

**TITLE XI: BUSINESS REGULATIONS**

Chapter

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**§ 110.01 DEFINITIONS.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AGENT.** Shall be construed in its usual and customary manner, to designate a person, association of persons, firm, company or corporation who or which conducts a business or activity on behalf of another person or persons.

**BUSINESS or BUSINESS OPERATION.** Any and all activity engaged in for compensation or profit by any individual, corporation or other entity, except as may be specifically excluded herein.

**MANUFACTURER.** Includes all those who may fabricate raw material into finished products for the purpose of marketing those products through wholesalers, agents, dealers, retailers or direct to consumers, whether they be natural persons, associations of persons, firms, companies, partnerships or corporations.

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**MERCHANT.** Includes all those who sell any goods, wares or merchandise from a storeroom or other permanent location.

**OCCUPATION.** Includes any and all trades, businesses or professions pursued, carried on or engaged in within the city.

**STORE.** A place where merchandise is kept for sale to the public at large.  
(Prior Code, § 110.01)

### § 110.02 LICENSE REQUIRED; DUE DATE.

(A) There shall be levied an annual occupation license tax upon all persons, associations of persons, firms and corporations engaged in any trade, occupation, employment, business or profession, specified or unspecified in this chapter, excluding delivery service called to home by residents where base of operations is outside the city limits, in-home party plan businesses; any service or business which is temporarily within the city limits solely at the request of a resident of the city, and business operations of charitable or non-profit organizations.

(B) No persons, associations of persons, firms or corporations shall carry on or conduct any occupation, trade, business or profession in the city without having first obtained an occupational license and having paid the tax therefor as required in this chapter.  
(Prior Code, § 110.02) Penalty, see § 110.99

### § 110.03 LICENSE YEAR; DUE DATE.

(A) The license year for any persons, associations of persons, firms and corporations engaged in any trade, occupation, business or profession, shall be from January 1 of a given year to and including December 31 of the same year, and any persons, associations of persons, firms or corporations so engaged shall be required to pay a license tax therefor to the City Clerk/Treasurer.

(B) The license tax imposed by this chapter shall be due and payable by January 31 of each year.  
(Prior Code, § 110.03)

### § 110.04 APPLICATION; ISSUANCE; TERMS OF LICENSE.

(A) (1) Upon application to the City Clerk/Treasurer and the payment by the applicant of the license tax hereinafter provided, the City Clerk/Treasurer shall issue to the applicant a license to carry on and conduct the trade, occupation, business or profession for which the license tax is paid.

(2) Where, under any existing ordinance of the city or any ordinance of the city hereafter passed a special application is required or a bond is demanded before entering into that trade, occupation, business or profession, or the business constitutes an unlawful activity, the City Clerk/Treasurer shall not issue the license until a formal application has been made, or the bond is properly executed and approved by the Mayor and the City Council or until a time as the activity is declared lawful.

(B) (1) Every applicant shall file a statement of ownership stating the nature or kind of business operation to be carried on and the address of the location of the place of business where he or she is to do business or render service.

(2) If the owner of the business operation is not a resident of the city, the applicant shall provide the name or names of the owners, the address of their residence or principal office, and if a corporation, then the name of the responsible corporate officer and his title, who shall be answerable for the corporation.

(3) If the business operation is to be in the charge of and conducted by a manager appointed by the owner or owners, then the name and residence address of the representative shall, at all times, be known to the Mayor.

(C) All licenses issued under the provisions of this chapter shall have the year in which they are issued printed on the face of same in large figures, and it shall be the duty of each person to whom a license is issued to keep the same posted in a conspicuous place in his or her place of business where the same shall be at all times exposed to public view.

(D) No license issued under the provisions of this chapter shall authorize any person to engage in the trade, occupation, business or profession other than the person to whom the same was issued, unless transferred as hereinafter provided.

(E) Even though two or more persons engaged in carrying on a profession compose a firm or partnership, that firm or partnership need pay only one annual license tax fee.

(F) A person who commences a business during the course of the license year, or who operates his or her business for only part of the year, shall only be required to pay a license tax fee which has been prorated to reflect his or her months of operation.

