

City of Mount Rainier

Business Quick Guide

Licenses, Permits, & Codes

BUSINESS LICENSE

(Section 7-104, A, B, C, E, and F)

A. License Required. No business may operate in the City of Mount Rainier without a license from the City of Mount Rainier, except a home occupation whose customers do not regularly come to the residence, whose employees do not come to the home, which is permitted by the Prince George's County zoning ordinances without a special exception, and which does not require a use and occupancy permit under Prince George's County zoning ordinances.

B. Applications. Applications shall be submitted in writing to the City Manager along with the required fee(s). The City Manager is authorized to develop the application form, which shall include all information relevant to this and related chapters.

C. Issuance; Renewal

1. Upon approval by the City Manager according to the criteria set forth in paragraphs E, F, and G below, a business license shall be issued to the business.
2. All business licenses shall be renewable upon payment of appropriate fees and compliance with provisions of this Chapter.

E. Requirement for All Businesses. All businesses must comply with the following:

1. Must not seek to obtain license by fraud, misrepresentation, or concealment of facts.
2. Must comply with all other applicable City codes, including F and G below, as applicable.
3. Must be in compliance with all applicable County, State, and federal regulations and laws.
4. Must not conduct itself in a manner that is obnoxious or disruptive to the public, or that constitutes a public nuisance.
5. Must not use its premises for any illegal purpose.
6. Must not create excessive noise or unduly burden the peace and tranquility of the residents of the City.

7. Must not cause or excessively increase vehicular traffic congestion or impede the effective flow of traffic on streets, highways, and thoroughfares in the City.
8. Must not cause or excessively increase pedestrian congestion or loitering or the efficient and peaceful flow of pedestrian traffic on the sidewalks in the City.
9. Must not cause or increase any threat to life, safety or health of any person.

F. Requirements for Businesses in Permanent Nonresidential Locations.

All businesses with a permanent location in non-residential premises must comply with the following:

1. Must have an occupancy license.
2. Must comply with Chapter 11. Refuse Collection.
3. Must comply with Chapter 7A. Commercial District Management Authority.
4. Must comply with the hours of operation approved in the occupancy license.
5. Must have County Use and Occupancy permit and must be in compliance with the terms of that County permit, if applicable.
6. Must have all required County and state licenses and permits necessary for operation of the particular business
7. Must be in compliance with all applicable County and State laws and regulations.
8. If ownership of a business transfers from one person to another, the new owner must be in compliance with all applicable City, County and State laws and regulations.
9. If the business has exterior signage, including freestanding (ground mounted) signs and signs attached to the walls or roof of a building or to a building canopy, but not including window signs, then the signage must comply with County zoning laws and a copy of the County sign permit provided to the City Manager. If the sign is exempt from the County sign permit requirement, the applicant must specify the reason for the exemption and, if required by the City Manager, provide supporting documentation for the exemptions.

LICENSE & REGISTRATION FEES

(Section 7-108, A, B)

A. Business license or registration fees

(Section 7-108, A)

1. Businesses with permanent locations in non-residential premises shall pay the appropriate occupancy license fee(s) in subsection B below.
2. Home occupations shall pay a license fee of \$25 per year.
3. If the business license is allowed to expire (see section 7-104.D), the reinstatement fee shall be \$100.00 (One Hundred Dollars).
4. If the business license is revoked for cause (see section 7-104.D-5), the reinstatement fee shall be \$100.00 (One Hundred Dollars).

B. Occupancy License Fees

(Section 7-108, B)

1. The following fees shall be charged:

- a. For **NON-RESIDENTIAL PREMISES**, other than those occupied by charitable and religious institutions: (Ord. 19-97, 9-2-97)
 - i. \$50 for the first 1,000 square feet gross floor space, \$25 for each additional 1,000 square feet gross floor space per occupant (tenant) or owner-occupant per year, up to a maximum occupancy license fee of \$200 per occupant or owner-occupant per year. In the case that two or more distinct businesses are occupants at the same location, even if they are under the same ownership and/or management, each occupant shall pay a separate license fee.
 - ii. In addition to any other fee set forth in this section, businesses and establishments serving or selling alcoholic beverages shall pay an additional annual fee equal to twenty (20) percent of any annual license fee charged to them by the Board of License Commissioners of Prince George's County.
 - iii. In addition to any other fee set forth in this section, businesses and establishments with coin-operated pinball, video or other entertainment device, or billiard or pool tables, bowling alleys, or any table, alley, or board upon which legitimate games are played, shall, when operated for public use or profit or gain, pay a fee of fifteen dollars (\$15.00) per device, table, alley, or board.

