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FRANCIS G. SLAY  
MAYOR

**To:** Mary Ellen Ponder  
**From:** Winston Calvert  
**Date:** June 5, 2015  
**Subject:** Reforming the City's Business Laws

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Mayor Slay asked us to identify what reforms would be necessary for city laws and processes to be more accommodating to those starting and growing a business in the City of St. Louis. The Mayor set a clear goal: city laws should make it as easy as possible to start and to grow a business while ensuring that reasonable public health, safety, and quality of life protections remain in place.

In reviewing laws impacting new businesses, the first place we looked was Title 8 of the City Code. Title 8 codifies the City's business laws, and requires businesses to obtain a license and to pay a graduated business license tax. Code, at §§ 8.07.010, 8.07.040. It contains dozens of sections regulating particular types of businesses, and requires that some businesses undertake special processes—such as the plat and petition process—before opening.

Two board bills are attached to reform the business code with the Mayor's goal in mind. In summary, the draft bills:

- modernize the business code by repealing city laws that are preempted by federal or state law, regulations that are unnecessary or are not currently enforced, and laws that are archaic or obsolete.
- ease the tax burden on very small businesses by reducing the graduated business license tax for businesses with two or fewer employees; and
- empower neighborhoods to address problem businesses by replacing the old-fashioned "plat and petition" process that makes it difficult, time-consuming, and expensive for new businesses to open with a modern process that allows the business's neighbors to seek the revocation of a business license and occupancy permit if the business becomes a detriment to the neighborhood.

## I. Modernizing the City's Business Laws

Our laws reflect who we are. The laws of the City of St. Louis should reflect that our City is a vibrant, diverse, and forward-thinking place to live, work, and start a business. Our laws should empower businesses to start and to grow without unnecessary red-tape, over-regulation, and artificial barriers to entry. Many of our existing laws are necessary, and are applied and enforced easily and uniformly. But too many of our laws hold businesses back, make it harder to start and grow a business, and reflect the priorities of the St. Louis of the past.

Too many City laws are antiquated vestiges of another era—an era when late-night barbershops, dancing, and pool tables were scandalous; an era when message therapists and tattoo parlors were considered outrageous blights on the City. *See, e.g.*, Code, at §§ 8.22.040, 8.26.060, 8.32.210, 8.55.050, 8.97.040. It seems that there was a day when the City found it necessary for miniature pony tracks to have their own chapter in our Code, for every photographer traveling through town to obtain a license before taking pictures of the Arch, and for every bottle to be registered with the City Register. *See, e.g.*, Code, at §§ 8.58.010-8.58.050, 8.74.040, 8.28.010.

Many of these antiquated laws are not—and, perhaps, should not be—enforced. These laws may be vestiges, but they continue to drive some private conduct. For example, a landlord unaware that the City does not actively enforce the law against barbershops being open after 6:30 P.M. may opt not to rent a vacant commercial space to a new barbershop, reasoning that the barbershop may not be successful if it is unable to serve customers at night. *See* Code, at § 8.22.040. Or a bar, having already complied with the liquor laws and received the neighborhood's blessing, may decide to avoid expanding their business to include a pool table to avoid the hassle of going through another plat and petition process. *See* Code, at § 8.26.050.

We have reviewed the City's business code thoroughly, looking for laws that place unnecessary burdens on businesses, prevent businesses from opening and growing, are antiquated laws that have outlived their utility, or are laws that regulate business conduct that is already regulated by the state or the federal government. The attached board bills repeal over 180 ordinances that share one or more of these traits.<sup>1</sup>

## II. Easing the Burdens on Micro-Businesses

Very small businesses—we call them “micro-businesses” in the attached bill—play a critical role in a dynamic economy like that of the City of St. Louis. Making it easier for businesses to get off the ground initially could help propel these new companies into further success and growth. In addition, a disproportionate number of micro-businesses are women-owned and minority-owned businesses, and are run by people at or below the poverty line.<sup>2</sup> Making it easier for micro-businesses to start and grow can therefore help people who lack

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<sup>1</sup> This number includes full ordinances, sections of ordinances, and chapters and sections of prior codifications repealed in the draft bill.

