Municipal code references
Building, plumbing, wiring and housing regulations: title 12.
Liquor and beer regulations: title 8.
Noise reductions: title 11.

2The constitutionality of an ordinance containing provisions identical to those in this section was upheld by the Tennessee Supreme Court in the 1957 Chattanooga case of J. W. Kirk et al. v. P. R. Olgiati et al., 308 S.W.2d 471.
9-102. "Going out of business" sales. It shall be unlawful for any person to falsely represent a sale as being a "going out of business" sale. A "going out of business" sale, for the purposes of this section, shall be a "fire sale," "bankrupt sale," "loss of lease sale," or any other sale made in anticipation of the termination of a business at its present location. When any person, after advertising a "going out of business" sale adds to his stock or fails to go out of business within ninety (90) days he shall prima facie be deemed to have violated this section. (1967 Code, § 5-102)

9-103. Sale of fish. It shall be unlawful for any person, firm, or corporation to sell or peddle fish upon the public streets, alleys, or byways of the City of Ripley.

Any person, firm, or corporation desiring to sell fish within the corporate limits shall first obtain a permit and privilege license from the city recorder to engage in such business.

Any person, firm, or corporation, before applying for a permit and privilege license, shall satisfy the health officer and the chief of police that the place of business meets all state health regulations and further that he shall operate and conduct such business in a duly and properly screened place. The place shall be screened in with screen wire and shall have a floor constructed of such materials as shall be impervious to liquids. It shall have running water and shall have sewage connections with the city sewer system and shall be approved by the chief of police and the health officer. (1967 Code, § 5-103)

9-104. Pinball machines. No owner, operator, manager or person in charge of any restaurant, café, filling station, beer tavern, hotel, motel, drug store, or any other store, establishment, place of business or otherwise, or any employee therein, shall allow any person under the age of eighteen (18) years to play or operate on such premises any pinball machine or any game of miniature football, golf, baseball, or any other miniature game, whether made playable by a mechanical device or otherwise, or whether the charge for playing is collected by mechanical device or otherwise.

It shall be the duty of such owner, operator, manager, person in charge or employee to ascertain or determine the age of any such player, and ignorance of the age or mis-information relative thereto shall not excuse any such owner, operator, manager, person in charge or employee. (1967 Code, § 5-104)

9-105. Cotton gins required to have incinerators. All cotton gins in the City of Ripley shall regulate and control the disposal of all their waste by means of incinerators.

The incinerators shall be built according to specifications established by the board of mayor and aldermen in accordance with specifications set forth by the Department of Agriculture and such incinerators shall be maintained in proper working condition at all times. (1967 Code, § 5-105)
9-106. **Regulating dance and dance bands.** (1) It shall be unlawful for any person, group, band, organization or other entity to promote, play for, participate in promoting a dance, or holding a dance unless such entity obtains a dance permit from the city and pays for and obtains a privilege license.

(2) Before any person, band, or organization or group or other entity announces, advertises, or promotes a dance it first must obtain a dance permit from the Recorder-Treasurer of said City of Ripley, complete a form to be furnished by the City of Ripley, notifying time, place, and date of said dance, who is the sponsor of said dance, who is responsible for said dance, and who is eligible to attend said dance and such other information as required on said dance permit or required by the city.

(3) "Dance" shall mean where a live band plays, admission is charged to dance, where a juke-box, stereo system, high-fi, or any musical system by which persons are dancing by, on such occasions a dance permit must be obtained as above set out.

(4) Violation of this section of the city code shall be deemed a misdemeanor and shall be punishable by a fine not less than $2.00, nor more than $50.00.

(5) Said permit will have to be obtained at least 48 hours prior to said dance. (Ord. #206, June 1975)
CHAPTER 2

PEDDLERS, ETC.1

SECTION

9-201. Permit required. It shall be unlawful for any peddler, canvasser or solicitor, or transient merchant to ply his trade within the corporate limits without first obtaining a permit in compliance with the provisions of this chapter. No permit shall be used at any time by any person other than the one to whom it is issued. (1967 Code, § 5-201)

9-202. 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. (1967 Code, § 5-202)

9-203. Application for permit. Applicants for a permit under this chapter must file with the city recorder a sworn written application containing the following:

(1) Name and physical description of applicant.

(2) Complete permanent home address 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.

