

TITLE 9

BUSINESS, PEDDLERS, SOLICITORS, ETC.¹

CHAPTER

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2. TRAVELING SHOWS.
3. FORTUNE TELLERS.
4. HELICOPTERS AND HELIPORT OPERATIONS.
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CHAPTER 1

PEDDLERS, ETC.²

SECTION

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9-101. Permit required. It shall be unlawful for any peddler, canvasser, solicitor, or transient merchant to ply his trade within the corporate limits without first obtaining a permit therefor in compliance with the

¹Municipal code references

Building, plumbing, wiring and residential regulations: title 12.

Liquor and beer regulations: title 8.

Noise reductions: title 11, chapter 2.

Zoning: title 14, chapters 2--8.

²Municipal code reference

Privilege taxes: title 5, chapter 3.

provisions of this chapter. No permit shall be used at any time by any person other than the one to whom it is issued. (2000 Code, § 9-101)

9-102. Exemptions. The terms of this chapter shall not be applicable to persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to bona fide charitable, religious, patriotic, or philanthropic organizations. (2000 Code, § 9-102)

9-103. Application for permit. Applicants for a permit under this chapter must file with the chief of police a sworn written application containing the following:

- (1) Name and physical description of applicant;
- (2) Complete permanent home and local address of the applicant and, in the case of transient merchants, the local address from which proposed sales will be made;
- (3) A brief description of the nature of the business and the goods to be sold;
- (4) If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship;
- (5) The length of time for which the right to do business is desired;
- (6) The source of supply of the goods or property proposed to be sold, or orders taken for the sale thereof, where such goods or products are located at the time said application is filed, and the proposed method of delivery;
- (7) A recent photograph of the applicant approximately two inches (2") square showing the head and shoulders of the applicant in a clear and distinguishing manner;
- (8) The names of at least two (2) reputable local property owners who will certify as to the applicant's good moral reputation and business responsibility, or in lieu of the names of references, such other available evidence as will enable an investigator properly to evaluate the applicant's moral reputation and business responsibility;
- (9) A statement as to whether or not the applicant has been convicted of any crime or misdemeanor or for violating any municipal ordinance and, if so, the nature of the offense and the punishment or penalty assessed therefor;
- (10) The last cities or towns, not to exceed three (3), where applicant carried on business immediately preceding the date of application and, in the case of transient merchants, the addresses from which such business was conducted in those municipalities;
- (11) At the time of filing the application, a fee of fifty-five dollars (\$55.00) shall be paid to the city to cover the cost of investigating the facts stated therein. Twenty-five dollars (\$25.00) of these funds shall be deposited in the police equipment fund and the remaining thirty dollars (\$30.00) of these

funds shall be deposited into the City of Elizabethton General Fund. (2000 Code, § 9-103, as amended by Ord. #45-5, June 2009)

9-104. Issuance or refusal of permit. (1) Upon receipt of each application, the chief of police shall immediately institute an investigation of the applicant's moral reputation and business responsibility and shall endorse the application with his findings within seventy-two (72) hours after it has been filed by the applicant.

(2) If as a result of such investigation, the applicant's moral reputation and/or business responsibility is found to be bad, the chief shall endorse on such application his disapproval and his reasons for the same. The chief of police shall thereupon notify the applicant that his application is disapproved and that no permit will be issued.

(3) If as a result of such investigation, the moral reputation and business responsibility of the applicant are found to be good, the chief shall endorse his approval on the application. Then, upon payment of all applicable privilege taxes,¹ the chief of police shall deliver to the applicant his permit. The chief of police shall file with the city clerk a record of all permits issued or denied and the city clerk shall maintain this as a permanent record. (2000 Code, § 9-104)

9-105. Appeal. Any person aggrieved by the action of the chief of police in the denial of a permit shall have the right to appeal to the city manager. Such appeal shall be taken by filing with the city clerk within fourteen (14) days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The city manager shall set a time and place for a hearing on such appeal, and notice of the time and place of such hearing shall be given to the appellant. The notice shall be in writing and shall be mailed, postage prepaid, to the applicant at his last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing. (2000 Code, § 9-105)