b. CHARITABLE AND RELIGIOUS INSTITUTIONS

For **NON-RESIDENTIAL PREMISES** occupied by charitable and religious institutions, **\$40 per year.** (Ord. 19-97, 9-2-97)

c. MULTI-FAMILY RENTAL FACILITIES

Effective July 1, 2013, for multi-family rental facilities the fee shall be One Hundred Fifty Dollars **(\$150.00) per unit per year.** The City collects fees annually. Occupancy license fees are non-refundable and are not prorated in the event that the rental use of the facility is discontinued or the number of units in the rental facility changes during a license year.

d. SINGLE FAMILY RENTAL DWELLINGS

Effective July 1, 2013, for single-family rental dwellings, the fee shall be One Hundred Fifty Dollars **(\$150.00) per unit per year.** The City collects fees annually. Occupancy license fees are non-refundable and are not prorated in the event that the rental use of the dwelling is discontinued or the number of units in the rental dwelling changes during a license year.

e. HOTEL, MOTEL, OR TOURIST FACILITY

For a hotel, motel, or tourist facility, **\$175 per year.**

SIGN PERMITS & FEES

(Section 7 – 106, K)

Temporary Sign Permits

Permit required for temporary signs.

1. **Nonresidential** premises that wish to display a temporary exterior sign must secure a temporary sign permit from the City.
2. The City Manager may issue a City permit for a **temporary exterior sign** for nonresidential premises that have a current and valid city business or occupancy license. The temporary exterior sign permit will be valid for a period of no longer than 6 months from date of issuance. The City Manager may provide one extension for an additional 3 months if the permit holder is actively working toward *securing a permanent sign permit from Prince George's County* or if the temporary sign is exempt from the County sign permit requirement. A nonresidential premises is limited to two temporary exterior signs.
3. Temporary signage must be constructed of materials that will withstand weather and remain in good condition during the permit validity period. Hand-lettered signs are prohibited.
4. The applicant will submit the specifications of the temporary exterior sign on an application form to be provided by the City. The City Manager will approve the location of the temporary exterior sign on the nonresidential premises and the sign dimensions and material.
5. The temporary exterior sign must be kept free from tears, discoloration, graffiti, and other unsightly conditions.
6. Any signs installed on nonresidential premises prior to May 1, 2008, that lack a required County sign permit may be issued a City temporary exterior sign permit while the sign owner applies for a County sign permit.

REFUSE COLLECTION

(Section 11-104. General Provisions)

C. All dumpsters and refuse containers shall be maintained in good condition, shall be durable and waterproof, shall not have rusted-through areas, tears or fractures and shall be equipped with tight-fitting lids at all times. Lids to dumpsters and refuse containers shall be in place and kept closed when not in actual use.

E. Dumpsters and refuse containers located at non-residential premises, including business, commercial, or industrial properties, shall be placed on a pad constructed of an impervious surface, such as concrete, asphalt, stone or brick, inside the screening fence or wall and such pad shall provide adequate support and drainage. Existing dumpsters and other refuse containers located at non-residential premises shall comply with the above impervious surface pad placement requirement on or before December 1, 2013.

F. Each owner and occupant of residential, non-residential premises, and businesses, and each owner or apartments and other rental facilities, must provide a sufficient number of refuse containers and/or dumpsters for the safe and sanitary storage of refuse normally accumulated between the regularly scheduled collections and to prevent overflow.

J. Penalty. Violations of this section shall be a municipal infraction with a fine of Two Hundred Fifty Dollars (\$250.00) for the first offense and Five Hundred Dollars (\$500.00) for repeat offenses within a 1-year period. Each day that a violation continues may be deemed a separate offense. (Ord. 2-2013)

Section 11-108. Regular Trash Collection from Businesses.