(G) It shall be unlawful for any person to whom a license is issued under the provisions of this chapter to:

(1) Allow or permit any place where the trade, occupation, business or profession is conducted under license to be or become a disorderly house;

(2) Permit any lewd, indecent or immoral acts to be committed therein, or on the premises adjacent thereto, under the control of the person conducting the trade, occupation, business or profession;

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(3) Permit in any like place or premises any loud, boisterous or obscene conversation or other noises or nuisances; or

(4) Permit the premises to be used for any unlawful or immoral purposes whatsoever.  
(Prior Code, § 110.04) Penalty, see § 110.99

**§ 110.05 TRANSFER OF LICENSE.**

(A) Any license granted or issued under the provisions of this chapter may be transferred by the licensee and the transferee thereof shall, upon payment of a transfer fee of \$5, be entitled to the rights and privileges of the original licensee.

(B) No like transfer shall be valid or of any effect whatsoever, until the fee of \$5 is paid to the City Clerk/Treasurer has endorsed the name of the transferee and the day of transfer upon the original license and upon the stub thereof.  
(Prior Code, § 110.05) Penalty, see § 110.99

**§ 110.06 REVOCATION.**

(A) *Procedure.*

(1) Any license or permit granted under this chapter may be revoked by the City Clerk/Treasurer with the approval of the Mayor after notice and hearing, pursuant to the standards in division (B) below.

(2) Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. The notice shall be mailed to the licensee at his or her last known address, at least ten days prior to the date set for the hearing.

(B) *Standards for revocation.* A license granted under this chapter may be revoked for any of the following reasons:

(1) Any fraud or misrepresentation contained in the license application;

(2) Any fraud, misrepresentation or false statement made in connection with the business being conducted under the license;

(3) Any violation of this chapter;

(4) Conviction of the licensee of any felony, or conviction of the licensee of any misdemeanor involving moral turpitude; or

(5) Conducting the business licensed in an unlawful manner or in a way so as to constitute a menace to the health, safety, morals or general welfare of the public.

*(C) Appeal procedure.*

(1) Any person aggrieved by a decision under division (B) above shall have the right to appeal to the City Council. The appeal shall be taken by filing with the City Council, within 14 days after notice of the decision has been mailed to the person's last known address, a written statement setting forth the grounds for appeal. The City Council shall set the time and place for a hearing, and notice for the hearing shall be given to the person in the same manner as provided in division (A) above.

(2) The order of the City Council after the hearing shall be final.  
(Prior Code, § 110.06)

**§ 110.07 LIABILITY OF AGENTS.**

The agent of a nonresident proprietor engaged in any trade, occupation, business or profession on which a tax is levied in this chapter shall be liable on behalf of the nonresident proprietor for the tax levied herein and any penalty which may be owed, the same as if the agent were the proprietor.  
(Prior Code, § 110.07)

**§ 110.08 PRESUMPTION OF ENGAGING IN BUSINESS.**

Any person, association of persons, firm or corporation representing himself or herself or itself or exhibiting any sign or advertisement to the effect that he or she or it is engaged in any trade, occupation, business or profession, except as specifically excluding in § 110.02 above, shall be deemed to be actually engaged in the trade, occupation, business or profession and shall be liable for the tax.  
(Prior Code, § 110.08)

**§ 110.09 PURPOSE OF FEES.**

The license fees hereby imposed, levied and collected pursuant hereto, shall be for the purpose of aiding in defraying the expenses of maintaining the city government and shall be placed in the general fund of the city.  
(Prior Code, § 110.09)

**§ 110.10 FEE SCHEDULE.**

(A) *Unspecified business operation license fee tax.* Except as otherwise provided in this chapter or as specifically provided in another ordinance adopted by the City Council, every person conducting a business or service for hire or profit within or from a place of business, including his or her own residence or that of another, shall pay an annual license fee tax measured by and equal to 1% of gross receipts, not to exceed the annual sum of \$5,000.

(B) *Temporary and transient business operations.* A person engaging in the transaction of a temporary or transient service or business for sale of merchandise of any kind or character or for the handling thereof or for the exhibition thereof shall pay a minimum license fee tax of \$20 per day or part day and the license fee tax shall be paid in advance per day.

(C) *Specific businesses.* The license fee for each person, association of persons, firm or corporation engaged in the following trades, occupations, employments, businesses or professions shall be the amount listed below. For each of the individual classifications the license period shall be for one year, unless a shorter period is specified.