<sup>2</sup> Elaine L. Edgcomb & Tamra Thetford, *Microenterprise Development as Job Creation*, Aspen Institute Fund for Innovation, Effectiveness, Learning, and Dissemination, available at <http://fieldus.org/Publications/jobcreation.pdf>.

traditional economic advantages to rise out of poverty into the middle class, and to build economic stability in their neighborhoods.

Micro-businesses are subject to the graduated business license tax established in section 8.07.010, regardless of whether the transaction costs associated with paying and collecting the tax exceeds the amount of the tax payment. In addition, the graduated business license tax is enforced regardless of whether the amount of income generated by the business exceeds the amount of the tax. Currently, businesses with two or fewer employees pay a graduated business license tax of \$200.00 per year. The micro-businesses bill would reduce the graduated business license tax for businesses with two or fewer employees to only \$25.

We have also explored the possibility of exempting micro-businesses from other taxes and fees imposed by the Code, and carving out exception from some City regulations. We will continue to develop ideas regarding how to create the optimal tax and regulatory environment to empower micro-businesses to thrive.

### **III. Empowering Neighbors to Deal with Problem Businesses**

The current business code requires certain types of businesses to undergo an old-fashioned process known as “plat and petition.” Under the current law, these businesses—not all businesses, only ones specifically, and somewhat irrationally, isolated from others—must obtain signatures of property owners within a certain radius of the proposed business. *See, e.g.*, Code §§ 8.78.030 (photography studios); 8.97.040 (tattoo parlors); 8.24.040 (massage establishments); 8.25.020 (bed and breakfasts); 8.32.040 (dance halls and ballrooms), 8.26.050 (billiard or pool table), 8.16.050 (arcades).

For example, an individual wishing to open a tattoo parlor must obtain the signatures of a majority of the people living on the bottom three floors of buildings within “five hundred feet plus one-half of the wide of the front of the premises from the center of such premises projected to the streets.” Code § 8.97.040. The individual also must send a postcard addressed to every occupant of every address in that petition circle, advising the occupants that the individual would like to open a tattoo parlor in their neighborhood. *Id.* The postcards must address and place postage on the cards, and return them to the Board of Public Service for mailing to the neighborhood. *Id.* Such an individual, who simply wishes to open a small business in our City, would be forced to go through this time-consuming process, and even “pay an application fee for all administrative costs” associated with sending out postcards to the neighborhood. *Id.*

The intent of the plat and petition process was to provide the neighborhood a role in deciding what types of businesses are appropriate for the neighborhood. But the process does not accomplish this goal. In fact, the process only applies to certain kinds of businesses—the neighborhood has no role in the license process for many businesses that the neighborhood may find even more problematic than photographic studios or arcades. The plat and petition process also provides little, if any, protection against a business becoming a detriment to the neighborhood after it opens. Moreover, the plat and petition process makes the process of opening a new business much more cumbersome, expensive, and time-consuming than necessary.

The attached board bill replaces the plat and petition process with a more modern process that allows the business's neighbors to seek the revocation of the business's license and occupancy permits if the business becomes a nuisance or is a detriment to the neighborhood. The bill empowers the Board of Public Service to revoke any business license, occupancy permit, or other permit issued by the City. A group of neighbors could petition the Board of Public Service to hold hearings regarding a business's conduct and to revoke or place conditions upon any license or permit issued to the business. The bill specifically preserves all other enforcement tools at the City's disposal, including those often used by the Problem Properties Section of the City Counselor's Office to protect neighborhood quality of life.

