

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
Ordinance No. 2025-02

An Ordinance Amending the Municipal Code of the City of Hobart Concerning Business Licensing

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") has been informed that there are not currently standards in place regarding the conduct of businesses within the City; and

WHEREAS, the Council has determined that there is a need to enact a licensing requirement to set forth standards for the conduct of certain businesses in order to ensure that the public health, safety and welfare is maintained; and

WHEREAS, the Council, through this Ordinance, desires to enact such a Business License requirement for all businesses within the City of Hobart;

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as follows:

SECTION ONE: The Municipal Code of the City of Hobart ("Code") is hereby amended by inserting the following new title to CHAPTER 115, CONTRACTOR LICENSING to read CHAPTER 115: CONTRACTOR LICENSING AND BUSINESS LICENSING, and by adding the new section as follows:

§ 115.30 BUSINESS LICENSING

Section

- 115.31 Purpose
- 115.32 Licenses required to engage in certain trades or businesses
- 115.33 Separate license required for each place of business
- 115.34 Contents of license
- 115.35 Standards; Investigations; Issuance of License
- 115.36 Bond and Insurance
- 115.37 Date and duration of license
- 115.38 Buildings and premises to comply with City regulations
- 115.39 Issuance for unlawful activities prohibited
- 115.40 Business License Fees
- 115.41 License not transferable
- 115.42 License certificate to be displayed
- 115.43 Revocation, suspension—grounds
- 115.44 Procedure
- 115.45 Penalty Failure to Comply

47 §115.31 PURPOSE

48

49 The purpose of this article is to ensure that, in the conduct of certain businesses and
50 occupations designated in this article, the public health, safety and welfare is maintained. The
51 provisions of this article shall be applicable to all business licenses issued by the City unless
52 otherwise stated.

53

54 § 115.32 LICENSES REQUIRED TO ENGAGE IN CERTAIN TRADES OR
55 BUSINESSES

56

57 (A) A license shall be required for the maintenance, operation or conduct of any
58 business or establishment, or for doing business or engaging in any activity or occupation, and
59 any person shall be subject to the requirement if by himself/herself or through an agent,
60 employee or partner, he/she holds himself forth as being engaged in the business or occupation;
61 or solicits patronage of such business or occupation within the City limits of the City of Hobart,
62 Lake County, Indiana.

63

64 (B) No person shall engage in any trade or business for which a City license is
65 required without first applying for and obtaining a license from the City of Hobart Building
66 Department or other identified duly authorized issuing authority.

67

68 (C) A license shall not be issued unless all applicable inspections have been complied
69 with as required in CHAPTER 93: FIRE PROTECTION.

70

71 (D) Notwithstanding anything aforesaid to the contrary, any owner of real property
72 subject to the terms of §115.20 RENTAL REGISTRATIONS shall be exempt from this section.

73

74 (E) Organizations supported by the State of Indiana property taxes and faith-based
75 institutions are exempt from the licensing fees in § 115.40. These organizations *are* required to
76 submit the standard application forms.

77

78 § 115.33 SEPARATE LICENSE REQUIRED FOR EACH PLACE OF BUSINESS

79

80 Every person engaging in an activity required to be licensed shall obtain a license for
81 each separate office or place of business conducted by such person.

82

83 § 115.34 CONTENTS OF LICENSE

84

85 (A) Applications for all licenses required by an ordinance of the City shall be made in
86 writing to the City of Hobart Building Department in the absence of provisions to the contrary.
87 Each application shall state the following information:

88

(1) Full name, permanent residence and address of the applicant; and

89

90 (2) The name of the firm or corporation represented, if any, together with the
91 address of the central or district office of such firm or corporation, and a real estate
92 contact at the central office; and
93

94 (3) A description of the goods and/or services to be offered; and
95

96 (4) Number of employees, hours of operation, zoning classification, status of
97 occupancy (deed owner, lessee, etc.); and
98

99 (5) Internal site diagram including square footage of the business location(s), its
100 layout and design and external access points; and
101

102 (6) Certificate of Insurance; and
103

104 (7) Such additional information as may be needed for the proper guidance of City
105 officials in the issuance of the license applied for and for emergency matters. (The
106 license application fee is nonrefundable.)