1Municipal code reference
Privilege taxes: title 5.
(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) A recent clear photograph approximately two (2) inches square showing the head and shoulders of the applicant.

(7) 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 to evaluate properly the applicant's moral reputation and business responsibility.

(8) A statement as to whether or not the applicant has been convicted of any crime or misdemeanor or for violating any municipal ordinance; the nature of the offense; and, the punishment or penalty assessed therefor.

(9) The last three (3) cities or towns, if that many, 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.

(10) At the time of filing the application, a fee of five dollars ($5.00) shall be paid to the city to cover the cost of investigating the facts stated therein. (1967 Code, § 5-203)

9-204. Issuance or refusal of permit. (1) Each application shall be referred to the chief of police for investigation. The chief shall report his findings to the city recorder within seventy-two (72) hours.

(2) If as a result of such investigation the chief reports the applicant's moral reputation and/or business responsibility to be unsatisfactory the city recorder shall notify the applicant that his application is disapproved and that no permit will be issued.

(3) If, on the other hand, the chief's report indicates that the moral reputation and business responsibility of the applicant are satisfactory the city recorder shall issue a permit upon the payment of all applicable privilege taxes and the filing of the bond required by § 9-206. The city recorder shall keep a permanent record of all permits issued. (1967 Code, § 5-204)

9-205. Appeal. Any person aggrieved by the action of the chief of police and/or the city recorder in the denial of a permit shall have the right to appeal to the mayor and aldermen. Such appeal shall be taken by filing with the mayor within fourteen (14) days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The mayor 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
9-206. **Bond.** Every permittee shall file with the city recorder a surety bond running to the city in the amount of one thousand dollars ($1,000.00). The bond shall be conditioned that the permittee shall comply fully with all the provisions of the ordinances of the city and the statutes of the state regulating peddlers, canvassers, solicitors, transient merchants, or itinerant vendors, as the case may be, and shall guarantee to any citizen of the city that all money paid as a down payment will be accounted for 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. (1967 Code, § 5-206)

9-207. **Loud noises and speaking devices.** 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 sidewalks, 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 adjacent sidewalks, streets, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such permittee proposes to sell. (1967 Code, § 5-207)

9-208. **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 the 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. (1967 Code, § 5-208)

9-209. **Exhibition of permit.** Permittees are required to exhibit their permits at the request of any policeman or citizen. (1967 Code, § 5-209)

9-210. **Policemen to enforce.** It shall be the duty of all policemen to see that the provisions of this chapter are enforced. (1967 Code, § 5-210)

9-211. **Revocation or suspension of permit.** (1) Permits issued under the provisions of this chapter may be revoked by the mayor and aldermen after notice and hearing, for any of the following causes:
(a) Fraud, misrepresentation, or incorrect statement contained in the application for permit, or made in the course of carrying on the business of solicitor, canvasser, peddler, transient merchant, itinerant merchant or itinerant vendor.

(b) Any violation of this chapter.

(c) Conviction of any crime or misdemeanor.

(d) 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 recorder in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed to the permittee at his last known address at least five (5) days prior to the date set for hearing, or it 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 mayor may suspend a permit pending the revocation hearing. (1967 Code, § 5-211)

9-212. 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. (1967 Code, § 5-212)

9-213. 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 and shall be renewed without cost if the permittee applies for and obtains a new privilege license within thirty (30) days thereafter. Permits issued to permittees who are not subject to a privilege tax shall be issued for one (1) year. An application for a renewal shall be made substantially in the same form as an original application. However, only so much of the application shall be completed as is necessary to reflect conditions which have changed since the last application was filed. (1967 Code, § 5-213)
CHAPTER 3

CHARITABLE SOLICITORS

SECTION

9-301. Permit required.
9-302. Prerequisites for a permit.
9-303. Denial of a permit.
9-304. Exhibition of permit.