(1) *Alcoholic beverages:*

(a) Beer, retail (new applicant): \$200; renewal: \$120;

(b) Liquor, by drink: \$1,600; and

(c) Liquor, retail: \$1,200.

(2) *Automotive sales and services:*

(a) *Gas stations.* A person operating a service station limited to retailing gasoline, oil and accessories for auto and truck users: \$120; and

(b) *Repair shop.* A person operating an automobile and truck repair shop: \$60.

(3) *Barbershops and beauty salons.* Any person operating a barbershop or beauty salon:

(4) *Construction materials and services:*

(a) *Contractors.* A person engaged in a contracting business using his or her residence for office space and telephone for business purposes and his or her premises for storage of tools and equipment and can show that more than 85% of his or her business is normally done outside of the city: \$48; and

(b) *Lumber yards.* A person conducting a business operation for the sale of lumber and building materials, a woodworking shop producing finished wood products to order, including carpentry work and building contracting work: \$180.



(5) *Food sales and services:*

(a) *Delivery trucks:* \$100; A person selling and delivering directly to consumers (householders) from a motor vehicle food products or other merchandise, including sale of packaged dairy, frozen and confections, and prepared foods and beverages for immediate consumption. No license tax fee covering sales prescribed in this section for business conducted in any one year shall be less than \$100.

(b) *Food market (small):* \$180; Any person conducting a retail food market, occupying a total of not in excess of 2,000 square feet of store and storage space, carrying a general inventory of food items, tobacco products, beverages, paper goods and household useful items.

(c) *Food market (large).* A person conducting a retail food market, occupying in excess of 2,000 square feet to 5,000 square feet of store and storage space, carrying a general inventory of food items, tobacco products, beverages, paper goods and household useful items: \$180; and

(d) *Produce stands.* A person operating a place for the retail sale of fresh fruits, vegetables and allied products: \$60.

(6) *Hardware stores.* A person operating a hardware store, including repairs and services as stated in division (C)(2) hereof: \$180.

(7) *Offices.* A person maintaining an office for solicitation of business, sales and service purposes for insurance, bookkeeping and accounting, contracting business and for offices, including those maintained in a private residence for the solicitation, sale, service and handling of all other business operations for gain or profit: \$36.

(8) *Restaurants.* A person operating a tavern, drive-in food serving place, restaurant or delicatessen: \$60.  
(Prior Code, § 110.10) Penalty, see § 110.99

**§ 110.11 REAL ESTATE SERVICES.**

(A) *Definition.* As used in this section, **REAL ESTATE SERVICE** shall mean any person rendering a service for compensation as lessor, buyer, seller, developer, agent or broker, unless the service is specifically provided for under another section of this chapter. Those rendering **REAL ESTATE SERVICES** include, but are not limited to, the following:

- (1) Appraisers of real estate;
- (2) Escrow agents, real estate;

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- (3) Fiduciaries, real estate;
- (4) Lessors of real property;
- (5) Operators of residential mobile home sites;
- (6) Owner-operators and lessors of buildings;
- (7) Real estate agents, brokers and managers;
- (8) Real estate selling agents; and
- (9) Real agents for real estate.

(B) *License fee.* Any person, corporation or other entity engaged in providing any real estate service, whether or not listed in division (A) above shall pay an annual fee based upon gross receipts and calculated in the following manner:

<i>Annual Gross Receipts</i>	<i>License Fee</i>
\$0 through 5,000	\$100
\$5,000.01 through 7,500	\$150
\$7,500.01 through 10,000	\$200
\$10,000.01 through 15,000	\$300
\$15,000.01 through 25,000	\$500
\$25,000.01 through 50,000	\$1,000
\$50,000.01 through 75,000	\$1,500
\$75,000.01 through 100,000	\$2,000
Over \$100,000	2% of gross receipts

(C) *Due date.* Payment of license fee shall be made no later than January 31 of each calendar year. Amounts owed shall be based on gross receipts from the previous calendar year.

(D) *Application.* Each person subject to this section shall file a statement of ownership with the City Clerk/Treasurer. The name and address of the owner of the rental property shall at all times be known to the Mayor.

