

**CITY OF LAKEVIEW  
BAXTER COUNTY ARKANSAS  
ORDINANCE 17- 01**

**AN ORDINANCE TO REPEAL ORDINANCE 00-07 CONCERNING DISPLAY OF MERCHANDISE, 03-02 CONCERNING BUSINESS PERMITS AND 08-03 CONCERNING TEMPORARY FOOD VENDORS FOR THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS AND RECREATE SAME.**

**WHEREAS**, existing ordinances need to be reviewed from time to time to insure conformity with ever changing conditions as well as current statutes; and

**WHEREAS**, the City of Lakeview is obligated to maintain and systematically update records of businesses operating within the city limits and those collecting sales taxes as imposed by the state, county and city; and

**WHEREAS**, the best means of so doing is to require businesses to obtain a business permit, renewable annually; and

**WHEREAS**, The City desires to maintain an appealing atmosphere for its business community by regulating the outside display of merchandise and materials.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lakeview, Baxter County, Arkansas.

**SECTION 1.** That ordinances 00-07, 03-02 and 08-03 are herewith repealed.

**SECTION 2.** That all businesses operating within the city limits of said City shall be required to obtain a Business Permit issued by the Recorder/Treasurer for a fee of \$5.00 per annum.

**SECTION 3.** The permit application shall show the names of the business, the owner of the business, the address of the business, the nature of the business, the telephone number and the sales tax permit number as issued by the Arkansas Department of Finance and Administration and the date of issue.

**SECTION 4.** Ownership of any business permit is non-transferable.

**SECTION 5.** Any person engaged in two or more businesses shall obtain a separate permit for each business.

**SECTION 6.** This ordinance shall take effect January 1, 2018. Holders of current business permits shall be notified on or about December 1, 2017 of this new requirement. Every year thereafter on or about the same period owners will be notified that renewals are due. If permits are not renewed by January 31<sup>st</sup> of each year, fees shall double. Failure of any business owner to renew their permit within 90 days of the due date may subject the owner to further action.

**SECTION 7. Temporary Stands**

1. The City hereby prohibits the issuance of business permits for temporary food and/or beverage vendors operating from a stand, truck or trailer.
2. Exemptions from this prohibition include special events sponsored by a business at which food and beverages are already prepared and served or by existing businesses as a promotion for said business. Also exempted are temporary stands operated by recognized service clubs and/or organization (i.e. Rotary, Kiwanis, Lions, etc.) for a specific event or celebration.

**SECTION 8. Outside display of merchandise and materials.**

1. The City recognizes that some businesses may need to display merchandise outside as an enticement to attract potential customers or to promote items which may be on sale. However, such display should be restricted to the confines of the business (i.e. Porch area, overhang, etc.) and must be kept orderly so as not to cause a nuisance to others.
2. Exceptions to outside display.
  - a. Outside vending machines including ice coolers in use and good working order.
  - b. Vehicles if being displayed as a function of the business (i.e. used cars, mowers, agricultural machinery, etc.).
  - c. Rummage sales by a household or non-profit organization for which the City has issued a permit.
  - d. Craft or other sales stands erected for special events for which the City has issued a permit.

**SECTION 9.** Any firm, person corporation or organization found to be in noncompliance with this ordinance shall be charged with a misdemeanor and upon conviction shall be fined a sum not less than \$50.00 nor more than \$250.00. Each day of non-compliance shall constitute a separate offense.

**SECTION 10. SEVERABILITY** – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

**PASSED, ADOPTED AND APPROVED** this 17th day of September, 2017 by the Lakeview City Council comprised of Cnc. Newell, Cnc. Hill, Cnc. Gannon, Cnc. Taylor, Cnc. Reubin, and Cnc. Svehla on motion by Cnc. Taylor seconded by Cncl. Svehla with a roll call vote of 6 Yeas and 0 Nays.

**Attest:**

  
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**Recorder/Treasurer**

  
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**Mayor**