9-301. Permit required. No person shall solicit contributions or anything else of value for any real or alleged charitable or religious purpose without a permit from the city recorder authorizing such solicitation. Provided, however, that this section shall not apply to any locally established organization or church operated exclusively for charitable or religious purposes if the solicitations are conducted exclusively among the members thereof, voluntarily and without remuneration for making such solicitations, or if the solicitations are in the form of collections or contributions at the regular assemblies of any such established organization or church. (1967 Code, § 5-301)

9-302. Prerequisites for a permit. The recorder shall issue a permit authorizing charitable or religious solicitations when, after a reasonable investigation, he finds the following facts to exist:
(1) The applicant has a good character and reputation for honesty and integrity, or if the applicant is not an individual person, that every member, managing officer or agent of the applicant has a good character or reputation for honesty and integrity.
(2) The control and supervision of the solicitation will be under responsible and reliable persons.
(3) The applicant has not engaged in any fraudulent transaction or enterprise.
(4) The solicitation will not be a fraud on the public but will be for a bona fide charitable or religious purpose.
(5) The solicitation is prompted solely by a desire to finance the charitable cause described by the applicant. (1967 Code, § 5-302)

9-303. Denial of a permit. Any applicant for a permit to make charitable or religious solicitations may appeal to the mayor and aldermen if he has not been granted a permit within fifteen (15) days after he makes application therefor. (1967 Code, § 5-303)

9-304. Exhibition of permit. Any solicitor required by this chapter to have a permit shall exhibit such permit at the request of any policeman or person solicited. (1967 Code, § 5-304)
CHAPTER 4

TAXICABS\(^1\)

SECTION
9-401. Taxicab franchise and privilege license required.
9-402. Requirements as to application and hearing.
9-403. Liability insurance required.
9-404. Revocation or suspension of franchise.
9-405. Mechanical condition of vehicles.
9-408. License and permit required for drivers.
9-409. Qualifications for driver's permit.
9-410. Revocation or suspension of driver's permit.
9-411. Drivers not to solicit business.
9-412. Parking restricted.
9-413. Drivers to use direct routes.
9-414. Taxicabs not to be used for illegal purposes.
9-415. Miscellaneous prohibited conduct by drivers.
9-416. Transportation of more than one passenger at the same time.
9-417. Liability insurance required for all buses used for public transportation.

9-401. Taxicab franchise and privilege license required. It shall be unlawful for any person to engage in the taxicab business unless he has first obtained a taxicab franchise from the city and has a currently effective privilege license. (1967 Code, § 5-401)

9-402. Requirements as to application and hearing. No person shall be eligible to apply for a taxicab franchise if he has a bad character or has been convicted of a felony within the last ten (10) years. Applications for taxicab franchises shall be made under oath and in writing to the chief of police. The application shall state the name and address of the applicant, the name and address of the proposed place of business, the number of cabs the applicant desires to operate, the makes and models of said cabs, and such other pertinent information as the chief of police may require. The application shall be accompanied by at least two (2) affidavits of reputable local citizens attesting to the good character and reputation of the applicant. Within ten (10) days after receipt of an application the chief of police shall make a thorough investigation of the applicant; determine if there is a public need for additional taxicab

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\(^1\)Municipal code reference
Privilege taxes: title 5.
service; present the application to the mayor and aldermen; and make a recommendation to either grant or refuse a franchise to the applicant. The mayor and aldermen shall thereupon hold a public hearing at which time witnesses for and against the granting of the franchise shall be heard. In deciding whether or not to grant the franchise the mayor and aldermen shall consider the public need for additional service, the increased traffic congestion, parking space requirements, and whether or not the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such an additional franchise. Those persons already operating taxicabs when this code is adopted shall not be required to make applications under this section but shall be required to comply with all of the other provisions hereof. (1967 Code, § 5-402)

9-403. Liability insurance required. No taxicab franchise shall be issued or continued in operation unless there is in full force and effect a liability insurance policy for each vehicle authorized in the amount of one hundred thousand dollars ($100,000.00) for bodily injury or death to any one person, three hundred thousand dollars ($300,000.00) for bodily injuries or death to more than one person which are sustained in the same accident, and fifty thousand dollars ($50,000.00) for property damage resulting from any one accident. The insurance policy required by this section shall contain a provision that it shall not be cancelled except after at least twenty (20) days’ written notice is given by the insuror to both the insured and the recorder. (1967 Code, § 5-403, as amended by Ord. #242, June 1985)

9-404. Revocation or suspension of franchise. The mayor and aldermen, after a public hearing, may revoke or suspend any taxicab franchise for misrepresentations or false statements made in the application therefor or for traffic violations or violations of this chapter by the taxicab owner or any driver. (1967 Code, § 5-404)