A. Businesses in commercial and industrial properties are responsible for arranging to have their trash and refuse collected on a regular basis no less frequently than once each week, and shall not allow its refuse containers, dumpsters, or other trash receptacles to overflow. Apartments shall not place their trash in public trash receptacles.

D. Penalty. Any violation of this section shall be a municipal infraction with a fine of \$100 for the first offense and \$500 for repeat offenses within a 1-year period. Each day that a violation continues shall be deemed a separate offense. (Ord 1-2005, 01/18/2005)

CITY CODE ORDINANCE

STANDARDS FOR PROPERTY MAINTENANCE

(Section 3A-105. Amendments to International Property Maintenance Code, 2006 Edition)

B. Nonresidential property. The area between the property line and the curb shall be maintained free from litter and weeds or plant growth in excess of a height of 10 inches, not including cultivated flowers and gardens. The other provisions of PM-303.4 with respect to weeds and plant growth on private property apply. (Ord. 21-97, 1/6/98)

1. Section 302, Exterior Property Areas, is amended to include the following:

a. Merchants shall be responsible for the maintenance of parking areas. No storage or trash containers shall be allowed in these areas except when housed in permanent screening structures. All outdoor refuse storage areas shall be screened from the view of adjacent properties and public rights-of-way. Screening shall consist of a masonry wall or durable fence or combination thereof, not less than four (4) feet nor more than five (5) feet, six (6) inches in height. In lieu of such a wall or fence, a compact evergreen hedge of not less than four (4) feet in height at time of original planting may be used.

SNOW EMERGENCIES

(CHAPTER 13A)

13A-101. Snow Emergency.

13A-102. Signs.

13A-103. Removal and Impounding of Vehicles.

§13A-104. Deposit of Snow in Streets Prohibited; permitted disposal.

§13A-105. Obstruction of Traffic and Interference with Snow Removal Equipment Prohibited.

§13A-106. Designation of Snow Emergency Routes.

§13A-107. Violation and Penalties.

Section 13A-101. Snow Emergency.

A. The Chief of Police will recommend to the Mayor and City Council such public streets, roads, highways, alleys and other thoroughfares within the city as may be deemed appropriate as snow emergency routes, and such streets, roads, highways, alleys and other thoroughfares, when so designated by the Mayor and City Council, shall be appropriately signed.

B. After such streets, roads, highways, alleys and other thoroughfares have been so designated and signed and a snow emergency declared as prescribed in the following, it shall be unlawful for any motor vehicle to travel or attempt to travel upon such street, road, highway, alley or other thoroughfare unless the vehicle is equipped with chains on no fewer than two driving wheels or unless no fewer than two driving wheels are equipped with snow tires. For the purpose of this section, snow tires shall mean those tires which are normally designated by the manufacturer as snow tires, or such tires as may be approved by the State of Maryland Department of Motor Vehicles as meeting the standards of effectiveness required of normally designated snow tires, and which are in good state of repair.

C. The city manager or his/her designee may declare a City of Mount Rainier snow emergency, whenever the city manager or his/her designee determines that to do so is in the best interests of the safety and welfare of the citizenry. The City of Mount Rainier Snow Emergency shall continue in full force and effect until such time as the City Manager, Chief of Police, or Public Works Director determines that the emergency shall be lifted.

D. In the event of a snow emergency in the City of Mount Rainier, the latest edition of the City Emergency Operations Plan shall go into effect. (See Chapter 13B, Section 13B-102).

E. Public Notice of the City of Mount Rainier Snow Emergency may be given by city cable television, website, City newsletter, television and radio notices, e-mail alerts, twitter, and such other means as the city manager or his/her designee deems necessary, effective, and appropriate. (Ord. 1-2011, 4/5/2011)

F. The City Manager or his/her designee has authority to determine whether City government offices will be open, will delay opening, or will be closed during a snow emergency. The decision to open or close City government offices does not depend on the declaration of a snow emergency by the City of Mount Rainier. Public notice about the status of City government operations may be given by the means set forth in Section 13-A-101 E. above.

The City Manager or his/her designee will notify the Mayor and Council immediately regarding changes in the status of City government operations.