9-106. Bond. Every permittee shall file with the police chief a surety bond running to the city in the amount of five hundred dollars (\$500.00). The bond shall be conditioned that the permittee shall comply fully with all the provisions of the ordinances of the City of Elizabethton and the statutes of the state regulating peddlers, canvassers, solicitors, transient merchants, itinerant merchants, or itinerant vendors, as the case may be, and guaranteeing to any citizen of the city that all money paid as a down payment will be accounted for

¹Municipal code reference

Privilege taxes: title 5, chapter 3.

and applied according to the representations of the permittee and further guaranteeing to any citizen of the city doing business with said permittee, that the property purchased will be delivered according to the representations of the permittee. Action on such bond may be brought by any person aggrieved and for whose benefit, among others, the bond is given, but the surety may, by paying, pursuant to order of the court, the face amount of the bond to the clerk of the court in which the suit is commenced, be relieved without costs of all further liability. (2000 Code, § 9-106)

9-107. Loud noises and speaking devices.¹ No permittee, nor any person in his behalf, shall shout, cry out, blow a horn, ring a bell, or use any sound amplifying device upon any of the streets, alleys, parks, or other public places of the city or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares, or merchandise which such permittee proposes to sell. (2000 Code, § 9-107)

9-108. Use of streets. No permittee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a congested area where the operation might impede or inconvenience the public use of such streets. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced. (2000 Code, § 9-108)

9-109. Exhibition of permit. Permittees are required to exhibit their permits at the request of any policeman or citizen. (2000 Code, § 9-109)

9-110. Police officers to enforce. It shall be the duty of all police officers to see that the provisions of this chapter are enforced. (2000 Code, § 9-110)

9-111. Revocation or suspension of permit. (1) Permits issued under the provisions of this chapter may be revoked by the city council, after notice and hearing, for any of the following causes:

- (a) Fraud, misrepresentation, or incorrect statement contained in the application for permit;

¹Municipal code reference

Noise reductions: title 11, chapter 2.

(b) Fraud, misrepresentation, or incorrect statement made in the course of carrying on his business as solicitor, canvasser, peddler, transient merchant, itinerant merchant or itinerant vendor;

(c) Any violation of this chapter;

(d) Conviction of any crime or misdemeanor;

(e) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant, or itinerant vendor, as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

(2) Notice of the hearing for revocation of a permit shall be given by the city clerk in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permittee at his last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

(3) When reasonably necessary in the public interest, the city manager may suspend a permit pending the revocation hearing. (2000 Code, § 9-111)

9-112. Reapplication. No permittee whose permit has been revoked shall make further application until a period of at least six (6) months has elapsed since the last revocation. (2000 Code, § 9-112)

9-113. Expiration and renewal of permit. Permits issued under the provisions of this chapter shall expire on the same date that the permittee's privilege license expires. Permits issued to permittees who are not subject to a privilege tax shall be issued for a period of thirty (30) days and may be renewed upon the payment of a new permit fee if there have been no violations of the permit. (2000 Code, § 9-113)

CHAPTER 2

TRAVELING SHOWS¹

SECTION

9-201. Required to post liability bond or insurance.

9-202. Permit required.

9-201. Required to post liability bond or insurance. It shall be unlawful for any person, firm, or corporation to set up and/or show or exhibit any circus, menagerie, carnival, or any other similar entertainment or traveling show within the corporate limits of the City of Elizabethton without first posting with the city clerk a one million dollar (\$1,000,000.00) public liability bond or insurance policy and paying all applicable privilege taxes.¹ (2000 Code, § 9-201)

9-202. Permit required. It shall be unlawful for any person, firm or corporation to set up and/or show or exhibit any circus, menagerie, carnival, or any other similar entertainment or traveling show within the corporate limits of the City of Elizabethton without first obtaining a permit therefor from the city clerk. The permit fee shall be ten dollars (\$10.00) per day for each traveling show and such permit must be displayed by the permit holder at all times said permit holder is doing business within the corporate limits of the City of Elizabethton. (2000 Code, § 9-202)

¹Municipal code reference
Privilege taxes: title 5, chapter 3.

CHAPTER 3**FORTUNE TELLERS****SECTION**

9-301. Fortune telling business prohibited.

9-302. Clerk not to issue privilege license for.