9-405. Mechanical condition of vehicles. It shall be unlawful for any person to operate a taxicab in the city unless such taxicab is equipped with four (4) wheel brakes, front and rear lights, safe tires, horn, muffler, windshield wipers, and rear vision mirror, all of which shall conform to the requirements of state law. Each taxicab shall be equipped with a handle or latch or other opening device attached to each door of the passenger compartment so that such doors may be operated by the passenger from the inside of the taxicab without the intervention or assistance of the driver. The motor and all mechanical parts shall be kept in such condition or repair as may be reasonably necessary to provide for the safety of the public and the continuous satisfactory operation of the taxicab. (1967 Code, § 5-405)
9-406. **Cleanliness of vehicles.** All taxicabs operated in the city shall, at all times, be kept in a reasonably clean and sanitary condition. They shall be thoroughly swept and dusted at least once each day. At least once every week they shall be thoroughly washed and the interior cleaned with a suitable antiseptic solution. (1967 Code, § 5-406)

9-407. **Inspection of vehicles.** All taxicabs shall be inspected at least semiannually by the chief of police to insure that they comply with the requirements of this chapter with respect to mechanical condition, cleanliness, etc. (1967 Code, § 5-407)

9-408. **License and permit required for drivers.** No person shall drive a taxicab unless he is in possession of a state special chauffeur's license and a taxicab driver's permit issued by the chief of police. (1967 Code, § 5-408)

9-409. **Qualifications for driver's permit.** No person shall be issued a taxicab driver's permit unless he complies with the following to the satisfaction of the chief of police:

1. Makes written application to the chief of police.
2. Is at least eighteen (18) years of age and holds a state special chauffeur's license.
3. Undergoes an examination by a physician and is found to be of sound physique, with good eyesight and hearing and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render him unfit for the safe operation of a public vehicle.
4. Is clean in dress and person and is not addicted to the use of intoxicating liquor or drugs.
5. Produces affidavits of good character from two (2) reputable citizens of the city who have known him personally and have observed his conduct for at least two (2) years next preceding the date of his application.
6. Has not been convicted of a felony, drunk driving, driving under the influence of an intoxicant or drug, or of frequent minor traffic offenses.
7. Is familiar with the state and local traffic laws. (1967 Code, § 5-409)

9-410. **Revocation or suspension of driver's permit.** The mayor and aldermen, after a public hearing, may revoke or suspend any taxicab driver's permit for traffic violations or violation of this chapter. (1967 Code, § 5-410)

9-411. **Drivers not to solicit business.** All taxicab drivers are expressly prohibited from indiscriminately soliciting passengers or from cruising upon the streets of the city for the purpose of obtaining patronage for their cabs. (1967 Code, § 5-411)
9-412. **Parking restricted.** It shall be unlawful to park any taxicab on any street except in such places as have been specifically designated and marked by the city for the use of taxicabs. It is provided, however, that taxicabs may stop upon any street for the purpose of picking up or discharging passengers if such stops are made in such manner as not to interfere unreasonably with or obstruct other traffic and provided the passenger loading or discharging is promptly accomplished. (1967 Code, § 5-412)

9-413. **Drivers to use direct routes.** Taxicab drivers shall always deliver their passengers to their destinations by the most direct available route. (1967 Code, § 5-413)

9-414. **Taxicabs not to be used for illegal purposes.** No taxicab shall be used for or in the commission of any illegal act, business, or purpose. (1967 Code, § 5-414)

9-415. **Miscellaneous prohibited conduct by drivers.** It shall be unlawful for any taxicab driver, while on duty, to be under the influence of, or to drink any intoxicating beverage or beer; to use profane or obscene language; to shout or call to prospective passengers; to unnecessarily blow the automobile horn; or to otherwise disturb the peace, quiet and tranquility of the city in any way. (1967 Code, § 5-415)

9-416. **Transportation of more than one passenger at the same time.** No person shall be admitted to a taxicab already occupied by a passenger without the consent of such other passenger. (1967 Code, § 5-416)

9-417. **Liability insurance required for all buses used for public transportation.** All buses used for public transportation, including church buses, school buses, and boy scout buses, which operate on the streets of the City of Ripley and within the City of Ripley, before continuing operation same, there shall be in full force and effect a liability insurance policy for each vehicle in the minimum amount of $100,000.00 for bodily injury or death to any one person and $500,000.00 to bodily injuries or deaths to one or more persons which are sustained in the same accident, and $50,000.00 for property damages resulting from any one accident. The insurance policy required by this section shall not be cancelled except after at least 20 days notice is given to the recorder-treasurer. (Ord. #210, Aug. 1976)
CHAPTER 5

DELETED

This chapter was deleted by implication of Ord. #511, May 2014.
CHAPTER 6

YARD AND/OR RUMMAGE SALE

SECTION
9-601. Yard and/or rummage sales.
9-602. Violation and penalty.