(E) *Owner's responsibilities.* It is the sole responsibility of the owner of the rental property to notify the City Clerk/Treasurer as to the location of all properties subject to this fee. It is also the sole responsibility of the owner to file a statement of gross receipts from the rental property with the City Clerk/Treasurer.

(F) Exemptions. No person shall be exempt from this license fee unless the property is vacant for one full calendar year.

(Prior Code, § 110.11) Penalty, see § 110.99

**§ 110.12 DELINQUENCY.**

Any person subject to this chapter who fails to pay the prescribed license fee on or before January 31 of each year shall be subject to a penalty of 50% in addition to the license fee tax due and payable.

(Prior Code, § 110.12)

**§ 110.99 PENALTY.**

Any person who engages in a business operation, as defined in this chapter, without first obtaining a license and paying the stated license fee tax, and a person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be fined not less than \$100 nor more than \$500 upon conviction, or imprisoned in the county jail not exceeding six months, or both.

(Prior Code, § 110.99)



## CHAPTER 111: PEDDLERS, ITINERANT MERCHANTS AND SOLICITORS

### Section

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### § 111.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BUSINESS.*** The business carried on by any person who is an itinerant merchant, peddler or solicitor as defined in this section.

***GOODS.*** Merchandise of any description whatsoever, and includes, but is not restricted to, wares and foodstuffs.

***ITINERANT MERCHANT.*** Any person, whether as owner, agent or consignee, who engages in a temporary business of selling goods within the city and who, in the furtherance of the business, uses any building, structure, vehicle or any place within the city.

**PEDDLER.**

(1) Any person:

(a) Who travels from place to place by any means carrying goods for sale, or making sales or making deliveries; or

(b) Who, without traveling from place to place, sells or offers goods for sale from any public place within the city.

(2) A person who is a **PEDDLER** is not an itinerant merchant.

**SOLICITOR.** Any person who travels by any means from place to place, taking or attempting to take orders for sale of goods to be delivered in the future or for services to be performed in the future. A person who is a **SOLICITOR** is not a peddler.  
(Prior Code, § 111.01)

**§ 111.02 LICENSE REQUIREMENT.**

(A) Any person who is an itinerant merchant, peddler or solicitor shall obtain a license before engaging in that activity within the city.

(B) The fee for the license required by this chapter shall be as set forth in § 110.10(B) above.

(C) No license issued under this chapter shall be transferable.

(D) All licenses issued under this chapter shall expire 90 days after the date of issuance thereof.  
(Prior Code, § 111.02) Penalty, see § 111.99

**§ 111.03 APPLICATION PROCEDURE.**

(A) All applicants for licenses required by this chapter shall file an application with the City Clerk/Treasurer. This application shall be signed by the applicant if an individual, or by all partners if a partnership, or by the president if a corporation. The applicant may be requested to provide information concerning the following items:

(1) The name and address of the applicant;

(2) (a) The name of the individual having management authority or supervision of the applicant's business during the time that it is proposed to be carried on in the city;

(b) The local address of the individual;

(c) The permanent address of the individual;

(d) The capacity in which the individual will act;

(3) The name and address of the person, if any, for whose purpose the business will be carried on, and, if a corporation, the state of incorporation;

(4) The time period or periods during which it is proposed to carry on applicant's business;

(5) (a) The nature, character and quality of the goods or services to be offered for sale or delivered;

(b) If goods, their invoice value and whether they are to be sold by sample as well as from stock;

(c) If goods, where and by whom the goods are manufactured or grown, and where the goods are at the time of application;

(6) The nature of the advertising proposed to be done for the business; and

(7) Whether or not the applicant, or the individual identified in division (A)(2)(a) above, or the person identified in division (A)(3) has been convicted of any crime or misdemeanor and, if so, the nature of each offense and the penalty assessed for each offense.

(B) Applicants for peddler or solicitor licenses may be required to provide further information concerning the following items, in addition to that requested under division (A) above:

(1) A description of the applicant; and

(2) A description of any vehicle proposed to be used in the business, including its registration number, if any.

(C) All applicants for licenses required by this chapter shall attach to their application the following:

(1) If required by the city, copies of all printed advertising proposed to be used in connection with the applicant's business; and

(2) If required by the city, credentials from the person, if any, for which the applicant proposes to do business, authorizing the applicant to act as the representative.

