

RESOLUTION 2012-01-03-190

A RESOLUTION REGARDING THE REVOCATION OF PADRISSIMO DISCOTEC'S
BUSINESS LICENSE FOR THE REMAINING 2011-2012 BUSINESS YEAR;

WHEREAS, Ordinances of the City of Tontitown require that a business must have a valid businesses license in order to operate a business within the City of Tontitown; and

WHEREAS, the Padrissimo Discotec applied to the City of Tontitown, Arkansas, for a business license to operate its business in the City of Tontitown for the year beginning July 2011 through June 2012, and received said license; and

WHEREAS, the City Council has determined it is necessary to revoke the business license of the Padrissimo Discotec; and

WHEREAS, the City Council finds it to be in the best interest of the City to revoke the business license of the Padrissimo Discotec;

BE IT THEREFORE RESOLVED by the City Council of Tontitown, Arkansas, as follows based upon on all the facts, circumstances, events and matters appearing to and before the City Council:

SECTION 1:

On November 21, 2011 the City of Tontitown held an open hearing for the purpose of gathering evidence regarding the operation of the business of Padrissimo Discotec. Padrissimo Discotec was provided reasonable notice of said hearing, did appear, was represented by counsel, was allowed to present witnesses and evidence in support of its position, and was allowed to cross-examine all opposing witnesses.

On December 6, 2011, the City Council for the City of Tontitown made a determination based on the evidence received and information available that Padrissimo Discotec's business had been conducted or operated so as to constitute a nuisance in fact pursuant Code section §110.09 of the Tontitown Code of Ordinances.

On December 6, 2011, the City Council for the City of Tontitown made a determination based on the combined evidence received that Padrissimo Discotec's business operations failed to operate and comply with all Arkansas state statutes and Tontitown City Ordinances.

On December 6, 2011, the City Council for the City of Tontitown made a determination based on the combined evidence received that Padrissimo Discotec's business operations had become an endangerment to the public's health, peace, safety and welfare.



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Washington County, AR
Bette Stamps Circuit Clerk

On December 6, 2011, the City Council for the City of Tontitown passed a Resolution revoking the business license of the Padrissimo Discotec.

On December 10, 2011, and December 17, 2011, the Padrissimo Discotec knowingly operated without a business license and as a continued endangerment to the public's health, peace, safety and welfare.

The City Council for the City of Tontitown again finds that Padrissimo Discotec's business has been operated or conducted so as to constitute a nuisance in fact;

The City Council for the City of Tontitown again finds that Padrissimo Discotec's business has failed to operate and comply with Arkansas state statutes and Tontitown City ordinances;

The City Council for the City of Tontitown again finds that Padrissimo Discotec's business unreasonably endangers the public peace, safety, health and welfare; and


The City Council for the City of Tontitown again finds that it would be in the best interest of the City of Tontitown to revoke the business license of Padrissimo Discotec.

SECTION 2:

The business license of Padrissimo Discotec is hereby revoked for the reasons stated herein, and the City of Tontitown has refunded the Padrissimo Discotec for the pro-rata amount of the business license fee for the remaining business year as of December 6, 2011.

PASSED AND APPROVED this 3rd day of JANUARY, 2011. 2012 TB. JK

APPROVED:



Mayor

ATTEST:



City Recorder/ Treasurer

Sponsor: _____