

# Ins and outs of a business license

Many of us remember the days when the City of Lake Ozark had little or no regulation of its business and residential development.

There were no construction codes, or if there were any they weren't followed.

Virtually anyone was allowed to build anything anywhere they wanted. Safety and aesthetics went the wayside in favor of profit, convenience and expediency.

The same went for businesses. Individuals and companies wanting to set up shop in Lake Ozark did so without much thought to electrical, plumbing, construction or lifestyle considerations.

But in 1994 – 28 years after Lake Ozark was incorporated -- visionary city officials realized that to have organized growth and to become a viable partner in economic development at the Lake of the Ozarks there needed to be some rules. And so, a Municipal Code was adopted by the board of aldermen.

## Business growth

The city uses common planning and zoning practices to protect the integrity of clearly defined districts.

"As city officials, we have a responsibility to protect our citizens and to have in place a set of ordinances that are in the best interests of the entire community, not just a specific type of business or particular neighborhood," City Administrator Dave Van Dee explained.

Before the city adopted a Municipal Code in 1994, there was no regulation of business or residential growth.

"Obviously, to provide the best possible environment for growth as a community we have to find a balance between the safety of our residents and the ability of our business and residential districts to grow," he added. "There's certainly never an intent to stymie growth. We just want balanced growth that reflects the integrity of our community. Our Municipal Code is not government over-reach by any means. It's a road map that reflects what the board of aldermen and we as city officials believe is needed to move the city forward."

One of the confusions that arises when a Municipal Code is adopted is that existing businesses are grandfathered in – a provision in which an old rule continues to apply to some existing situations while a new rule will apply to all future cases. Those exempt from the new rule have grandfather rights or acquired rights.

"Our Municipal Code is very specific as to what can and cannot be included in a business," Van Dee said. "Again, that's

The screenshot shows the top portion of the City of Lake Ozark, MO website. The header is dark green with the city name in white. Below the header is a navigation bar with 'Home' and 'Help' links, and a search box. A secondary navigation bar contains icons for 'Print', 'Email', 'Download', and 'Share'.

## Adopting Ordinance

- AO Adopting Ordinance

## Government Code

- Chapter 100 **General Provisions** (§ 100.010 – § 100.050)
- Chapter 105 **City Organization** (§ 105.010 – § 105.730)
- Chapter 106 **Code of Ethics For Public Officials** (§ 106.010 – § 106.210)
- Chapter 110 **Board of Aldermen** (§ 110.010 – § 110.230)
- Chapter 112 **Conflicts of Interest** (§ 112.010 – § 112.050)

done for the protection of our citizens and our visitors. And as we've noted, anything that was in place before 1994 is grandfathered in and is therefore exempt from the new rules."

City officials say they want businesses to be successful, and having local and state regulations in place can help them reach their potential.

## Business licenses

To guide in the regulation of businesses, all businesses that operate within a city are required to have a business license which is renewed annually. Those licenses are issued in Lake Ozark by the City of Lake Ozark. City staff sends reminders and also calls businesses when their licenses are due.

The only time a business is physically inspected by city officials is when the original business license is issued. The city's building inspector makes sure city codes are being followed and that the business is being conducted according to information supplied by the business owner on the license.

"After the initial inspection, we rely on the business to self-regulate based on the business license information. A business can change over the years and possibly inadvertently become in violation of a city ordinance. The city might get involved at that point to help the business become compliant again."

As part of that licensing process, a business is regulated by the type of district in

which it is located. Typically, businesses are located in Commercial Districts which have a set of regulations that differ from the various residential districts. In Lake Ozark, businesses are regulated under the Business and Occupation section which defines what can and cannot be included within a particular business.

When planning to start a business, or to make changes to an existing business or alter the product line, city staff can help determine the appropriate zoning district, or the allowed uses for a particular location.

"It's important to meet with the Community Development staff before beginning or altering a business so potential problems can be addressed earlier rather than later," Van Dee explained. "This helps eliminate or reduce misconceptions or misunderstandings."

When a business applies for a license, the specifics of that business must be included on the license so city officials can make sure the business meets the requirements of the Municipal Code. If the intent of the business changes, and those intentions don't meet the Municipal Code, the business is asked to eliminate or remove that aspect of their business.

If the business fails to follow the Municipal Code, its business license can be suspended until the violation is corrected.

The Municipal Code can be accessed through the city's website at [www.cityoflakeozark.net](http://www.cityoflakeozark.net), or by clicking on <https://www.ecode360.com/LA3339>.