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(D) Applicants who propose to handle foodstuffs shall also attach to their application, in addition to any attachments required under division (C), a statement from a licensed physician, dated not more than ten days prior to the date of application, certifying the applicant to be free of contagious or communicable disease.

(Prior Code, § 111.03) Penalty, see § 111.99

**§ 111.04 STANDARDS FOR ISSUANCE.**

(A) Upon receipt of an application, an investigation of the applicant's business reputation and moral character shall be made.

(B) The application shall be approved unless the investigation discloses tangible evidence that the conduct of the applicant's business would pose a substantial threat to the public health, safety, morals or general welfare. In particular, tangible evidence that the applicant:

(1) Has been convicted of a crime of moral turpitude;

(2) Has made willful misstatements in the application;

(3) Has committed prior violations of ordinances pertaining to itinerant merchants, peddlers, solicitors and the like;

(4) Has committed prior fraudulent acts;

(5) Has a record of continual breaches of solicited contracts; or

(6) Has an unsatisfactory moral character will constitute valid reasons for disapproval of an application.

(Prior Code, § 111.04)

**§ 111.05 REVOCATION PROCEDURE.**

(A) Any license or permit granted under this chapter may be revoked by the City Clerk/Treasurer after notice and hearing, pursuant to the standards in § 111.06 below.

(B) Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing.

(C) The notice shall be mailed to the licensee at his or her last known address, at least ten days prior to the date set for the hearing.

(Prior Code, § 111.05)



**§ 111.06 STANDARDS FOR REVOCATION.**

A license granted under this chapter may be revoked for any of the following reasons:

(A) Any fraud or misrepresentation contained in the license application;

(B) Any fraud, misrepresentation or false statement made in connection with the business being conducted under the license;

(C) Any violation of this chapter;

(D) Conviction of the licensee of any felony, or conviction of the licensee of any misdemeanor involving moral turpitude; or

(E) Conducting the business licensed in an unlawful manner or in a way so as to constitute a menace to the health, safety, morals or general welfare of the public.

(Prior Code, § 111.06)

**§ 111.07 APPEAL PROCEDURE.**

(A) Any person aggrieved by a decision under §§ 111.04 or 111.06 above shall have the right to appeal to the legislative body. The appeal shall be taken by filing with the legislative body, within 14 days after notice of the decision has been mailed to the person's last known address, a written statement setting forth the grounds for appeal. The legislative body shall set the time and place for a hearing, and notice for the hearing shall be given to that person in the same manner as provided in § 111.05 above.

(B) The order of the legislative body after the hearing shall be final.

(Prior Code, § 111.07)

**§ 111.08 EXHIBITION OF IDENTIFICATION.**

(A) Any license issued to an itinerant merchant under this chapter shall be posted conspicuously in or at the place named therein. In the event more than one place within the city shall be used to conduct the business licensed, separate licenses shall be issued for each place.

(B) The City Clerk/Treasurer shall issue a license to each peddler or solicitor licensed under this chapter. The license shall contain the words Licensed Peddler or Licensed Solicitor, the expiration date of the license, and the number of the license. The license shall be kept with the licensee during the time as he or she is engaged in the business licensed.

(Prior Code, § 111.08) Penalty, see § 111.99

**§ 111.99 PENALTY.**

Whoever violates any provision of this chapter shall be fined not more than \$500. Each day's violation shall constitute a separate offense.

(Prior Code, § 111.99)

Section

112.01	Definitions	<b>CHAPTER 112: PAWNBROKERS</b>
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**§ 112.01 DEFINITIONS.**

For the purpose of this chapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

***PAWNBROKER.*** Any person who loans money on deposit of personal property; deals in the purchase of personal property on condition of selling the property back again at a stipulated price; makes a public display at his place of business of the sign generally used by pawnbrokers to denote their business; or who publicly exhibits a sign advertising money to loan on personal property or deposit.

(KRS 226.010) (Prior Code, § 112.01)

**§ 112.02 BOND.**

(A) Every person to whom a city license is granted to carry on the business of a pawnbroker shall annually enter into bond to the city, with good and sufficient surety to be approved by City Council, in the penal sum of \$1,000.

