

ORDINANCE NO. 2000-012

AN ORDINANCE REQUIRING A "CONCESSION PERMIT" TO SELL CONCESSIONS WITHIN THE CITY OF RUSSELLVILLE ON THE FIRST AND SECOND SATURDAYS OF EACH ANNUAL LOGAN COUNTY TOBACCO FESTIVAL; DEFINING "CONCESSIONS," CITING THE AUTHORITY FOR THIS ORDINANCE, PROVIDING FOR ISSUANCE OF THE "CONCESSION PERMIT"; PROVIDING FOR A LIMITATION OF THE EFFECT OF THE "CONCESSION PERMIT"; PROVIDING FOR THE ESTABLISHMENT OF A FEE STRUCTURE AND BY WHOM COLLECTED AND RECEIVED; PROVIDING FOR EXEMPTIONS; PROVIDING FOR VIOLATORS TO CEASE AND DESIST WITH A PENALTY, REPEALER, AND SEVERABILITY CLAUSE, AND REPEALING ORDINANCE 85-2.

BE IT ORDAINED BY THE CITY OF RUSSELLVILLE THAT:

1. Anyone selling concessions on the first and second Saturdays of each annual Logan County Tobacco Festival shall first obtain the "concession permit" authorized by this Ordinance. "Concessions," as used in this Ordinance includes all goods, whether or not consumable, and services sold in connection with the festival.
2. This Ordinance is enacted pursuant to the authority of the City to enact Ordinances to protect the health, safety, and welfare of its inhabitants.
3. The City Clerk of the City of Russellville is designated to issue the "concession permit" herein authorized, upon recommendation of the Russellville-Logan County Chamber of Commerce, Tobacco Festival Chairperson(s), after application, investigation, and consideration. The "concession permit" shall authorize the conducting of a particular concession at a particular location and shall be issued on an equal opportunity basis. It shall have designated thereon the date(s) on which the "concession permit" may be exercised.
4. The issuance of the "concession permit" required by this Ordinance shall not be an endorsement by the City of Russellville of any seller of concessions or concession or a representation by the City regarding the quality thereof.
5. Upon application to the Russellville-Logan County Chamber of Commerce for the recommendation that the City issue a "Concession permit," the applicant shall pay to the

Russellville-Logan County Chamber of Commerce a fee to be determined by the Russellville-Logan County Chamber of Commerce, Board of Directors, per Saturday, per location, which fee may be retained by the Russellville-Logan County Chamber of Commerce to help defray expenses incurred in connection with this Ordinance, including but not limited to the cost of "concession permit" forms; the cost of investigation, if any, concerning the application; and the cost of informing the public regarding the concessions.

6. All applicants that do not hold a valid and current occupational license from the City of Russellville must obtain such license as part of the application, and prior to selling concessions.
7. Holders of a valid and current occupational license of the City of Russellville are exempt from the provisions of this Ordinance requiring a "concession permit" unless their business is altered regarding goods sold or location to appeal to those attending the Tobacco Festival.
8. Ordinance 85-2 is repealed, and any previous ordinance, rule, and/or regulation in conflict with this Ordinance is repealed to the extent of that conflict only.
9. If any provision of this Ordinance is or becomes invalid for any reason, such invalidity shall not affect the validity of any other provision of this Ordinance.

This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING CONDUCTED ON July 11, 2000.

SECOND READING CONDUCTED AND PASSAGE by roll call vote this 18th day of July, 2000.

AYES:

NAYES:

ABSENT:

ABSTAINING:

Howard Wren

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Morris Kisselbaugh

None

Gerald Chapman

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Russell Jones

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Jean Hankins

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Pat Bell

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SHIRLEY YASSNEY, Mayor

ATTEST:

  
PEGGY JENKINS, City Clerk

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Howard Wren

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Morris L. Kisselbaugh

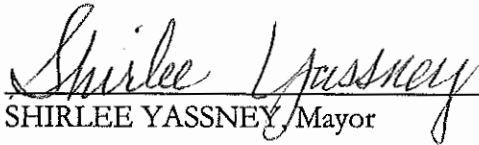
None

Gerald Chapman

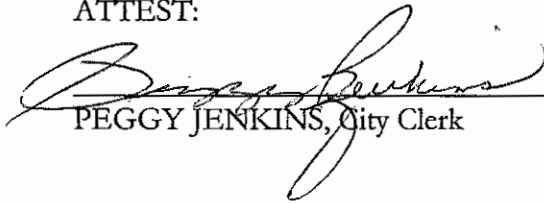
Russell Jones

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Pat Bell

  
SHIRLEE YASSNEY, Mayor

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