107 (B) Foreign Corporations. Any foreign corporation doing business in the City shall
108 furnish a copy of its certificate of authority from the secretary of state's office, in addition to all
109 other documents required by this chapter, prior to the issuance of a business license by the City.
110

111 (C) Each business located within the boundaries of the City of Hobart, upon being
112 licensed/permitted or obtaining any renewal thereof, shall provide as part of its submission a plan
113 describing how its solid waste will be managed.
114

115 (D) Strip malls, business complexes, multiple use business facilities, and other like
116 properties containing more than one business type on the premises can jointly file a plan to be
117 referenced by each business in the facility, complex, association, and/or mall. Said combined
118 solid waste plan shall be approved by the owner of the property, facility, complex, association,
119 and/or mall prior to submittal to the City by any one or more of the entities in the facility or on
120 the property.
121

122 (E) It shall be unlawful to knowingly make any false statement or representation in
123 the license application.
124

125 § 115.35 STANDARDS; INVESTIGATIONS; ISSUANCE OF LICENSE
126

127 (A) Forms for all licenses required by ordinance of the City, and application therefore,
128 shall be prepared and kept on file by the City of Hobart Building Department.
129

130 (B) Upon such application for a license to the Building Department, accompanied by
131 the proper fee, if approval by another officer or department is not required, the Clerk-
132 Treasurer shall forthwith deposit the fee in the General Fund of the City and issue to
133 the applicant a proper certificate signed by the Clerk-Treasurer and any other
134 appropriate city official.
135

136 (C) Upon the receipt of an application for a license where an ordinance of the City
137 necessitates an inspection or investigation before the issuance of such license, the
138 Building Department shall refer such application to the proper office for making such
139 inspection or investigation, at the discretion of the Building Department or other
140 relevant City Department, it is determined an inspection is necessary. All
141 new businesses in the City of Hobart, as part of the Business License application, are
142 required to comply with all applicable provisions of CHAPTER 93: FIRE
143 PROTECTION and any other provision of the City of Hobart Code for the purposes
144 of ensuring that all City of Hobart codes and regulations are being followed. A
145 license will not be issued until such inspections have occurred. The officer charged
146 with the duty of making an inspection or investigation shall make a report thereon,
147 favorable or otherwise, within twenty (20) working days after receiving the
148 application or a copy thereof. All other investigations, except where otherwise
149 provided, shall be made by the City official designated by the Common Council of
150 the City of Hobart.

151
152 (D) In the initial year of the implementation this ordinance (2025), a license may be
153 issued prior to the completion of all the required inspections if an occupancy permit
154 has been issued. The inspection schedule shall be determined by the Fire Department
155 based on the size of the location of the business, delineated as follows: Tier 1 – Small
156 Buildings (less than 2000 sq ft); fTier 2 – Small to Medium Buildings (2000 to
157 10,000 sq ft); Tier 3 – Large Buildings (50,000 to 200,000 sq ft); Tier 4 – Very Large
158 Buildings and High-Risk Facilities (over 200,000 sq ft and high-risk facilities such as
159 hospitals, industrial facilities with hazardous materials, high-rise buildings, etc.) The
160 City shall have the authority to revoke any pre-inspection license issued to a business
161 which fails any required inspection.

162
163 The following restrictions and procedures govern the issuance and renewal of a business
164 license:

165 (1) There shall be a mandatory five-day (business days) hold period on all
166 new Business License applications submitted.

167
168 (2) The Building Department may elect to hold the license for an additional
169 twenty-day period to conduct any research or gather information related to the Business
170 License request.

171
172 (3) Following either the five-day (business days) or twenty-day (business days)
173 hold period, the Building Department and the Fire Inspector shall present the findings to
174 the City of Hobart Clerk-Treasurer who must rule in favor or denial of the Business
175 License application.