9-601. **Yard and/or rummage sales.** Any person or family who is a resident of the City of Ripley shall be allowed to conduct a yard and/or rummage sale at their own residence three (3) times during any calendar year without charge by permit. If the yard or rummage sale is held on property other than that used as a residence by the person conducting the sale, said person shall be required to obtain a permit and pay the applicable fee therefor, or include the sales in their business tax payments. All yard or rummage sales in excess of three (3) per calendar year shall also be subject to the permit requirement as stated herein and shall be charged the applicable permit fee. (Ord. #279, Nov. 1989)

9-602. **Violation and penalty.** Any violation of § 9-601 of this code shall result in a fine of up to $50.00 by the Ripley City Court. (Ord. #279, Nov. 1989)
CHAPTER 7

SALES OF GOODS FROM TEMPORARY LOCATIONS

SECTION
9-701. Definitions.
9-702. Permit required.
9-703. Thirty day permit.
9-704. Permit fee.
9-705. Written affidavit of application.
9-706. Written permission of property owner, manager, or agent.
9-707. Permit restriction.
9-708. Exemption.
9-709. Violations and penalty.

9-701. Definitions. 1. "Transient vendor." Any person, firm, corporation or partnership, whether as owner, agent, partner or employee, whether as a resident of the City of Ripley, Tennessee or not, who engages in the temporary business of selling and/or delivering goods, wares, merchandise, or agricultural products within the said City of Ripley and in further of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, trailer, tent, apartment, shop or any street, right-of-way, alley, parking lot or other public place within the City of Ripley, for the exhibition and sale of such goods, ware, merchandise, or agricultural products.

2. "Agricultural product." Agricultural produce, goods, wares, and merchandise, or edibles produced therefrom. (as added by Ord. #411, June 1999)

9-702. Permit required. No transient vendor shall engage in such temporary business without a permit. Permits shall be limited on their face, to a specific vendor and a specific location of operation. (as added by Ord. #411, June 1999)

9-703. Thirty day permit. Said permit shall have a duration of thirty (30) days from the date of issuance. (as added by Ord. #411, June 1999)

9-704. Permit fee. A fee of fifty dollars ($50.00) shall be collected for the issuance of each permit. (as added by Ord. #411, June 1999)

9-705. Written affidavit of application. The applicant for such permit shall submit to the city recorder a written affidavit of application containing the following information:

1. Name and physical description of the applicant;
2. Complete permanent home address and local address of the applicant and the local address from which sales are to be made;
3. A brief description of the nature of the business and the goods, wares, merchandise, or agricultural products to be sold;
4. If employed, the name and address of the employer;
5. A recent photograph of the applicant which shall be approximately two (2) inches by two (2) inches showing the head and shoulders of the applicant in a clear manner;
6. The last municipalities, not to exceed three, that the applicant has carried on business and the address at which the applicant was engaged in such business. (as added by Ord. #411, June 1999)

9-706. Written permission of property owner, manager, or agent.
No permit shall issue unless the applicant furnishes the city recorder with written permission given by the owner, manager or agent for the property owner for him/her/it to operate on the listed premises, unless the premises are public property. (as added by Ord. #411, June 1999)

9-707. Permit restrictions. No permit shall issue for use of a location which is within twenty-five hundred feet (2500’) of any entity possessing a valid business license or business permit. (as added by Ord. #411, June 1999)

9-708. Exemptions. The following shall be exempted from the provisions of this chapter:
1. Merchants or their employees or agents possessing valid State of Tennessee or City of Ripley business licenses delivering goods in the regular course of business;
2. Persons conducting garage sales;
3. Any sale required by statute or by order of any court of any bonafide auction sale pursuant to law. (as added by Ord. #411, June 1999)

9-709. Violations and penalty. Violations of this chapter are punishable in the same manner as violations of the other penal ordinances of the city. Each day business is conducted without a permit shall constitute a separate offense. (as added by Ord. #411, June 1999)