9-301. Fortune telling business prohibited. It shall be unlawful for any person, firm, or corporation to engage in fortune telling or palmistry for profit within the City of Elizabethton, Tennessee, the same being detrimental to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the city. (2000 Code, § 9-301)

9-302. Clerk not to issue privilege license for. The City Clerk of the City of Elizabethton, Tennessee, is prohibited from issuing any privilege license for fortune telling or palmistry, or from collecting any privilege tax for such item. (2000 Code, § 9-302)

CHAPTER 4

HELICOPTERS AND HELIPORT OPERATIONS

SECTION

- 9-401. Definitions.
- 9-402. Compliance with Federal Aviation Agency and Civil Aeronautics Board regulations and standards.
- 9-403. Minimum altitude for helicopter flight.
- 9-404. Permit to operate heliport or helistop required; application; issuance; terms and conditions.
- 9-405. Permit revocation.
- 9-406. Insurance requirements.
- 9-407. Compliance with safety and fire prevention standards.
- 9-408. Area and location of heliports and helistops.
- 9-409. Prohibited acts generally.
- 9-410. Violations and penalty.

9-401. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) "Helicopter." Any rotorcraft which depends principally for its support and motion in the air upon the lift generated by one (1) or more power driven rotors, rotating on substantially vertical axes.

(2) "Heliport." Any area of land or water or any structural surface designated, used, or intended to be used for the landing or takeoff of helicopters and any appurtenant areas, facilities, structures, or buildings which are designed, used, or intended to be used in the operation or maintenance of the heliport or in the service or maintenance of helicopters.

(3) "Helistop." Any area of land or water or any structural surface designed, used, or intended to be used for the landing or takeoff of helicopters but without any appurtenant area, facility, structure, or building designed, used, or intended for use in the operation or maintenance of the helistop or in the service or maintenance of helicopters.

(4) "Obstruction clearance plane." A plane leading upward and outward from the heliport at an angle compatible with the flight characteristics of the helicopter through which no obstructions protrude. (2000 Code, § 9-401)

9-402. Compliance with Federal Aviation Agency and Civil Aeronautics Board regulations and standards. The establishment of any heliport or helistop and the operation and flight of helicopters within and above the corporate limits of the city shall at all times comply and be in conformity with at least the minimum of all pertinent regulations and standards promulgated from time to time by the Federal Aviation Agency or Civil

Aeronautics Board, with particular reference to applicable federal air regulations, civil air regulations, advisory circulars or successor publications. (2000 Code, § 9-402)

9-403. Minimum altitude for helicopter flight. Except when necessary for takeoff or landing, no person may operate a helicopter below the following altitudes:

(1) Generally. An altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface. In addition, each person operating a helicopter shall comply with the routes, altitudes, and other directions and regulations specifically prescribed for helicopters by any rule or ordinance pertaining to the same.

At no time shall a helicopter be below five hundred feet (500') without special permission granted by the city manager pursuant to authority and for cause described in § 9-409 hereof.

(2) Over congested areas. Over any congested area of the city or over any open air assembly of persons, an altitude of one thousand feet (1,000') above the highest obstacle within a horizontal radius of two thousand feet (2,000') of the helicopter.

(3) Over other than congested areas. An altitude of five hundred feet (500') above the surface of open fields or areas upon which there are no trees, buildings, or other obstacles; provided, however, that the helicopter shall not be operated closer than five hundred feet (500') to any person, vehicle, vessel, tree, tower, or structure. (2000 Code, § 9-403)

9-404. Permit to operate heliport or helistop required; application; issuance; terms and conditions. No heliport or helistop shall be established or used unless an application for the establishment of the same shall have first been filed in writing with and approved by the city council. Such application shall contain a description of the proposed location, dimensions, obstruction clearance planes, proximity and height of nearest buildings, trees, towers or other structures, characteristics of the immediate area of such heliport, and such other information as the city council may require.

If the city council finds and determines that the public safety and convenience will be preserved and a nuisance or other burdensome condition will not be created and that the public interest will not be adversely affected by the establishment and use of a heliport or helistop at such site and under such conditions and that such use of such site will be in accord with pertinent zoning regulations, it may issue a permit for the establishment and use of such heliport or helistop and the operation of helicopters to and from the same. The city council may impose such terms and conditions in the issuance of such permit as it determines to be necessary in the promotion of the public safety, convenience, health, and welfare.