1 **BOARD BILL NUMBER \_\_\_\_\_ SPONSORED BY ALDERWOMAN LYDA KREWSON**

2 An ordinance concerning the licensing and regulating of business avocations, professions, trades,  
3 and callings including Arcades, Auctions and Auctioneers, Barbers, Bathhouses, Bed and  
4 Breakfast Establishments, Billiard and Pool Rooms, Bottle Registration, Commission Merchants  
5 and Merchandise Brokers, Dance Halls, Dance Studios, Detective Agencies, Embalmers,  
6 Employment Agencies, Horse-Drawn Vehicles, Information Date Bureaus, Insurance Adjustors,  
7 Massage Therapists and Massage Facilities, Miniature Pony Tracks, Motor Buses, Motor Carrier  
8 Transportation Brokers, Pawnbrokers, Photographers, Private Security Personnel, Public  
9 Photographic Studios, Real Estate Agents and Brokers, Second Hand Dealers, Service Stations,  
10 Small Entrepreneurs, Small Manufacturers, Stockyards, Sales Stables, and Cattle Dealers, Street  
11 Railways, Tattoo Parlors, Taxicabs and Service Cars, Theaters, Shows and Other Public  
12 Amusements, Ticket Brokers, Towel Supply Companies, Undertakers, Vault Cleaners,  
13 Miscellaneous Vocations, the Location and Operation of Certain Businesses, Underage  
14 Nightclubs, and obtaining and revoking business licenses and permits, by amending and  
15 repealing certain sections within Title 8 of the Revised Code of the City of Saint Louis and  
16 enacting a new ordinance covering the same subject matter, and containing a savings provision,  
17 and a severability provision.

18 **WHEREAS**, the City of Saint Louis is home to creative people, entrepreneurs, and  
19 businesses of every size who seek to comply with the law while growing their business and  
20 serving their customers; and

21 **WHEREAS**, the creativity and ingenuity of the people of the City of Saint Louis should  
22 be empowered to flourish without unnecessary red tape, over-regulation, or arcane, out-dated  
23 laws; and

1           **WHEREAS**, businesses should know what laws apply to them and what laws will be  
2 enforced, and only those laws that do apply and will be enforced should be part of the Revised  
3 Code of the City of Saint Louis;

4           **WHEREAS**, it is a priority of for the City of Saint Louis to make it as easy as possible  
5 for people to start a new business and to grow an existing business, while ensuring that necessary  
6 and reasonable public health, safety, and quality of life protections remain in place; and

7           **WHEREAS**, it is in the best interests of the City of Saint Louis that the business code be  
8 reformed;

9 **BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:**

10 **SECTION ONE. Licenses**

11           A.     Section 610.090 of the Revised Code of the City of St. Louis, 1960, as derived  
12                   from Chapter 37, Section 18 of the Revised Code of the City of St. Louis, 1948,  
13                   and as presently codified in 8.02.160 of the Revised Code of the City of St. Louis,  
14                   is hereby repealed.

15           B.     This Ordinance does not alter, amend, or repeal, and shall not be construed at any  
16                   time, for any purpose, as altering, amending, or repealing the licenses taxes or  
17                   fees imposed upon any business, or the obligation of every business to obtain a  
18                   business license, imposed by provisions of those Ordinances and provisions of the  
19                   Revised Code of the City of St. Louis repealed by this Ordinance.

20           C.     Every person, company, corporation, partnership, limited liability company,  
21                   entity, or any other business, however organized, that does or carries on business  
22                   in the City of St. Louis shall obtain a business license for that purpose from the  
23                   License Collector, unless specifically exempted.

1 **SECTION TWO. Arcades.**

2 Ordinance numbers 56788, 57294, and 58645, codified in Chapter 8.16 of the Revised Code of  
3 the City of St. Louis, are hereby repealed.

4 **SECTION THREE. Auctions and Auctioneers.**

5 Ordinance number 58570, codified in Chapter 8.18 of the Revised Code of the City of Saint  
6 Louis, is hereby repealed.

7 **SECTION FOUR. Barbers.**

8 Ordinance number 44880 and Chapter 648 of the Revised Code of the City of St. Louis, 1960,  
9 presently codified in Chapter 8.22 of the Revised Code of the City of Saint Louis, are hereby  
10 repealed.

11 **SECTION FIVE. Bathhouses.**

12 Ordinance numbers 56859, 57002, 57071, and 68570, codified in Chapter 8.24 of the Revised  
13 Code of the City of Saint Louis, are hereby repealed.