(B) This bond shall be conditioned that he or she will observe the provisions of this chapter and all ordinances and laws in force in the city not inconsistent with this chapter.

(KRS 226.020) (Prior Code, § 112.02)

**§ 112.03 REGISTER TO BE KEPT; DAILY REPORTS.**

(A) Every pawnbroker shall keep a register of all loans and purchases of all articles by the pawnbroker from the general public. The register shall:

(1) Be reported to an online, internet-based transaction recording service accessible to law enforcement agencies;

(2) Show the dates and the amounts of all loans or purchases by the pawnbroker from the general public, and the names and (of all persons who have left any property that has been pawned or sold):

(a) A driver's license number;

(b) Another state or federally issued picture identification card number; or

(c) If the identification specified in division (A)(2)(a) or (b) of this division is not available, a Social Security number may be accepted;

(3) At all times be available to the inspection of any law enforcement officer of this state when in the discharge of his or her official duty; and

(4) Contain a full description of all property purchased by the pawnbroker from the general public or received on deposit as collateral or security. When requested by law enforcement and pertaining to an investigation, a photograph of the merchandise shall be made available to law enforcement if the property is still in the possession of the pawnbroker. For purposes of this division, "full description" includes but is not limited to:

(a) Make;

(b) Model;

(c) Color;

(d) Size;

(e) Manufacturer;

(f) Vintage; and

(g) Distinguishing marks or characteristics.

(B) When secondhand merchandise is sold to a pawnbroker, the merchandise shall be held for a minimum of 12 days before being resold.

(C) Prior to the release of property to a representative of law enforcement, the law enforcement representative shall provide to the pawnbroker a case report or other documentation that the item has been reported as stolen.

(KRS 226.040)

(D) If so required by KRS 226.070(1), every pawnbroker shall, by 11:00 a.m. each day, furnish to the Chief of Police a true and correct written report of all goods received by him or her, whether by pawn or purchase, during the 24 hours preceding each report. The report shall describe the goods as accurately as practicable. The Chief of Police shall furnish blanks for these reports.

(KRS 226.070) Penalty, see § 112.99

(Prior Code, § 112.03)

**§ 112.04 RECEIPT TO BE GIVEN FOR EACH ARTICLE; SALE OF ARTICLE.**

(A) Every pawnbroker shall give a plain written or printed ticket for the loan to the person negotiating or selling, and a plain written or printed receipt of the articles that have been purchased or upon which money is loaned, having on each a copy of the entries required by § 112.03(A) to be kept in his or her register. He or she shall not make any charge for the ticket or receipt.

(B) A pawnbroker may sell any article pawned after the expiration of 60 days from the maturity of the loan. However, not less than ten days before making the sale, the pawnbroker shall give notice to the person by whom the article was pawned by mail addressed to the post office address of that person as shown on the pawnbroker's register, notifying the person that, unless he or she redeems the article within ten days from the date of mailing of the notice, the article will be sold.

(KRS 226.050) (Prior Code, § 112.04) Penalty, see § 112.99

**§ 112.05 MAXIMUM INTEREST; RESALE PRICE.**

(A) Any pawnbroker as defined in § 112.01, may, in loaning money on deposit of personal property, charge, contract for or receive interest at a rate not exceeding 2% per month on the unpaid principal balance of the loan, and may charge, contract for, and receive a reasonable fee, not to exceed 1/5 of the value of the loan per month, for investigating the title, storing and insuring the property, closing the loan, making daily reports to local law enforcement officers if required by § 112.03 above, and for other expenses, losses and incidental costs associated with servicing the loans.

(B) Further, this fee, when made and collected, shall not be deemed as interest for any purpose of law. No pawnbroker shall directly or indirectly charge, receive or contract for any interest or consideration greater than that allowed by this section.

(KRS 226.080) (Prior Code, § 112.05) Penalty, see § 112.99

**§ 112.06 RECEIPT TO BE GIVEN FOR PAYMENT OF LOAN.**

(A) Every pawnbroker, upon receiving any payment of money from a borrower, shall give to that person a plain and complete receipt for the payment, specifying separately the amount applied to principal and the amount applied to interest.

(B) In a case where the pawnbroker has purchased personal property under an agreement to sell it back at a stipulated price, the pawnbroker shall, on receiving any payment of money from the person from whom the property was purchased, give that person a receipt stating the original purchase price, the stipulated resale price and the amount received.

