

AN ORDINANCE RELATING TO VENDORS, PEDDLERS, AND SOLICITORS.

ORDINANCE NO. 85-2

THE CITY COUNCIL OF THE CITY OF PIONEER VILLAGE, KENTUCKY, DOES ORDAIN AS FOLLOWS:

SECTION I. Subject only to the exceptions provided in Section V below, it shall be unlawful for any person to peddle, sell, or offer for sale, or purchase, or offer to purchase, either on foot or by means of a machine or vehicle, any merchandise on the public streets, sidewalks, alleys, or other public places of the City.

SECTION II. The City Clerk is authorized to designate certain public places within the City which the City Clerk determines to be suitable from the stand point of health and safety of the public and proper from the stand point of site characteristics as locations in which the sale of merchandise as set forth in Section I above may be permitted. On such designation, the City Clerk or the designated representative of the City Clerk may issue permits allowing specific persons to utilize such locations for the sale of merchandise as set forth in Section I. It shall be permissible for the City Clerk or the City Clerk's representative to promulgate reasonable rules and regulations in the interest of health and safety of the public or the prevention of over crowding to govern the use and enjoyment of such designated locations, and the City Clerk or the City Clerk's representative may limit the number and types of such permits and place reasonable conditions on the use and enjoyment of any permits that may be issued.

SECTION III. The fee for such permit is \$10.00.

SECTION IV. Issuance of this permit shall not excuse any permittee from compliance with any other applicable ordinance.

SECTION V. The following are excepted from the provisions of Sections I, II, III and IV:

- (a) The sale of newspapers by paper carriers.
- (b) The sale of newspapers by vending machines, provided that the location and design of all such machines is approved by the City Clerk, and an indemnifying agreement is executed by the responsible parties, and approved by the City Council. The agreement shall, in substance, completely indemnify the City against all losses and causes of action arising out of the existence of any vending machine. An indemnifying bond may be required to accompany any such agreement.
- (c) The sale of packaged ice cream or other frozen confections from vehicles during the hours between 9:00 A.M. and 9:00 P.M.

SECTION VI. All persons covered by this ordinance shall obtain the license required by Ordinance No. 85-1.

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SECTION VII. It shall be unlawful for any person to peddle or sell soft drinks, candy, cakes, fruits, pastries, ice cream, or food of any description, to school children, within a radius of one (1) block of any public school. HOWEVER, this section shall not apply to any person selling from a regularly established place of business located in a store or other building.

SECTION VIII. Any person violating this ordinance shall be fined not less than TEN DOLLARS (\$10.00) nor more than ONE HUNDRED DOLLARS (\$100.00). Each sale, offer to sell, or purchase, or offer to purchase shall constitute a separate offense. Any person violating this ordinance as an agent or employee of another shall be subject to this penalty.

SECTION IX. "Person" as used herein shall mean a person, firm corporation, partnership, association of two (2) or more persons having a joint or common interest.

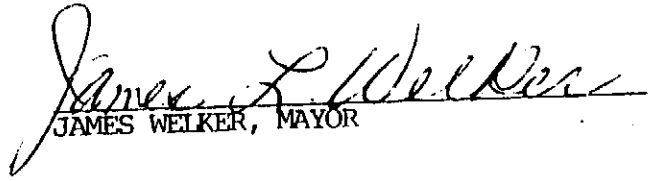
SECTION X. This ordinance shall take effect after its passage and upon publication.

SECTION XI. All ordinances or parts of ordinances in conflict with this ordinance or any part of this ordinance are repealed.

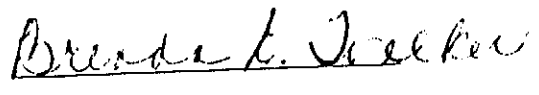
SECTION XII. Should any section, clause, line, paragraph, or part of this ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this ordinance.

PASSED at the regular meeting of the City Council of the City of Pioneer Village, Kentucky, on the 18 day of March, 1985.

Votes for 3, Votes against 1, Abstentions 1.


JAMES WELKER, MAYOR

ATTEST:



City Clerk