176
177 (4) The Clerk-Treasurer shall not renew an existing Business License in the
178 event that the business has one or more delinquent fines for false alarms.
179

180 (5) If a denial is made by the Clerk-Treasurer the business applicant shall have
181 the right to appeal the decision to the Mayor. The Mayor shall have ten (10) days
182 (business days) to rule in favor or denial on the initial decision of the Clerk-Treasurer.
183

184 (6) If the Mayor elects to uphold the Business License application denial from
185 the Clerk-Treasurer, the applicant will not be permitted to resubmit the application for
186 one month.
187

188 (7) If the application is denied a second time by the Clerk-Treasurer, and if the
189 denial is subsequently upheld by the Mayor, then the applicant shall not be permitted to
190 submit a new Business License application for an additional six (6) months.
191

192 § 115.36 BOND AND INSURANCE
193

194 Whenever the designated officer receives an application for a license or permit which,
195 upon investigation, is a business in which the citizens of the City are or may be exposed to
196 personal injury or property damage, the officer shall require that the applicant provide a bond
197 and evidence of insurance. The amount and form of the bond and insurance shall be approved by
198 the Clerk-Treasurer, and no license or permit shall be issued until the bond and insurance so
199 required have been approved. This section shall comply with the terms of Ind. Code § 36-1-4-2.
200

201 § 115.37 DATE AND DURATION OF LICENSE
202

203 (A) The term of renewal for a Business License within the City shall be for a period of
204 one year commencing January 1 and ending December 31. A license shall not extend beyond
205 December 31 of the year issued. However, at any time after December 1, licenses may be issued
206 for the ensuing calendar year. Unless otherwise specified, the full annual fee will be required of
207 licensees irrespective of the date of issuance of the license.
208

209 (B) Receipting of required fees by the Clerk-Treasurer in no way presupposes or acts as
210 an issuance of a Business License. If it is found that the business applicant is in violation of the
211 City of Hobart regulations, laws, and or codes; and is subsequently denied a Business License,
212 the required fees paid at the time of application will be kept by the City of Hobart for costs
213 associated from the inspections and application process.
214

215 § 115.38 BUILDINGS AND PREMISES TO COMPLY WITH CITY REGULATIONS
216

217 No license shall be issued for the conduct of any business if the premises and building to
218 be used for the purpose do not fully comply with the requirements of the City.
219

220 § 115.39 ISSUANCE FOR UNLAWFUL ACTIVITIES PROHIBITED
221

222 No license shall be issued for the conduct of any business or performance of any act
223 which is in violation or which would involve a violation of any ordinance of the City or law, rule
224 or regulation of the state or of the United States.
225

226 § 115.40 BUSINESS LICENSE FEES

227
228 (A) Any person maintaining, operating or conducting any business or establishment,
229 or doing business, or engaging in any activity or occupation in the City shall pay the following
230 fees:

- 231
232 (1) New Business License Fee (100.00).
233
234 (2) Annual renewal Business License fee: Seventy-Five dollars (\$75.00).
235
236 (3) Late renewal fee after February 1: Fifty Dollars (\$50.00). There shall be no
237 late fees charged in the initial year of implementation (2025).
238

239 § 115.41 LICENSE NOT TRANSFERABLE

240
241 Every license shall be issued to a real party in interest in the trade or business; and, unless
242 otherwise provided, no license shall be assigned or transferred.
243

244 § 115.42 LICENSE CERTIFICATE TO BE DISPLAYED

245
246 Every licensee carrying on a trade or business at a fixed location shall keep the license
247 certificate posted in a prominent place upon the licensed premises. Other licensees shall carry
248 their license on their person while conducting their trade or business.
249

250 § 115.43 REVOCATION, SUSPENSION—GROUNDNS

251
252 (A) Any license required by City ordinances may be suspended or revoked by the City
253 of Hobart Board of Public Works and Safety for any one or more of the following reasons:
254