No heliport or helistop shall be established or used unless such permit therefor has been granted under the provisions hereof and the required insurance has been issued and is in effect as elsewhere required by this chapter. (2000 Code, § 9-404)

9-405. Permit revocation. In addition to any other remedies, the city council shall have the right and authority to revoke any permit which may have been issued to establish and operate a heliport or helistop within the city upon a finding, after notice, that any provisions and requirements of this chapter have been violated or that the public liability and property damage insurance required to be carried at all times by the permittee has been canceled or for any reason has ceased to be in full force and effect or if the operations at the heliport or helistop are performed in such a manner as to become unduly hazardous or to constitute a nuisance or create conditions which the city council may find to be contrary to the public safety, health, convenience, and welfare. Before any such permit may be revoked, however, notice of at least ten (10) days is to be given to the permittee and an opportunity to be heard before the city council upon any charges shall be given to such permittee. (2000 Code, § 9-405)

9-406. Insurance requirements. As a condition precedent to the issuance of a permit to establish and use a heliport or helistop, the applicant for such permit shall first secure public liability and property damage insurance in an insurance company licensed and authorized to do business in the state in limits of not less than two hundred fifty thousand dollars (\$250,000.00) for personal injuries or death occasioned to one (1) person, and, subject to that limitation for one (1) person, insuring against injuries or death in any one (1) accident in limits of at least five hundred thousand dollars (\$500,000.00) and for property damages the sum of five hundred thousand dollars (\$500,000.00) for any one (1) accident; such applicant shall cause a certificate to be issued by such insurance company certifying that such policies, as herein required, have been issued and are in force and effect. Such certificates of insurance shall be filed from time to time with the city clerk at the city hall. Before such policy can be canceled or substantially altered, advance written notice thereof of at least ten (10) days shall be furnished to the city manager. Provided, however, that this section shall not apply to the United States of America or any military branch thereof nor shall this section apply to the state, the Tennessee National Guard, or any branch thereof. (2000 Code, § 9-406)

9-407. Compliance with safety and fire prevention standards.¹ As a further condition precedent to the issuance of a permit to establish and use a

¹Municipal code reference
Fire prevention: title 7.

heliport or helistop and to land and takeoff helicopters from such heliport or helistop, the applicant for such permit shall first secure written certification from the city manager or his designee that the heliport or helistop being considered complies with all safety and fire prevention standards necessary for the safety of the operation and adjacent properties and with the other provisions contained in § 9-404. (2000 Code, § 9-407)

9-408. Area and location of heliports and helistops. The minimum dimension of the area which describes an approved heliport or helistop shall be equal to not less than one and one-half (1 1/2) times the rotor or rotors diameter of the helicopter.

Approved heliports and helistops shall be so located that at least two (2) obstruction clearance planes are available which are compatible with the flight characteristics of the helicopter, at least ninety degrees (90°) disposed. Obstruction clearance planes shall be selected with due regard to the safety and convenience of persons and to the safety of property on the surface. (2000 Code, § 9-408)

9-409. Prohibited acts generally. It shall be unlawful to operate a helicopter within or above the corporate limits of the city or to operate a heliport or helistop within such corporate limits:

(1) In a negligent or reckless manner so as to endanger the lives or property of the operator or others.

(2) When the operator of such helicopter is under the influence of intoxicating beverages, drugs, barbiturates or other stimuli or depressants.

(3) In violation of any of the provisions set forth in § 9-403.

(4) Unless there is then outstanding and in full force and effect a valid airworthiness certificate issued for such helicopter by the Federal Aviation Agency of the United States or by the Civil Aeronautics Board or both.

(5) Unless the operator flying such helicopter shall then and there have a valid airman's certificate in full force and effect with the appropriate aeronautical ratings issued by the Federal Aviation Agency of the United States or Civil Aeronautics Board or both.

(6) After the permit to do so has been revoked.