14 **SECTION SIX. Bed and Breakfast Establishments.**

15 Sections Two and Four of Ordinance number 62566, codified in Sections 8.25.020 and 8.25.040  
16 of Chapter 8.25 of the Revised Code of the City of Saint Louis, are hereby repealed. Section  
17 Five of Ordinance number 62566, codified in Section 8.25.050, is hereby repealed, and a new  
18 Section Five is to read as follows:

19 “SECTION FIVE. License Approval-Generally. Once a business license is issued to the  
20 applicant, said applicant is permitted to conduct such business for a period of one year  
21 from the date of issuance of the license subject to the Rules and Regulations of Section  
22 Three herein, unless the license is revoked or cancelled for cause before the expiration of  
23 such time.”

1 **SECTION SEVEN. Billiard and Pool Rooms.**

2 Ordinance numbers 55051, 61762, and 64299 and Section 724.010 of the Revised Code of the  
3 City of St. Louis, 1960, codified presently in Chapter 8.26 of the Revised Code of the City of  
4 Saint Louis, are hereby repealed.

5 **SECTION EIGHT. Bottle Registration.**

6 Chapter 659 of the Revised Code of the City of St. Louis, 1960, presently codified in Chapter  
7 8.28 of the Revised Code of the City of Saint Louis, is hereby repealed.

8 **SECTION NINE. Commission Merchants and Merchandise Brokers.**

9 Chapter 617 of the Revised Code of the City of St. Louis, 1960, presently codified in Chapter  
10 8.30 of the Revised Code of the City of Saint Louis, is hereby repealed.

11 **SECTION TEN. Dance Halls.**

12 Ordinance numbers 49621, 54691, 57494, and 58470, Section Four of Ordinance number 61095,  
13 and Chapter 715 of the Revised Code of the City of St. Louis, 1960, presently codified in  
14 Chapter 8.32 of the Revised Code of the City of Saint Louis, are hereby repealed.

15 **SECTION ELEVEN. Dance Studios.**

16 Ordinance number 50559, codified in Chapter 8.34 of the Revised Code of the City of Saint  
17 Louis, is hereby repealed.

18 **SECTION TWELVE. Detective Agencies.**

19 Chapter 653 of the Revised Code of the City of St. Louis, 1960, presently codified in Chapter  
20 8.36 of the Revised Code of the City of Saint Louis, is hereby repealed.

21 **SECTION THIRTEEN. Embalmers.**

22 Ordinance number 46583 and Chapter 431 of the Revised Code of the City of St. Louis, 1960,  
23 presently codified in Chapter 8.38 of the Revised Code of the City of Saint Louis, are hereby

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1 repealed.

2 **SECTION FOURTEEN. Employment Agencies.**

3 Ordinance number 48909 and Chapter 652 of the Revised Code of the City of St. Louis, 1960,  
4 presently codified in Chapter 8.40 of the Revised Code of the City of Saint Louis, are hereby  
5 repealed.

6 **SECTION FIFTEEN. Horse-Drawn Vehicles.**

7 Ordinance number 60183, codified in Chapter 8.43 of the Revised Code of the City of Saint  
8 Louis, is hereby repealed.

9 **SECTION SIXTEEN. Information Date Bureaus.**

10 Ordinance numbers 55032 and 55144, codified in Chapter 8.44 of the Revised Code of the City  
11 of Saint Louis, are hereby repealed.

12 **SECTION SEVENTEEN. Insurance Adjustors.**

13 Ordinance number 56481, codified in Chapter 8.46 of the Revised Code of the City of Saint  
14 Louis, is hereby repealed.

15 **SECTION EIGHTEEN. Massage Therapists and Massage Facilities.**

16 Ordinance number 68327, codified in Chapter 8.55 of the Revised Code of the City of Saint  
17 Louis, is hereby repealed.

18 **SECTION NINETEEN. Miniature Pony Tracks.**

19 Ordinance number 45290 and Sections 723.010 through 723.060 of the Revised Code of the City  
20 of St. Louis, 1960, presently codified in Chapter 8.58 of the Revised Code of the City of Saint  
21 Louis are hereby repealed.

