

Introduced by: Assistant City Manager Fire Chief Linhardt

AN ORDINANCE AMENDING SECTION 605.070 & 605.080 OF THE CITY OF BERKELEY, MISSOURI, MUNICIPAL CODE, PERTAINING TO BUSINESS LICENSE FEES

WHEREAS, the City of Berkeley ("City") is authorized to enact rules and regulations aimed at regulating businesses within the City; an

WHEREAS, the State of Missouri has established statutory guidelines to limit the annual rate of interest on overdue business license fees; and

WHEREAS, the City Council being fully informed finds that amending the provisions of §650.070 and 650.080 is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

Section 1. Article I, Section 605.070 and 605.080 of the Municipal Code for the City of Berkeley are hereby amended, and is to now be read as follows: (*additions in italics: deletions struck through*)

Chapter 605 – Merchant's and Manufacturer's License

Article I – General Provisions

Section 605.070 – License Fee

A. The following license fee shall be charged on organizations doing business in the City:

1. On the First (1st) one hundred thousand dollars (\$100,000) of sales, or fraction thereof, the sum of one hundred dollars (\$100.00), which shall be the minimum tax hereunder.
2. In the excess of one hundred thousand dollars (\$100,000) of sales, the sum of one hundred dollars (\$100.00), plus the sum of seventy-five cents (\$0.75) for each one thousand dollars (\$1,000), or fraction thereof, in excess of one hundred thousand dollars (\$100,000).
3. Failure to obtain a rental license and pay all fees by February 1st will result in ~~a ten percent (10%) penalty per month or part thereof.~~ *financial penalties assessed at the maximum statutory rate, pursuant to RSMo Section 32.065.*

Section 605.080 – Statement of Business Activity

- A. Everyone person defined as a merchant or manufacturer shall, on or before the first (1st) day of February, furnish to the Director of Finance the following information:
1. A statement of the value of the largest amount of all goods, wares, raw materials, goods in process and finished products, tools, machinery, and appliances which he/she may have had in his/her possession or under his/her control at any time during the year next preceding.
 2. A statement of the aggregate amount of all gross sales made during the preceding year.
 3. Such statements shall be in writing and verified by affidavit attached to it.
 4. Failure to obtain a rental license and pay all fees by February 1st will result in ~~a ten percent (10%) penalty per month or part thereof.~~ *financial penalties assessed at the maximum statutory rate, pursuant to RSMo Section 32.065.*

Section 2. It is the intention of the City Council that each and every part, section, and subsection of this Ordinance shall be separate and severable from each and every other part, section, or subsection hereof and that the City Council intends to adopt each said part, section, and subsection separately and independently of any other part. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect.

Section 3. This Ordinance shall be in full force and effect from and after the date of its final passage by the City Council and approval pursuant to law.

1st Reading this _____ day of _____ 2026

2nd Reading this _____ day of _____ 2026

3rd Reading, APPROVED and ADOPTED, this _____ day of _____ 2026

Rita Crawford-Graham, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Final Roll Call:

Councilwoman Holmes	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Mayor Crawford-Graham	Aye	___	Nay	___	Absent	___	Abstain	___

Approved as to Form:
Phillip C. Boyd, City Attorney