

ORDINANCE NO. 2001- 11

AN ORDINANCE AMENDING ORDINANCE 2000-12 "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" BY ADDING TO THE BODY OF THE ORDINANCE AN INADVERTENTLY OMITTED SECTION FOR PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, KENTUCKY, AS FOLLOWS:

WHEREAS, the City has previously enacted Ordinance No. 2000-12 as titled above; and,

WHEREAS, Ordinance 2000-12 provides for a penalty section in the heading of the Ordinance, but through inadvertence the Ordinance omits such a penalty section; and

WHEREAS, it was and is the intention of the City of Russellville for Ordinance 2000^{PS}-12 to contain penalties for violations of the Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, KENTUCKY:

Section I. Ordinance 2000^{PS}-12 is hereby amended so as to add a new numerical paragraph as follows:

9. Anyone selling concessions in violation of this Ordinance shall, upon discovery, be ordered by any peace officer to cease and desist such violation or to obtain the "concession permit" required in this Ordinance, and the failure to do so shall be a penal violation of this Ordinance so that the violator shall upon conviction be fined in an amount of not less than \$5 nor more than \$10, and each day of violation after being ordered to cease and desist shall be a separate offense.

Section II - Repealer Clause.

All ordinances or parts of ordinances in conflict herewith now in effect are hereby repealed.

Section III - Severability Clause.

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.

Section IV - Effective Date.

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

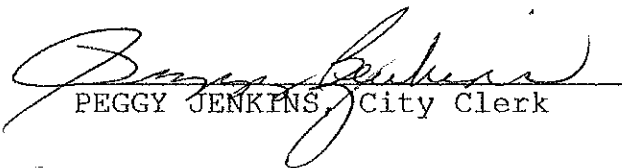
FIRST READING conducted this the 7th day of August, 2001.

SECOND READING CONDUCTED AND PASSAGE by roll call vote this

21st day of August, 2001.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Ken Smith</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Russell Jones</u>	<u></u>	<u></u>	<u></u>
<u>Howard Wren</u>	<u></u>	<u></u>	<u></u>
<u>Morris L. Kisselbaugh</u>	<u></u>	<u></u>	<u></u>
<u>Ken Barrett</u>	<u></u>	<u></u>	<u></u>
<u>Jean Hankins</u>	<u></u>	<u></u>	<u></u>

ATTEST:


PEGGY JENKINS, City Clerk

SHIRLEE YASSNEY, MAYOR