22 **SECTION TWENTY. Motor Buses.**

1 Sections 605.020, 605.040, 605.010, 606.010, 606.020, 606.040, 606.030, 605.030, 605.090,  
2 605.040, 605.110, 605.050, 605.100,605.080, 605.070, 606.020, 607.010, 607.020, 607.030,  
3 608.020, 608.020, 608.030, 608.050, 608.060, 608.070, and 608.080 of the Revised Code of the  
4 City of St. Louis, 1960, and Section One of Ordinance number 51235, Section One of Ordinance  
5 number 49738, 1959, Section 1 of Ordinance number 49449, 1959, and Section One of  
6 Ordinance number 48383, 1957, as presently codified in Chapter 8.62 of the Revised Code of  
7 the City of Saint Louis are hereby repealed.

8 **SECTION TWENTY-ONE. Motor Carrier Transportation Brokers.**

9 Sections 694.010 through 694.070 of the Revised Code of the City of St. Louis, 1960, presently  
10 codified in Chapter 8.64 of the Revised Code of the City of Saint Louis are hereby repealed.

11 **SECTION TWENTY-TWO. Pawnbrokers.**

12 Ordinance number 57502 and Section 700.032 of the Revised Code of the City of St. Louis,  
13 1060, presently codified in Section 8.72.035 of the Revised Code of the City of Saint Louis are  
14 hereby repealed.

15 **SECTION TWENTY-THREE. Photographers.**

16 Ordinance number 48911 and Section 620 of the Revised Code of the City of St. Louis, 1960, as  
17 presently codified in part in Chapter 8.74 of the Revised Code of the City of Saint Louis are  
18 hereby repealed.

19 **SECTION TWENTY-FOUR. Public Photographic Studios.**

20 Ordinance number 56858, as codified in Chapter 8.78 of the Revised Code of the City of Saint  
21 Louis is hereby repealed.

22 **SECTION TWENTY-FIVE. Real Estate Agents and Brokers.**

1 Chapter 13, sections 82 and 83, of the Revised Code of the City of St. Louis, 1948, and Sections  
2 690.010 and 690.020 of the Revised Code of the City of St. Louis, 1960, as presently codified in  
3 part in Chapter 8.80 of the Revised Code of the City of Saint Louis are hereby repealed.

4 **SECTION TWENTY-SIX. Second Hand Dealers.**

5 Ordinance number 69103, as codified in Section 8.82.045 of the Revised Code of the City of St.  
6 Louis, is hereby repealed.

7 **SECTION TWENTY-SEVEN. Service Stations.**

8 Ordinance number 61968, as codified in Chapter 8.83 of the Revised Code of the City of Saint  
9 Louis is hereby repealed.

10 **SECTION TWENTY-EIGHT. Stockyards, Sales Stables, and Cattle Dealers.**

11 Section 517 .010, 517.050, 517.060, and 517.060 of the revised Code of the City of St. Louis,  
12 1960, as codified in Chapter 8.90 of the Revised Code of the City of Saint Louis is hereby  
13 repealed.

14 **SECTION TWENTY-NINE. Street Railways.**

15 Sections 595.101, 597.010, 597.060, 597.070, 597.030, 597.040, 597.050, 597.080, 595.020,  
16 595.030, 595.040, 595.050, 595.060, 595.070, 595.080, 595.090, 595.100, 596.010, 596.020,  
17 596.030, 596.040, 596.050, 598.010, 598.020, 598.030, 598.040, 598.050, 598.060 of the  
18 Revised Code of the City of St. Louis, 1960, as codified in Chapter 8.92 of the Revised Code of  
19 the City of Saint Louis is hereby repealed.

20 **SECTION THIRTY. Surveyors.**

21 Sections 618.010 through 618.040 of the Revised Code of the City of St. Louis, 1960, as  
22 presently codified in Chapter 8.96 of the Revised Code of the City of Saint Louis are hereby

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1 repealed.

2 **SECTION THIRTY-ONE. Tattoo Parlors.**

3 Section One of Ordinance number 68571, and Section One of Ordinance number 57404, and  
4 Sections 729.010 through 729.140 of the revised Code of the City of St. Louis, 1960, as  
5 presently codified in Chapter 8.97 of the Revised Code of the City of Saint Louis are hereby  
6 repealed.