(KRS 226.090) (Prior Code, § 112.06) Penalty, see § 112.99

**§ 112.07 PROHIBITED ACTIVITIES.**

No pawnbroker shall receive, by way of either pledge or pawn, any article whatever from a minor at any time nor from any person between 8:00 p.m. and 7:00 a.m.

(KRS 226.030) (Prior Code, § 112.07) Penalty, see § 112.99

**§ 112.08 ENFORCEMENT.**

The Police Department shall enforce the provisions of this chapter unless otherwise provided by KRS 226.100. However, county police, for the purpose of locating stolen goods, may carry out the provisions of KRS 226.060 within the city.

(KRS 226.100) (Prior Code, § 112.08)

**§ 112.99 PENALTY.**

Any pawnbroker or pawnbroker's clerk who violates any of the provisions of this chapter shall, upon conviction, be fined not less than \$50 nor more than \$500, and his or her license may be forfeited to the city.

(KRS 226.990(1)) (Prior Code, § 112.99)

Section

- 113.01 License fee **CHAPTER 113: INSURANCE COMPANIES**
- 113.02 Fee for companies which sell life insurance
- 113.03 Fee for companies which do not sell life insurance
- 113.04 Payments
- 113.05 Breakdown of collections

**§ 113.01 LICENSE FEE.**

There is imposed on each insurance company a license fee for the privilege of engaging in the business of insurance within the corporate limits of the city for the calendar year 1991, and thereafter on a calendar year basis.

(Prior Code, § 113.01)

**§ 113.02 FEE FOR COMPANIES WHICH SELL LIFE INSURANCE.**

The license fee imposed upon each insurance company which issues life insurance policies on the lives of persons residing within the corporate limits of the city shall be 5% of the first year's premiums actually collected within each calendar quarter by reason of the issuance of the policies.

(Prior Code, § 113.02)

**§ 113.03 FEE FOR COMPANIES WHICH DO NOT SELL LIFE INSURANCE.**

There is hereby created a license fee to be imposed upon any insurance company with respect to any policy that is not a life insurance policy, based upon 5% of the premiums actually collected by the company within each calendar quarter on risk based within the corporate limits of the city, on those classes of business that the company is authorized to transact, less all premiums returned to policyholders. In the event that Metro Louisville shall impose a higher percentage than 5%, either as a fee or tax, then the rate imposed herein shall be automatically increased to equal but not exceed the rate imposed by Metro Louisville.

(Prior Code, § 113.03) (Am. Ord. 1-2019, passed 3-14-2019)

**§ 113.04 PAYMENTS.**

(A) All license fees imposed by this chapter shall be due and payable to the City of Heritage Creek and shall be paid at 8710 East Glenwood Circle no later than 30 days after the end of each calendar quarter.

(B) License fees which are not paid to the City of Heritage Creek, 8710 East Glenwood Circle in the manner prescribed above on or before the due date shall bear interest at the tax interest rate defined in KRS 131.010(6).

(Prior Code, § 113.04)

**§ 113.05 BREAKDOWN OF COLLECTIONS.**

Every insurance company subject to the license fees imposed by this chapter shall annually, by March 31, furnish to the City of Heritage Creek at 8710 East Glenwood Circle, with a written breakdown of all collections in the preceding calendar year for the following categories of insurance:

(A) Casualty;

(B) Automobile;

(C) Inland marine;

(D) Fire and allied perils; and

(E) Life.

(Prior Code, § 113.05)



## CHAPTER 114: VENDING VEHICLES

### Section

- 114.01 Motorized vending vehicles
- 114.02 Two- and three-motorized vending vehicles
- 114.03 Non-motorized vending vehicles
  
- 114.99 Penalty

### § 114.01 MOTORIZED VENDING VEHICLES.

(A) All vehicles vending products from the vehicle shall have the following safety items attached to vehicle:

(1) Vehicle must have factory installed emergency flashing lights visible from front and rear of vehicle;

(2) Vehicle must have a separate flashing system that must be visible from a distance of 300 feet under any and all weather conditions and that work separately from the factory installed emergency flashers. Lights must be visible from both front and rear of vehicle. If strobe light is used, it must be mounted on top center of vehicle and amber in color. If lights are used (instead of strobe), vehicle must have two amber lights visible from front of vehicle and two red lights visible from rear. Lights must be mounted on top of vehicle;

(3) Vehicle must have left mounted red or yellow octagon shaped caution sign no less than 12 inches in diameter with two flashing lights mounted in caution sign, amber in front, red in rear. Caution sign must be manual, electrically or vacuum operated; and

(4) Vehicle must have a 360-degree visibility.

