

## ORDINANCE NO. 824

### AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE TITLE XI, CHAPTER 111, PERMITS AND SOLICITATIONS, SECTIONS 111.01 111.03, 111.04, 111.05, 111.08, 111.13, 11.27 and addition of 111.31 and 111.32

WHEREAS, The City of Etowah Municipal Code, Title XI, Chapter 111 sets forth the rules and regulations for General Permits and Solicitation Permits;

WHEREAS, The City of Etowah Municipal Code, Title XI, Chapter 111 will require from time to time, updates to the fee schedule and the rules and regulations;

WHEREAS, The following change are in the best interest of the City of Etowah;

NOW THEREFORE BE IT ORDAINED by the City Commission of the City of Etowah, Tennessee:

Section 111.03 of the Etowah Municipal Code – Permit Application shall be amended to add verbiage to (B) Permit fees are as follows:

#### § 111.03 PERMIT APPLICATIONS

- (B) 1. Solicitor Permits and Transient vendor permits shall be one in the same as the same back-ground and reference checks are required.
2. All permit applications fees are due at time application is submitted.
3. All permit fees are nonrefundable.
4. The Permit fee of Solicitor/Transient Vendor shall be \$50.00 and are non-refundable. (1994 Code, § 9—203) (Ord 364)

Section 111.04 of the Etowah Municipal Code is hereby amended by deleting the original language of said section in its entirety and substituting therein the following revised language:

#### § 111.07 ISSUANCE OR REFUSAL OF PERMIT

- A. Each applicant's references and application information will be verified by the Etowah Police Department within 72 hours of application. The Chief of Police shall report its findings within the said 72 hours to applicant if permit is approved or denied.
- B. If as a result of such verification, the Chief of Police finds the applicant's moral reputation and or business responsibility to be unsatisfactory, the city shall notify the applicant is denied.
- C. If the Chief of Police upon verification that the morals of applicant and the business responsibility of the applicant are satisfactory, the city shall issue advise applicant that they have be approved for a permit and that they will need to bring required bond to City Hall to have permit issued

Section 111.08 of the Etowah Municipal Code is hereby amended the title Use of Streets to Use of Streets and Site Location and by adding Section B.

**§ 111.08 USE OF STREETS AND SITE LOCATION**

B. A written statement from the property owner shall be required validating that the applicant has the authority to setup a vendor location on a temporary basis at the site listed in the application.

Section 111.11 of the Etowah Municipal Code is hereby amended by revising the verbiage of paragraph A, B, and removal of Item C with the following revised language.

**§ 111.11 PERMIT REVOCATION AND SUSPENSION**

- A. Permits issued under the provisions of this subchapter may be suspended or revoked by the City Manager or Chief of Police for any violations as set forth below:
- B. Suspension or Revocation of a permit shall be given in writing, setting forth the specific grounds of the complaint and violations. Person that have had permits revoked or suspended may appeal in writing to the City Manager to request a hearing be set within 10 days.

Section 111.13 of the Etowah Municipal Code is hereby amended by deleting current verbiage and replacing with the following:

**§ 111.13 PERMIT EXPIRATION AND RENEWAL**

Permits issued under the provisions of this subchapter shall expire 30 days from issuance and may reapply for a renewal for a renewal fee of \$25.00 for each additional 30 days. Each renewal will require reapplication and verification of said details. Applicant will also be required to submit written statement from property owner that authorizes use of property location for the new period of time as set forth in 11.08 Use of Streets and Site Location.

Section 111 Charitable Solicitations shall have Section 111.31 added to the City of Etowah Municipal Code by adding the following verbiage:

**§ 111.31 PERMIT FEE**

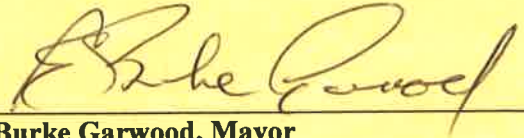
There shall be no permit fee charges for said permits for Charitable Solicitations. However, an application and verifications shall be required.

This ordinance shall become effective 10 days after final passage, the public welfare requiring it.

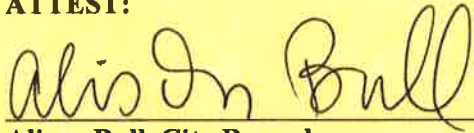
Passed on 1<sup>st</sup> reading: July 23, 2018.

Passed on 2<sup>nd</sup> reading: 08/27/2018

This the 27<sup>th</sup> day of August, 2018.

  
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**Burke Garwood, Mayor**

**ATTEST:**

  
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**Alison Bull, City Recorder**

**APPROVED AS TO FORM:**

  
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**Russell J. Blair, City Attorney**