7 **SECTION THIRTY-TWO. Taxicabs and Service Cars.**

8 Ordinance numbers 46399, 48912, and 58795, as codified in part in Chapter 8.98 of the Revised  
9 Code of the City of Saint Louis are hereby repealed and replaced with the following:

10 Any motorized or non-motorized vehicle engaged in the business of carrying persons for  
11 hire on the streets of the city where the compensation for said transportation is made either  
12 directly or indirectly, and that is not within the authority of the Metropolitan Taxicab  
13 Commission to regulate, shall obtain a vehicle for hire license from the Board of Public Service  
14 and shall comply with all rules and regulations promulgated regarding such vehicles by the  
15 Board of Public Service.

16 **SECTION THIRTY-THREE. Theaters, Shows, and Other Public Amusements.**

17 Ordinance number 44798, as codified in part in Chapter 8.100 of the Revised Code of the City of  
18 St. Louis, and Ordinance numbers 44938 and 56570, and Sections 726.010 through 726.110 of  
19 the Revised Code of the City of St. Louis, 1960, as codified in Chapter 8.100 of the Revised  
20 Code of the City of Saint Louis are hereby repealed.

21 **SECTION THIRTY-FOUR. Ticket Brokers.**

22 Section 695 of the Revised Code of the City of St. Louis, 1960, as presently codified in Sections

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1 8.102.050 through 8.102.140 of the Revised Code of the City of Saint Louis are hereby repealed.

2 **SECTION THIRTY-FIVE. Towel Supply Companies.**

3 Section 85 of Chapter 13 of the Revised Code of the City of St. Louis, 1948, as codified in  
4 Chapter 8.104 of the Revised Code of the City of Saint Louis is hereby repealed.

5 **SECTION THIRTY-SIX. Undertakers.**

6 Ordinance numbers 48914 and 52256, and Sections 627.010 through 627.080 of the Revised  
7 Code of the City of St. Louis, 1960, as presently codified in Chapter 8.106 of the Revised Code  
8 of the City of Saint Louis is hereby repealed.

9 **SECTION THIRTY-SEVEN. Vault Cleaners.**

10 Sections 502.120, 502.130, and 502.080 of the Revised Code of the City of Saint Louis, 1960, as  
11 codified in Chapter 8.108 of the Revised Code of the City of Saint Louis is hereby repealed.

12 **SECTION THIRTY-EIGHT. Miscellaneous Vocations.**

13 Sections 624.010 and 624 .030 (Section 624.020 having previously been repealed), and Sections  
14 628.010, 628.020, 628.040, and 628.050 (628.030 having previously been repealed), of the  
15 Revised Code of the City of St. Louis, 1960, as codified in Chapter 8.114 of the Revised Code of  
16 the City of Saint Louis are hereby repealed.

17 **SECTION THIRTY-NINE. Location and Operation of Certain Businesses.**

18 Sections One and Two of Ordinance number 53751, Section 102 of Chapter 13 of the Revised  
19 Code of the City of St. Louis, 1948, and Section 662.020 of the Revised Code of the City of St.  
20 Louis, 1960, as presently codified in Chapter 8.116 of the Revised Code of the City of Saint  
21 Louis are hereby repealed.

1 **SECTION FORTY.**

**Business License and Permit Revocation.**

2 A. Revocation by Board of Public Service. Every business license issued pursuant to  
3 Title 8 of the Revised Code of the City of Saint Louis, any Occupancy Permit,  
4 and any other permit or waiver issued by the City of St. Louis may be revoked,  
5 for cause, by the Board of Public Service at any time upon notice and hearing.  
6 Before revoking any such license, permit, or waiver, the Board of Public Service  
7 shall promulgate rules and regulations setting forth the procedures it will follow in  
8 any such revocation proceeding.

9 B. Revocation by the Board of Public Service initiated by Neighborhood Petition

10 1. Petition for Hearing. The Board of Public Service, upon receipt by the  
11 Secretary of the Board of Public Service, of a petition signed by either a  
12 twenty-five (25) percent of the persons owning real property (or any  
13 portion thereof) or twenty-five (25) percent of the registered voters  
14 occupying property within a prescribed petition circle drawn with a radius  
15 of five hundred (500) feet from the center of said premises, alleging that  
16 the operation of the premises involved is being operated in such manner,  
17 as factually set out in said petition, to constitute a detriment to the  
18 neighborhood, shall hold a public hearing based on said petition.