Section 13A-102. Signs.

On each street designated by this chapter as a snow emergency route, the Director of Public Works shall post special signs at intervals not exceeding three hundred feet with the wording: "SNOW EMERGENCY ROUTE." These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on each street so designated.

Section 13A-103. Removal and Impounding of Vehicles.

Members of the Mount Rainier City Police Department are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety, including another place on a street, or to a garage designated or maintained by the Police Department or otherwise maintained by the city, when:

1. the vehicle is parked, stopped or standing on a part of a snow emergency route on which a parking prohibition is in effect.
2. The vehicle is stalled on a part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect and the person who was operating such vehicle does not appear to be removing it in accordance with the provisions of this chapter.
3. The vehicle is parked on any street in the city and is a hazard to public safety.

Section 13A-104. Deposit of snow in streets prohibited; permitted disposal.

It shall be unlawful for any person, owner, occupant or tenant of premises abutting upon any public street, road, highway, alley or other thoroughfare within the City of Mount Rainier to throw, shovel, plow or cause to be thrown snow into or upon any street, road, highway, alley or other thoroughfare at any time. Snow may be placed in the tree-box space between the street side of the sidewalk or walkway and the street curb in front of any residence or place of business without blocking any sidewalk or walkway with snow.

Section 13A-105. Obstruction of traffic and interference with snow removal equipment prohibited.

It shall be unlawful to drive or park a vehicle into or upon a street, road, highway, alley or other thoroughfare so as to obstruct the flow of traffic or to interfere with the clearance of snow and/or ice by equipment used for such purpose.

Section 13A-106. Designation of snow emergency routes.

- A. The following streets or portions of street within the city are hereby designated as snow emergency routes:
 1. 34th Street from Rhode Island Avenue to Arundel Road.
 2. Chillum Road from Arundel Road to the City boundary at Queens Chapel Road (MD Rt. 500).
 3. Rainier Avenue from 34 Street to Upshur Street.

4. Upshur Street from Rainier Avenue to 28 Place.
5. 28 Place from Upshur Street to Russell Avenue.
6. Russell Avenue from 28 Place to Arundel Road.
7. Varnum Street from Russell Avenue to Eastern Avenue
8. Arundel Road from Russell Avenue to 34 Street
(Ord 14-2003, 02/03/04)

B. In addition, the Mayor and City Council reserve the right to designate, by ordinance and after a public hearing, other streets, roads, highways, alleys or thoroughfares as snow emergency routes, other than those specifically named above in subsection (a).

Section 13A-107. Violation and penalties.

Every person convicted of a violation of any provision of this chapter shall be required to pay a fine of One Hundred Dollars (\$100), in addition to any other costs provided by law. Fines may be changed by resolution of the Mayor and City Council. In no event shall a fine exceed the amount set in Chapter 16, Violations of Ordinances -- Misdemeanors and Infractions (Procedure).
(Ord. 14-2003,02/03/04)

*Disclaimer: This document has been produced to provide an **abbreviated** overview of the **City of Mount Rainier Code Ordinance, and only include information pertaining to non-residential (i.e. Business) property licenses, , and codes.** It has been reorganized in a user-friendly format. Do not interpret this document as the official City of Mount Rainier Code Ordinance. Please visit this link for an official copy <http://www.mountrainiermd.org/government/reports-documents/city-documents>. Additional questions about licenses and permits can be directed to the Code Enforcement department at 301- 985 - 6551.*

Summary of Code Links – On the Internet

1. Chapter 3A Standards for Property Maintenance
<http://www.mountrainiermd.org/wp-content/uploads/codeChapter03a.pdf>
2. Chapter 7 Licenses and Permits (Municipal Infractions)
<http://www.mountrainiermd.org/wp-content/uploads/CHAPTER-VII-Licenses-and-Permits-Municipal-Infractions2.pdf>
3. Chapter 11 Refuse Collection
<http://www.mountrainiermd.org/wp-content/uploads/CHAPTER-XI-Refuse-Collection-Service3.pdf>
4. Chapter 13A Snow Emergencies
<http://www.mountrainiermd.org/wp-content/uploads/CHAPTER-XIII-A-Snow-Emergency.pdf>