

ORDINANCE NO. 2023-10

FIRST READING 8/15/2023
SECOND READING 9/19/2023

AN ORDINANCE AMENDING ORDINANCE 228-93, RELATING TO LICENSING REQUIREMENTS FOR TRANSIENT MERCHANTS

WHEREAS, the license fee was established in 1993, and that fee has not been updated to account for inflation since that date, and;

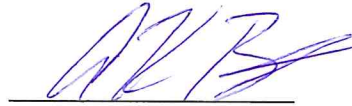
WHEREAS, the City Council desires to amend the length of time in which a transient merchant can conduct an active business;

WHEREAS, the City Council desires to supplement the Code of Ordinances by establishing a requirement to address these concerns in order to protect public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. STERLING, KENTUCKY AS FOLLOWS:

1. Section 5 shall be amended to state: "Each application for a transient merchant license shall be accompanied by a fee of \$1000.00. In addition, any applicant who will be selling goods, wares, fireworks, or merchandise during the permit period, shall secure and submit evidence of security a cash bond or surety bond in the amount of \$5000.00 or 5% of the retail value of any goods, wares, fireworks, or merchandise to be offered for sale, whichever sum is greater. Such evidence of security shall be held by the City Clerk who shall issue a certificate of security to be used by the applicant as evidence of security."
2. Section 8 shall be amended to state: "The term on the transient merchant license shall be for a length of time the merchant conducts an active business but shall in no event exceed 21 days."
3. Section 9 shall be amended to state: "A transient business license shall be issued hereunder only when all requirements of above have been met. Such permit shall not be transferable and shall be valid only for a maximum period of 21 days or until the sale is terminated. If the City Clerk refuses to issue the permit the applicant may apply to the City Council for hearing which shall be conducted at the next regularly scheduled City Council meeting."
4. Section 10 shall be amended to state: "The City Attorney may enforce these provisions by civil action for injunctive relief in the Circuit Court of this county. In addition, a fine of not more than \$1000.00 shall be assessed against any transient merchant found to be in violation of this ordinance."

This Ordinance shall become effective upon passage and publication. Publication is authorized to be made in summary form as authorized in KRS 83.060 (9).

Handwritten signature of Al Botts in blue ink, consisting of stylized initials 'ALB' followed by a flourish.

AL BOTTS, MAYOR

ATTEST:

Handwritten signature of Jeanette C. Bertram in blue ink, written in a cursive style.

JEANETTE BERTRAM

CITY CLERK