- 255 (1) Violation by the licensee of an ordinance of the City;
256
257 (2) Violation by the licensee of any law, rule or regulation of the state or of the
258 United States, or any department or division thereof;
259
260 (3) Misrepresentation or falsification of statements in the application for a
261 license;
262
263 (4) Just cause.
264

265 (B) Following three (3) official negative citations/incidents to the Hobart Police Department
266 and/or Code Enforcement, exempting citations resulting from CHAPTER 97: PRIVATE
267 EMERGENCY ALARM SYSTEMS, the Mayor may elect for an immediate investigation into
268 the activities of the business. Following this investigation, the Mayor may revoke the Business
269 License in accordance with the established procedures.
270
271

272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317

§ 115.44 PROCEDURE

(A) *Notice to correct violations.* In the event the enforcement officer designated by the City of Hobart Board of Public Works and Safety has reason to believe that a violation as described in § 115.43 by the licensee can be corrected, the enforcement officer shall serve written notice upon the licensee setting forth the violations, and the licensee shall have not less than five (5) nor more than thirty (30) days, as set by the enforcement officer, to correct the violation and to submit evidence of the correction to the enforcement officer.

(B) *Mayors Authority.* The Mayor may suspend or revoke any license for one or more of the reasons set forth in § 115.43.

(C) *Hearings.* Before the suspension or revocation of any license, the Mayor or the code enforcement officer shall give written notice to the licensee of the violation and set forth therein a date for hearing for the purpose of suspending or revoking such license. Such hearing for suspension or revocation shall be held not less than ten (10) days after the personal service of or the mailing of the written notice; however, in the event the Mayor believes that immediate and irreparable harm or damage to person or property may occur by reason of the violation, the hearing may be held after twenty-four (24) hours following the personal service of or the mailing of the written notice.

(D) *Effect of revocation or suspension.* The suspension or revocation shall be supplementary to any other proceedings provided by this article and shall not stay any other enforcement provisions of this article.

(E) *Reapplication restricted.* Any licensee whose license has been revoked shall have the right to reapply for a license upon application and payment of all fees.

(F) *Authority to deny upon reapplication.* The Mayor may deny a license to any applicant who has had a license issued by the City revoked.

(G) *Right of appeal.* In the event that a Business License is suspended or revoked by the Mayor, the business has the right to appeal to the City of Hobart Board of Public Works and Safety within five (5) working days of the time of appeal.

§ 115.45 PENALTY

Any business failing to comply with any provision of this article shall be subject to the general penalty provisions of § 10.99. A separate offense shall be deemed committed on each day in which a violation occurs or continues.

SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36- 3-4-6-14(b) in two newspapers of general circulation published within the City pursuant to I.C. §5-3-1-4 (a).

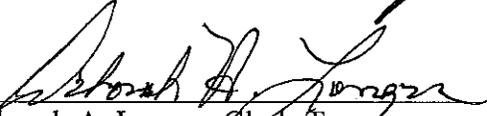
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354

SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 5th day of FEBRUARY, 2025.

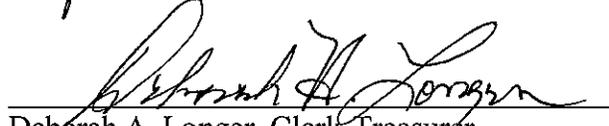


Joshua Huddlestone, Presiding Officer

ATTEST: 

Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 5th day of FEBRUARY, 2025 at the hour of 7:00 pm.

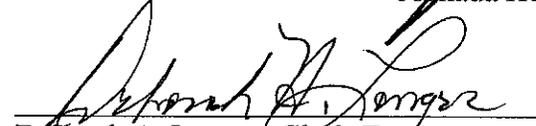


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 5th day of FEBRUARY, 2025.



Joshua Huddlestone, Mayor

ATTEST: 

Deborah A. Longer, Clerk-Treasurer