(7) To or from any property or place within the city other than a heliport or helistop in such location with such dimensions and obstructions clearance planes and such other safety provisions as comply with the federal air regulations of the United States and the terms and conditions set forth in the permit issued by the city council as hereinabove provided; provided, however, that this provision may be varied by the city manager in emergencies in which helicopter operations at places other than at an approved heliport or helistop are necessary in connection with the immediate extending of help because of a disaster or civil disturbance or in performing an emergency errand of mercy or when the chief of police or sheriff of the county certifies to the city manager that

the use of such helicopter in a special flight operation is urgent and immediately necessary in aiding law enforcement or where there exists a special and urgent necessity for the use of a helicopter at a place other than a heliport or helistop in the preservation of the public peace, health, safety, and welfare; but in no case, emergency or otherwise, shall such helicopter be operated in violation of any federal air regulations of the United States or upon the property of any person except after having first obtained the permission and consent of such person owning or in control of such premises that the same may be so used. (2000 Code, § 9-409)

9-410. Violations and penalty. Any person violating any provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty clause for this code. (2000 Code, § 9-410)

CHAPTER 5

CABLE TELEVISION

SECTION

9-501. To be furnished under franchise.

9-501. To be furnished under franchise. Cable television service shall be furnished to the City of Elizabethton and its inhabitants under franchise as the city council shall grant. The rights, powers, duties and obligations of the City of Elizabethton and its inhabitants and the grantee of the franchise shall be clearly stated in the franchise agreement which shall be binding upon the parties concerned.¹ (2000 Code, § 9-501)

¹Ordinances containing complete details relating to the cable television franchise agreements and any amendments are available in the office of the city clerk.

CHAPTER 6

SPECIAL EVENTS

SECTION

- 9-601. Purpose and authority.
- 9-602. Permit requirements.
- 9-603. Application.
- 9-604. Insurance.
- 9-605. Approval standards.
- 9-606. Approval conditions.
- 9-607. Permit fee.
- 9-608. Exemptions.
- 9-609. Applicability of other laws and ordinances.
- 9-610. Enforcement.
- 9-611. Severability.

9-601. Purpose and authority. This chapter is adopted to promote the public health, safety, welfare and convenience of the residents of Elizabethton by regulating special events within the city. By requiring a permit for each event, proper coordination of public services is ensured and overburdening of local infrastructure is prevented. (Ord. #48-14, Aug. 2012)

9-602. Permit requirements. No circus, carnival, fair, exhibit, menagerie, entertainment, concert, parade or similar activity shall be conducted outdoors or in temporary structures in the City of Elizabethton unless a special event permit has been obtained from the city council in accordance with this chapter. Events with fewer than three hundred (300) participants (including staff, volunteers, attendees, etc.) are not required to obtain a special event permit. (Ord. #48-14, Aug. 2012)

9-603. Application. (1) An application for a special event permit, which may be for a series of activities undertaken by a single permittee, under the provisions of this chapter should be filed with the Elizabethton City Manager at least forty-five (45) days before the date set for the event. (Although a late application may be considered, the application being late makes it more difficult to pass those approval standards requiring planning and coordination with city staff.) Each event will require a separate permit.

(2) Application for a special event permit shall include:

(a) The name, address and telephone number of the event sponsor;

(b) If the permittee is not the owner of the premises where the event is to take place, the name of the owner shall be given and the owner's consent to the event must be attached to the application;

(c) A site plan indicating location, layout, state and local highways, entrances and exits, traffic flow patterns, parking and land uses of the surrounding area;

(d) The intended dates and hours of operation and the number of days that the event will be conducted;

(e) The maximum total number of people anticipated including staff, volunteers, attendees, etc. and provisions for accommodating the total;

(f) Description of the event;

(g) Details as to what arrangements have been made to protect the public health, safety, welfare and convenience during the event including arrangements for traffic control, crowd control and sanitation;

(h) Provisions for food and beverage, if any; and

(i) Other information deemed necessary by the city council or city manager.