(B) Vehicles operating in the city must use all items described in this section when vending in the city as follows:

(1) Emergency lights (divisions (A)(1) and (2) above) must be used at all times when on any street; and

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(2) Caution sign must be used each time the vehicle is stopped in any location in the city while dispensing merchandise for sale.

(C) Vending vehicle operating in the city must strictly adhere to the following:

(1) Vehicle shall not operate within the city limits between dusk and dawn or during possibly hazardous weather conditions which would decrease visibility and pose a threat to the safety of our residents; and

(2) Vehicles shall pull to the extreme right when preparing to stop on any city street in order to keep from blocking the flow of traffic.  
(Prior Code, § 114.01)

**§ 114.02 TWO- AND THREE-MOTORIZED VENDING VEHICLES.**

Any two- or three-wheeled motorized vending vehicles must have the following safety equipment:

(A) Must have front and rear lights on at all times:

(B) (1) Rear of vehicle must have a CAUTION - CHILDREN sign with a minimum of four-inch letters, with three red three-inch reflectors on each side of sign or three-inch red reflector tape on each side of sign; and

(C) Must adhere to all regulations listed in § 114.01(C) above.  
(Prior Code, § 114.02)

**§ 114.03 NON-MOTORIZED VENDING VEHICLES.**

Any non-motorized vending vehicle shall be required to adhere to the following:

(A) Vehicle must have an octagon shaped caution sign mounted on the front and rear of vehicle no less 12 inches in diameter; and

(B) Must adhere to all regulations listed in § 114.01(C) above.  
(Prior Code, § 114.03)

**§ 114.99 PENALTY.**

(A) Whoever violates any provision of the safety ordinance where no other penalty is specifically provided shall be fined no less than \$60 nor more than \$500.

(B) Repeated violation of any provision of this chapter may result in the revocation of the business license at the discretion of the Mayor and/or Police Department.

(Prior Code, § 114.99)



Section

- 115.01 Definition
- 115.02 Unlawful placement of advertisements and samples
- 115.03 Restrictions on placements
- 115.04 Exceptions

115.99 Penalty

***Cross-reference:***

*Signs, see § 151.06*

**CHAPTER 115: ADVERTISEMENTS AND SAMPLES**

**§ 115.01 DEFINITION.**

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***ADVERTISEMENT.*** Any circulars, magazines, papers, flyers and samples of any kind.  
(Prior Code, § 115.01)

**§ 115.02 UNLAWFUL PLACEMENT OF ADVERTISEMENTS AND SAMPLES.**

It shall be unlawful for any person, firm, business or nonprofit organization to allow, or permit any form of advertisement or samples to be distributed by placement of ads in or on the following:

- (A) Mail box;
- (B) Paper box;
- (C) Fences;
- (D) On the ground; and

(E) Or any other place not specifically authorized in this chapter.  
(Prior Code, § 115.02) Penalty, see § 115.99

**§ 115.03 RESTRICTIONS ON PLACEMENTS.**

All advertisements and samples that are delivered within the city limits shall be restricted to the doors of each home.

(Prior Code, § 115.03)

**§ 115.04 EXCEPTIONS.**

(A) Exceptions to these rules are as follows:

(1) United States Postal Service; and

(2) Courier Journal; delivery of daily newspapers and advertisements included within the newspaper being delivered in the newspaper boxes.

(B) Any other type of advertisements delivered by employees of the Courier Journal are restricted to door-to-door delivery as authorized above.

(Prior Code, § 115.04)

**§ 115.99 PENALTY.**

Any solicitor who violates any of the provisions in this chapter shall be guilty of a violation and upon conviction, be fined not less than \$10 nor more than \$500, and his or her license may be forfeited to the city.

(Prior Code, § 115.99)