19 2. Hearing Notice. The Board of Public Service shall set a reasonable time  
20 for the hearing on said petition, shall give adequate public notice thereof,  
21 and shall give notice to the person or persons holding the business license  
22 and permit at issue in writing with a copy of said petition by Certified  
23 Mail.

1           3.     Verification of Petition Signatures. The Board of Public Service shall  
2                     appoint one of its employees to check the petition filed in each proceeding  
3                     and verify the signatures appearing thereon with the property owners  
4                     whose names appear on the Assessor's records, or the registered voters  
5                     whose names appear on the Board of Election Commissioner's records, as  
6                     the case may be, and if such persons constitute a majority of property  
7                     owners or registered voters in said petition circle. A report thereof shall  
8                     be made at the public hearing before any testimony is received at said  
9                     hearing.

10           4.     Hearing Conduct. The hearing shall be conducted in the same manner as  
11                     the Board of Public Service conducts its weekly public meetings. The  
12                     Board of Public Service shall provide a reasonable opportunity for the  
13                     holder of the business license or permit to present the holder's position  
14                     concerning the petition, and for the petitioners to present their opposition  
15                     to the business license or permit. If a majority of the Members of the  
16                     Board of Public Service present at said hearing on the petition shall decide  
17                     that the operation of the premises involved constitutes a detriment to the  
18                     neighborhood, they shall set out in their written order the facts on which  
19                     their decision is based and the time limit or conditions of suspension, or  
20                     revocation of said business license and permit. A copy of said order shall  
21                     be published in the City Journal and sent by Certified Mail to the owner or  
22                     operator of the premises involved. Any person adversely affected by said  
23                     order shall have a right of Judicial Review as provided by § 536.100,

1 RSMo.

2 C. Other Enforcement Provisions Unaffected. No provision of this Ordinance shall  
3 be construed in any way to alter, subordinate, or otherwise affect or in any way  
4 limit the rights of the City of St. Louis to enforce any other law which might be  
5 applicable to the subject premises. The City of St. Louis may initiate an action in  
6 municipal court or circuit court to enforce provisions of the Code and may seek,  
7 as a remedy for violation of the Code, the revocation of any business license,  
8 occupancy permit, or other permit issued by the city.

9 **SECTION FORTY-ONE. Savings Provision.**

10 Any act done or right vested or accrued, or any proceeding, suit or prosecution had or  
11 commenced in any cause before the effective date of this ordinance shall not be affected by this  
12 ordinance; but every act done, or right vested or accrued, or proceeding, suit or prosecution had  
13 or commenced shall remain in full force and effect to all intents and purposes as if prior law had  
14 remained in full force and effect. No offense committed and no liability or penalty incurred prior  
15 to the effective date of this ordinance, shall be discharged or affected by this ordinance; but  
16 prosecutions and suits for such offenses, liabilities or penalties shall be instituted and proceeds  
17 with in all respects as if this ordinance had not taken effect.

18 **SECTION FORTY-TWO. Severability Provision.**

19 The provisions of this ordinance are severable. In the event any provision of this ordinance is  
20 determined to be invalid, the remaining provisions shall not be affected thereby.

1 **BOARD BILL NUMBER \_\_\_\_\_ SPONSORED BY ALDERMAN LYDA KREWSON**  
2 **AND ALDERMAN SCOTT OGILVIE**

3 An ordinance pertaining to the amount of the graduated business license tax chargeable to  
4 businesses with two or fewer full-time employees: amending Section Two of Ordinance 60643  
5 as codified in Chapter 8.07.020 of the Revised Code of the City of St. Louis; repealing Section  
6 Five of Ordinance 67091 as codified in Chapter 8.07.010 of the Revised Code of the City of St.  
7 Louis; and containing a severability clause.

