR FROZEN DESSERT VENDING BUSINESS AS SET OUT BELOW.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

Section 1. That Section 18-19 be amended, and as amended be enacted as follows:

Sec. 18-19. Investigation and issuance.

Upon receipt of such application, the city auditor shall cause such investigation of such person's or persons' business responsibility or moral character to be made as he deems necessary to the protection of the public good. During the application process the city auditor may request the Williston Police Department conduct a records check on the applicant or any potential employees of the applicant. If, as a result of such investigation, the applicant's character and business responsibility are found to be unsatisfactory, the application shall be denied. If, as a result of the investigation, the character and business reputation appear to be satisfactory, the city auditor shall so certify in writing, and a license shall be issued by the city auditor. The city auditor shall keep a full record in his office of all licenses issued. Such license shall contain the number of the license, the date the same is issued, the nature of the business authorized to be carried on, the amount of the license fee paid, the expiration date of said license, the place where said business may be carried on under said license, and the name or names of the person or persons authorized to carry on the same.

A separate permit or license shall be required for each individual who acts as a transient merchant, itinerant merchant or itinerant vendor, regardless of whether or not two (2) or more individuals are working for or representing the same person, firm or corporation.

An applicant for a frozen dessert vending business must secure a health department permit prior to conducting business.

Section 2. That Section 18-23 be amended, and as amended be enacted as follows:

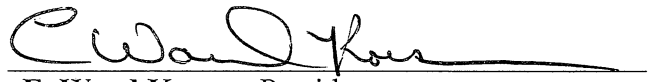
Sec. 18-23. Fees.

The fee for a license under this article is thirty-five dollars (\$35.00) for each day during which the temporary business is conducted, with the exception that the fee for a license for a business operating as a frozen dessert vending business shall be an annual fee of \$200.00 if the applicant is a resident of the City of Williston, and \$500.00 if the applicant is not a resident of the City of Williston.

This ordinance shall be in full force and effect upon its final passage, approval, and publication.

Commissioner Bogar moved the adoption of the foregoing Ordinance.
The Motion was seconded by Commissioner Bekkedahl. On roll call vote of the
Commissioners vote "AYE": Bogar, Bekkedahl, Klug, Koeser
, and the following Commissioners vote "NAY":
None. Absent and not voting:
Lawson.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this 8th day of
September, 2009.


E. Ward Koeser, President
Board of City Commissioners

ATTEST:


John Kautzman, City Auditor

First Reading: August 25, 2009

Second Reading: September 8, 2009

Published: November 27, 2009

Adopted the 8th day of September, 2009.