

1 An Ordinance pertaining to the Excise Code of the City of St. Louis; amending the  
2 definitions of conducting business, person, petition circle, and property owner in Ordinance  
3 68536, Section Two, paragraphs 14.01.085, 14.01.300, 14.01.310, 14.01.344; amending retail  
4 license application requirements and petition requirements in Ordinance 68536, Section Nine,  
5 paragraphs 14.08.030 and 14.08.050; containing a severability clause and an emergency clause.

6 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

7 **SECTION ONE.** Ordinance 68536, Section Two, paragraphs 14.01.085, 14.01.300,  
8 14.01.310, 14.01.344 (and codified under the same paragraph numbers) are hereby amended as  
9 follows:

10 14.01.085 Conducting business.

11 The phrase “conducting business” shall mean the operation of a business in a building or  
12 on a parcel of land which has either a business license from the City of St. Louis, a professional  
13 license from the State of Missouri or is a condominium organized and established under Chapter  
14 448 of the Revised Statutes of Missouri.

15 14.01.300 Person.

16 The term “Person” shall mean an individual, association, club, joint stock company,  
17 syndicate, partnership, corporation, any business organized under the laws of the State of  
18 Missouri, receiver, trustee, conservator, or other officer appointed by any state or federal court.

19 14.01.310 Petition circle.

20 C. No portion of a building shall be considered to be within the petition circle other  
21 than the main or surface floor of such building, the two floors immediately above the main or  
22 surface floor, and the floor immediately below the main or surface.

23 14.01.344 Property Owner.

1           The term “Property Owner” shall mean any person, 18 years of age or older, who owns or  
2 co-owns real property that is touched by or is within the petition circle. A property owner shall  
3 be only counted once in the total number of property owners and only one signature of a property  
4 owner is accepted as valid regardless of the number of real property parcels or units that the  
5 individual or entity owns or co-owns within the petition circle.

6           **SECTION TWO.** Ordinance 68536, Section Nine, paragraphs 14.08.030 and 14.08.050  
7 are hereby amended as follows:

8           14.08.030 Persons who own property, reside or conduct business within the petition circle.

9           For the purposes of this chapter and title:

10           A.     A person shall be considered to reside within the petition circle of a premises for  
11 which a retail license has been issued or for which an application for a retail license has been  
12 submitted to the Excise Commissioner if: (1) his domicile is within the petition circle; and (2) he  
13 is registered to vote from an address within the petition circle on the date on which an  
14 application is filed or a protest is initiated.

15           B.     A person shall be conducting business within the petition circle if he is engaged in  
16 any business or professional activity and if he leases or rents space for such purpose, or owns  
17 property used for such purpose, within the petition circle.

18           C.     When the person conducting business within the petition circle is a corporation,  
19 association, partnership, limited liability company, limited partnership, or any other business  
20 entity organized under the laws of the State of Missouri including a condominium, the signature  
21 of the President, Secretary or managing officer of such entity shall, for purposes of this title, be  
22 considered the signature of the person conducting businesses within the petition circle and such

1 business shall have a valid business or professional service license, if required under the laws of  
2 the City of St. Louis or State of Missouri.

3 14.08.050 License applications—Neighborhood approval—Exemptions—Petition  
4 contents.

5 A. Except as provided by this chapter or title, no retail license shall be issued to any  
6 person who has submitted an application for a license to the Excise Commissioner, unless such  
7 person also submits a petition signed by: (1) a majority of the persons owning property within  
8 the petition circle and (2) a majority of any combination of the registered voters who reside in  
9 the petition circle and persons that are conducting business within the petition circle.

10 B. The provisions of this section shall not apply to an application for: (1) a drink or  
11 C.O.L. license for a boat; (2) a picnic license, (3) a license for a premises located in a mall; (4) a  
12 full drink Sunday license; (5) special sports stadium license; (6) a ballroom Sunday sales permit;  
13 (7) a common eating and drinking area permit; (8) a drink license for a place of entertainment;  
14 (9) a Sunday sales permit for a place of entertainment or amusement; (10) a controlled access  
15 liquor cabinet system permit; or (11) a temporary catering permit. The Excise Commissioner  
16 shall have authority to waive the requirements of this section where the premises for which a  
17 license is applied for is owned by a governmental entity or governmental agency.

18 C. Each neighborhood consent petition form shall contain the following information:  
19 (1) the name of the person(s) applying for the license; (2) the address of the premises for which  
20 the license is sought; (3) the name under which the licensee shall conduct business at the  
21 premises for which an application has been submitted; (4) where the applicant is a corporation,  
22 the name of the person who will be the managing officer of the licensed premises if the  
23 application is granted; (5) a statement that "the application is on file and may be viewed at the

1 office of the Excise Division"; and (6) such additional information as may be required under the  
2 rules and regulations of the Excise Division. No signature appearing on a neighborhood consent  
3 petition shall be considered valid unless the name and address of the person who signed the  
4 petition is printed on the face of the petition next to his signature. No person is allowed to sign  
5 for another person except a trustee, guardian, a person with power of attorney, or other persons  
6 authorized by law. The petition shall be on a form provided by the Excise Commissioner.

7 D. Unless there is good cause shown therefore, if the neighborhood approval petition  
8 required by this section is not filed within forty-five (45) days of receipt of such petition from the  
9 Excise Division, the application shall be void.

10 E. No person shall knowingly accept or offer money or anything of value to another  
11 person in exchange for his or her signature.

12 **SECTION THREE. Severability Clause.** The provisions of this section are severable.  
13 If any provision of this ordinance is declared invalid, that invalidity shall not affect other  
14 provisions of the ordinance which can be given effect without the invalid provision.

15 **SECTION FOUR. Emergency Clause.** The passage of this ordinance being deemed  
16 necessary for the immediate preservation of the public peace, health and safety, an emergency is  
17 hereby declared to exist within the meaning of Section 20 of Article IV of the Charter, and this  
18 ordinance shall be in full force and effect immediately upon its passage and approval by the  
19 Mayor.