8 **WHEREAS**, it is a priority of for the City of Saint Louis to make it as easy as possible  
9 for people to start a new business and to grow an existing business; and

10 **WHEREAS**, new businesses and other very small businesses face unique challenges and  
11 obstacles to growth that can best be addressed by regulating them differently in certain respects,  
12 including by reducing barriers to entry like the amount of the graduated business license tax;

13 **WHEREAS**, it is in the best interests of the City of Saint Louis that the business code be  
14 reformed regarding micro-businesses;

15 **BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:**

16 **SECTION ONE. Micro-Businesses.**

17 Ordinance 60643, Section Two, as codified in Chapter 8.07.020 of the Revised Code of the City  
18 of St. Louis, is amended to add **Section Two A. Micro-Businesses**, which is to read as follows:

19 **“SECTION TWO. A. Micro-Businesses.**

- 1           A.     The term “micro-business” shall mean any licensee with two or fewer full-time  
 2                   “employees” (The terms “employee” and “full-time” shall have the meaning as  
 3                   the terms “St. Louis employee” and “full-time” as set forth in Section Two of this  
 4                   Ordinance).
- 5           B.     Every micro-business shall obtain a business license from the License Collector,  
 6                   unless specifically exempted.
- 7           C.     The graduated business license tax chargeable to a micro-business pursuant to  
 8                   Section 8.07.010 shall be twenty-five dollars (\$25).

9     **SECTION TWO. Graduated Business License Tax.**

10  
 11    Ordinance 67091, Section Five, as codified in Chapter 8.07.010 of the Revised Code of the  
 12    City of St. Louis, is repealed, and a new Section Five is enacted in lieu thereof to read as follows:  
 13    “There is hereby imposed a graduated business license tax on all merchants, manufacturers,  
 14    business, avocations, pursuits and callings that are not exempt from the payment of licenses by  
 15    law, except those merchants, manufacturers, businesses, avocations, pursuits and callings listed  
 16    in SECTION THREE of Ordinance #60643, as codified in Chapter 8.07 of the Revised Code of  
 17    the City of St. Louis. The graduated business license tax shall be calculated and based on the  
 18    licensee’s St. Louis employees as defined in SECTION TWO of Ordinance 60643 and be  
 19    payable prior to issuance of a business license as follows:

| St. Louis Employees | Graduated Business License Tax |
|---------------------|--------------------------------|
| 2 or fewer          | 25.00                          |
| 3--5                | 325.00                         |
| 6--10               | 675.00                         |
| 11--20              | 1,500.00                       |
| 21--30              | 2,250.00                       |
| 31--40              | 3,000.00                       |

|             |           |
|-------------|-----------|
| 41--50      | 4,500.00  |
| 51--75      | 7,500.00  |
| 76--100     | 11,250.00 |
| 101--150    | 15,000.00 |
| 151--200    | 20,250.00 |
| 201--300    | 25,500.00 |
| 301--400    | 30,000.00 |
| 401--500    | 34,500.00 |
| 501 or more | 37,500.00 |

1 **SECTION THREE. Savings Provision.**

2 Except as specifically herein provided, all present City ordinance and City Code provisions not  
3 inconsistent with this ordinance providing for the licensing of businesses, and enforcement and  
4 administration of business licensing, shall be and remain in full force and effect.

5 This Ordinance shall not affect or impair any act done or right vested or accrued, or any  
6 proceeding, suit or prosecution commenced in any cause before the effective date of the tax  
7 schedule provided for in this ordinance; but every tax done, or right vested or accrued, or  
8 proceeding, suit or prosecution had or commenced shall remain in full force and effect to all  
9 intents or purposes as if the prior law had remained in full force and effect.

10 **SECTION FOUR. Severability.**

11 If any provisions, sentence, clause, Section, part or application of this ordinance is for any reason  
12 held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity  
13 shall not affect or impair any of the remaining provisions, sentences, clauses, Sections, parts or  
14 applications of this ordinance it is hereby declared to be the intent of the Board of Aldermen that  
15 this ordinance would have been adopted as such unconstitutional, illegal or invalid sentence,  
16 clause, Section or part thereof had not been included therein.