

ARTICLE III Registration of Commercial and Manufacturing Businesses [Adopted 4-9-1979; amended 4-24-1979; 12-8-1980 (Ch. 12, Art. II, of the 1985 Code of Ordinances)]

§ 236-11. Definitions.

For the purpose of this article, the following definitions shall apply:

COMMERCIAL BUSINESS — Any and all establishments providing goods and/or services to the public; whether for set charge or fee; whether for retail, wholesale or other payment method; ~~and excluding only legal, medical and dental licensed practitioners.~~

MANUFACTURING BUSINESSES — Any and all firms dealing with the construction, assembly, development, processing or fabrication of goods; or the storage thereof; including, but not limited to firms which sell such products directly to consumers.

REGISTRATION CERTIFICATE — A form devised and used by the Town Clerk for the purpose of complying with the provisions of this article.

§ 236-12. Applicability.

General Laws 1956, § 6-1-1, requires all businesses conducted or transacted in a municipality to file a sworn certificate with the clerk of said municipality containing certain information on said business. This article, while incorporating the provisions of the cited state law, expands upon said provisions and shall apply within the Town in all matters specified.

§ 236-13. Regulations. [Amended 4-23-1991]

- A. All commercial and/or manufacturing businesses located in total or in part in the Town shall, prior to the initial commencement of business within the Town, execute a registration certificate, duly sworn, with the Town Clerk.
- B. Such registration certificate shall be accompanied by a fee of \$10 which shall include the provision of a copy of the certificate of the registrar.
- C. Each registration certificate shall include, as a minimum:
 - (1) The name under which such business is, or is to be, conducted or transacted;
 - (2) The full name, both Christian and surname, of the person or persons conducting or transacting the same, with mailing address or addresses of each such person or persons;
 - (3) The physical location (premises) at or on which the business is situated, to include as appropriate, a street name and number, the plat and lot number and the title of the development if located as part of a multibusiness complex; and
 - (4) The condition of ownership (sole owner, partnership, incorporated business, franchise, etc.).
- D. Upon issuance of a registration certificate to a business under the provisions of this article, no other registration certificate shall be issued under the same business name without prior written approval, notarized, of a prior registrant, using the same business name.
- E. As a condition of registration, a copy of the issued registration certificate shall be placed in a conspicuous location, open to public view, within each business establishment.
- F. Any change in the name, location, ownership or condition of ownership shall be reported to the Town Clerk within 30 days after said change has occurred. Said notice shall be accompanied by a fee of \$10, upon the receipt of which, the Town Clerk shall cause a new registration certificate to be issued.

- G. Every registration certificate shall expire the thirty-first day in December and shall be renewed annually upon payment of the required \$10.00 fee. No certificate shall be renewed if the business fails to provide proof from the tax collector that all municipal taxes have been paid to date. Notwithstanding anything contained above, any business required to obtain a liquor, victualling or any other license on an annual basis pursuant to Rhode Island General Law or Smithfield ordinance shall be exempt from the annual expiration and renewal provisions as set forth above.**
- H. Any business entity or person, whether as principal, agent, employee, or otherwise, who violates any provision of this chapter, shall be fined not to exceed twenty-five dollars (\$25.00) per day for each offense. Any fine imposed under this ordinance may be appealed to a Court of competent jurisdiction. The fines shall inure to the town and each day that the violation continues shall be deemed to constitute a separate offense.**