(3) The city council, at an official meeting, may approve, approve with conditions/modifications, or deny each application upon consideration of the approval standards set forth in § 9-605. Prior to any action, the council may cause the application to be reviewed by city departments including, but not limited to, police, fire, rescue and sewer. (Ord. #48-14, Aug. 2012)

9-604. Insurance. To protect the city and the taxpayers from assuming liability for injuries and/or damages that may occur during a special event, proper insurance is required. The minimum standards for proper insurance include:

(1) A policy is obtained for or by the permittee to cover the special event;

(2) The policy names the City of Elizabethton as an additional insured;

(3) A certificate of insurance is mailed or electronically transmitted directly to the City of Elizabethton from the insurance agency/broker/underwriter;

(4) The insurance amount is one million dollars (\$1,000,000.00) or the current limit of municipal tort liability in the State of Tennessee, whichever is higher; and

(5) Food vendors and inflatables operators participating in the event must be individually insured with the same requirements (subsections (1)-(4) above). (Ord. #48-14, Aug. 2012)

9-705. Approval standards. Prior to the issuance of any permit under this chapter, the city council shall determine that the proposed activity satisfies the following standards:

(1) The proposed use is in conformance with any applicable city ordinances including the Elizabethton Zoning Regulations;

(2) The proposed activity will not result in undue adverse traffic congestion and unsafe conditions regarding the use of public roads;

(3) The proposed activity will not present or create a threat to the safety of persons or property because of fire, explosion or other hazard;

(4) The proposed activity will not create unhealthy conditions regarding water supply, sewage disposal or solid waste disposal;

(5) The proposed activity will not interfere with the use of neighboring property for its customary use by the creation of noise, dust, noxious odors, lighting or other activities which extend beyond the boundary of the activity;

(6) The proposed activity will not overburden the public infrastructure of the city. Special attention shall be given to the cumulative impacts of other activities which may be occurring at the same time; and

(7) The proposed activity will not have an adverse effect on the public health, safety, welfare and convenience of the residents of the City of Elizabethton. (Ord. #48-14, Aug. 2012)

9-606. Approval conditions. When issuing a permit under this chapter, the city council may attach such reasonable conditions as they may deem appropriate to mitigate or eliminate any impacts reviewable under the approval standards set forth above. Such conditions may include but are not limited to:

(1) All food or drink vendors must have a combination fire extinguisher (Class A, B, C);

(2) Food vendors that produce grease laden vapors must have a Class K fire extinguisher in addition to the combination fire extinguisher;

(3) Establishing specific hours for the proposed use;

(4) Establishing noise limits;

(5) Requiring the provision of traffic control personnel at no cost to the city;

(6) Requiring the provision of crowd control and medical personnel at no cost to the city;

(7) Requiring the provision of fire fighting equipment and personnel at no cost to the city;

(8) Requiring the posting of security bonds or escrow accounts to ensure compliance with applicable ordinances and permit conditions;

(9) Requiring that trash and litter on public streets attributable to the proposed activity be collected and removed at no cost to the city;

(10) Restricting or prohibiting the consumption of alcoholic beverages in connection with any regulated activity; and

(11) Prohibiting the sale of admission or seating tickets in excess of the established capacity of the event area. (Ord. #48-14, Aug. 2012)

9-607. Permit fee. That fee for the granting of any permit shall be five dollars (\$5.00) for each day of operation for any single event. The fee for a

permit shall be paid at the time of filing the application. In the event that the application is rejected, the fee shall be refunded to the applicant. (Ord. #48-14, Aug. 2012)

9-608. Exemptions. Activities conducted by schools licensed by the state department of education and/or churches, on school or church grounds, are exempt from the requirements to obtain a permit and pay a permit fee. (Ord. #48-14, Aug. 2012)

9-609. Applicability of other laws and ordinances. The permit required under this chapter shall not replace or eliminate any requirement to obtain approval under any other applicable laws or ordinances. (Ord. #48-14, Aug. 2012)

9-610. Enforcement. (1) The city manager may revoke a permit issued under this chapter for failure to comply with any conditions contained in such permit, or for any disturbance of the public peace or for occurrences detrimental to the public health.

(2) Violation of this chapter shall constitute a misdemeanor and may be punishable by a fine of fifty dollars (\$50.00) per week, or part thereof, that the violation continues or imprisonment for a term not to exceed one (1) year.

(3) In addition to enforcement as provided above, the city manager may institute an action in the name of the city council to obtain injunctive or other appropriate relief. (Ord. #48-14, Aug. 2012, modified)

9-611. Severability. If any section, subsection, or any part thereof of this chapter, is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. (Ord. #48-14, Aug. 2012)