

ORDINANCE 2001-04

AN ORDINANCE AMENDING ORDINANCE 72-1 "AN ORDINANCE LEVYING AND IMPOSING LICENSE FEES FOR PRIVILEGE OF ENGAGING IN BUSINESSES, OCCUPATIONS, TRADES AND PROFESSIONS IN THE CITY OF RUSSELLVILLE, KENTUCKY, MEASURED BY ONE (1%) OF THE AMOUNTS EARNED WITHIN THE CITY OF RUSSELLVILLE, KENTUCKY ON AND AFTER THE SIXTH DAY OF JANUARY, 1972, DEFINING WORDS, PHRASES AND TERMS; PRESCRIBING REGULATIONS AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND COLLECTION OF SUCH LICENSE FEES; REQUIRING THE FILING OF RETURNS AND THE GIVING OF INFORMATION BY ALL THOSE SUBJECT TO SUCH LICENSE TAX; PROVIDING THAT THE LICENSE FEES COLLECTED SHALL BE PAID INTO THE GENERAL FUND OF THE CITY OF RUSSELLVILLE FOR PAYMENT OF GENERAL GOVERNMENTAL EXPENSES AND FOR CAPITAL IMPROVEMENTS AS MAY BE DIRECTED BY THE CITY COUNCIL; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING A SEVERABILITY CLAUSE" BY AMENDING EXEMPTED ACTIVITIES TO INCLUDE CRAFT VENDORS PARTICIPATING DURING THE TOBACCO FESTIVAL, FLYING FISH FESTIVAL, AND ALL OTHER SIMILAR ONE-DAY COMMUNITY EVENTS, AND BY CREATING A DEFINITION FOR "CRAFT VENDORS"; PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council has previously enacted ORDINANCE 72-1 "AN ORDINANCE LEVYING AND IMPOSING LICENSE FEES FOR PRIVILEGE OF ENGAGING IN BUSINESSES, OCCUPATIONS, TRADES AND PROFESSIONS IN THE CITY OF RUSSELLVILLE, KENTUCKY, MEASURED BY ONE (1%) OF THE AMOUNTS EARNED WITHIN THE CITY OF RUSSELLVILLE, KENTUCKY ON AND AFTER THE SIXTH DAY OF JANUARY, 1972, DEFINING WORDS, PHRASES AND TERMS; PRESCRIBING REGULATIONS AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND COLLECTION OF SUCH LICENSE FEES; REQUIRING THE FILING OF RETURNS AND THE GIVING OF INFORMATION BY ALL THOSE SUBJECT TO SUCH LICENSE TAX; PROVIDING THAT THE LICENSE FEES COLLECTED SHALL BE PAID INTO THE GENERAL FUND OF THE CITY OF RUSSELLVILLE FOR PAYMENT OF GENERAL

GOVERNMENTAL EXPENSES AND FOR CAPITAL IMPROVEMENTS AS MAY BE DIRECTED BY THE CITY COUNCIL; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING A SEVERABILITY CLAUSE" and

WHEREAS, the City Council deems the Tobacco Festival, Flying Fish Festival, and other similar one-day community events to be important to the City of Russellville by attracting gatherings of people into the City, and

WHEREAS, certain Craft Vendors participate in the merchandising of their wares during the Crafts Show, which is an integral part of the annual Tobacco Festival, and during the Flying Fish Festival and other similar one-day events, which are equally important to the City, and

WHEREAS, Craft Vendors attract many people into the City of Russellville by virtue of their participation in these one-day events, for which these Craft Vendors make a nominal profit, if any;

NOW, THEREFORE, be it ordained as follows:

A. Section 2 - "EXEMPTED ACTIVITIES" is hereby amended to create a new subsection "3" to read as follows:

SECTION 2. EXEMPTED ACTIVITIES.

3. "Craft Vendors" participating in the annual Tobacco Festival Crafts Show, Flying Fish Festival and other similar one-day community events shall not be subject to the Occupational License Fee reporting requirements

or for payment of the minimum, or any, Occupational License Fee.

B. Section 3 - "DEFINITIONS" is hereby amended to create a new subsection "m" to read as follows:

SECTION 3. DEFINITIONS.

The following words, when used in this ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates or requires a different meaning:

- m. "Craft Vendors" shall mean any individual(s) who operate a booth, stand, table or tent during the Tobacco Festival, Flying Fish Festival, or other similar one-day events for the purpose of showing and offering for sale handmade, native, historic, relic, homemade, natural, artificial, or other craft items of a similar nature to the general public.

C. All ordinances or parts of ordinances in conflict herewith now in effect are hereby repealed.

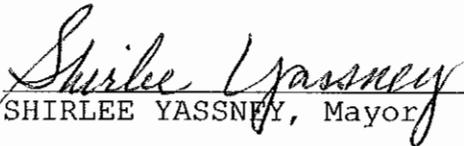
D. If any clause, provision or section of this ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

E. This ordinance shall be effective upon its passage and publication as required by law.

FIRST READING conducted this the 22nd day of May, 2001.

SECOND READING CONDUCTED AND PASSAGE by roll call vote
this 5th day of June, 2001.

AYES:	NAYS:	ABSTAINING:	ABSENT:
Jean Hankins	None	None	Gerald Chapman
Russell Jones			
Morris L. Kisselbaugh			
Ken Smith			
Howard Wren			


SHIRLEE YASSNEY, Mayor

ATTEST:


PEGGY S. JENKINS, CITY CLERK