

**ORDINANCE NO. 17, 2021 SERIES**

**AN ORDINANCE AMENDING SECTIONS 111.15 and 111.21 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO REGULATORY LICENSES AND ITINERANT MERCHANTS**

WHEREAS, the Board of Commissioners of the City of Frankfort wishes to amend Section 111.21 of the City of Frankfort Code of Ordinances to establish a one-time group itinerant merchants license applicable to all events, including permitted special events, held within the City of Frankfort; and

WHEREAS, the Board of Commissioners wishes to repeal the previous provision allowing a one-time group itinerant merchants license only for those vendors selling food or alcohol at charitable fundraising and governmental civic events; and

WHEREAS, the Board of Commissioners also wishes to acknowledge exceptions to the requirement to pay both the business license fee and a regulatory license fee in certain circumstances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKFORT, KENTUCKY, that Sections 111.15 and 111.21(A) of the City of Frankfort Code of Ordinances which relate to Regulatory License Fees and Itinerant Merchants is amended as follows.

**§ 111.15 GENERAL REGULATIONS**

The legislative body of the city hereby finds that the following occupations are of a nature as to require special regulation and supervision, and, therefore, along with the business license tax imposed by the provisions hereof unless otherwise provided in this chapter, the following additional police license fees are imposed on every person, corporation, association and the like involved in the business, occupation, calling or profession named in this chapter who shall pay in advance, in the case of enterprises not operating throughout the year, to the Director of Finance for a year beginning on May 1 and ending on April 30 of any given year the additional license fee or fees herein set forth. Payment must be made in the cases of businesses operating continuously during the month of May of the current year. In the case of businesses not operating continuously, payment must be made prior to the beginning of operations.

**§ 111.21 ITINERANT MERCHANTS.**

(A) Every person who shall engage in, do, or transact any temporary or transient business in the city, for the sale of any goods, wares or merchandise, or who, for the purpose of carrying on the business, shall hire, lease, use or occupy any building or structure, motor vehicle, tent, car, lot, boat or public room or any part thereof, including rooms in hotels, lodging houses, or in any street, alley or other public place or elsewhere, for a period of less than one year for the exhibition of or sale of goods, wares or merchandise shall pay a license fee of \$150. No person shall be exempt from the payment of the license imposed by this section by reason of a temporary association with any local merchant, dealer or trader or by reason of conducting the temporary or transient business in connection with or as a part of the business in the name of any local merchant, dealer or trader.

(B) Notwithstanding the language of Section 111.21(A), persons or entities holding any event, including but not limited to a permitted special event in accordance with City of Frankfort Code of Ordinances Chapter 71.50 to 71.64, within the City of Frankfort, may pay a license fee of \$250.00 for a one-time group itinerant merchants license applicable to vendors selling goods, wares or merchandise, including food or alcohol, at said event that are not otherwise licensed to do business within the City of Frankfort. For purposes of this subsection, an event shall consist of no more than seven (7) consecutive days of activity. A separate license shall be obtained for each event and shall authorize sales only at said event. The request and payment for the license shall be made at least ten (10) days prior to the start of the event, and the license shall expire upon conclusion of the event. The City Manager may waive the ten (10) day period if he or she determines it is in the public interest and causes no undue hardships to the City. Persons or entities operating pursuant to a one-time group itinerant merchants license shall satisfy all other City applicable requirements, including the requirements of Chapter 115 of the Code of Ordinances and the requirements of the Health Department, with the exception that vendors covered by the license who are not otherwise licensed to do business within the City of Frankfort shall not, by virtue of participation under the license, be required to pay the new business license fee under Section 110.05 of the Code of Ordinances.

First Reading on the 28 day of June, 2021

Final adoption on the 26 day of July, 2021

Attest:

S/Chermie Maxwell  
T/City Clerk

S/Layne Wilkerson  
T/Mayor

Summary: This ordinance amends Section 111.15 of the City of Frankfort Code of Ordinances to recognize potential exceptions to the requirement that a business license fee must be paid in addition to any regulatory license fee; and amends Section 111.21 to 1) apply a one-time group itinerant merchants license fee of \$250 to any event, including any permitted special event, within the City, applicable to vendors selling goods, wares or merchandise, including food or alcohol; 2) require a separate license for each event and authorize sales only at said event; 3) require request and payment for the license to be made at least ten (10) days prior to the start of the event unless the ten (10) day period is appropriately waived by the City Manager, and expire upon conclusion of the event; and 4) include a qualified new business license fee exemption. The previous provision authorizing a \$150.00 group license fee applicable only to food and alcohol vendors at charitable fundraising or governmental civil events is repealed.

S/Laura Milam Ross  
T/City Solicitor

Published by title and summary on August 1, 2021.