

ORDINANCE NO. : 1892

**AN ORDINANCE TO AMEND SECTION 1, PARAGRAPH 161
OF ORDINANCE NO. 1706 OF THE LICENSE CODE OF THE
CITY OF PRICHARD, ALABAMA AND TO REPEAL ORDINANCE NO. 1709**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, as follows:

1. Section 1 of paragraph 161 of Ordinance No. 1706 shall be and hereby is amended to read as follows:

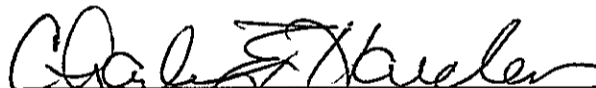
161. **Flea Market:** An open air market operated in a commercial zone where secondhand articles or antiques are sold, but not involving the sale, of food, beverages or the taking of goods for pawn ----- \$500.00.

- (a) If the property upon which a flea market is operated is not owned or leased by the licensee, the licensee must maintain in his or her possession a written statement, signed, dated and properly acknowledged (notarized) from the property owner, which grants to the licensee the owner's permission to use the property as a flea market as herein defined.
- (b) A license shall be required for each person, business or entity engaged in the sale of goods under this section which shall be prominently displayed in plain view of the public.
- (c) The licensee shall:
 - i. Maintain a record of all sales including the name, address and telephone number of each purchaser;
 - ii. Issue a receipt for all sales showing the article sold, the amount of the sale and the amount of any tax collected upon such sale;
 - iii. Maintain the records required under this sub-section, as a business record, for a period of one (1) year from the date of sale. Said records shall be held out to inspection by any person duly designated by the Mayor of the City of Prichard for that purpose.

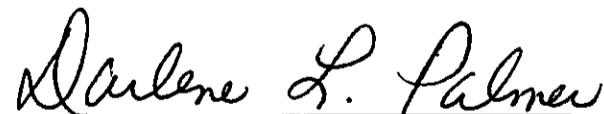
- (d) No articles displayed in Open Air Markets, except for seasonal items such as Christmas trees, Foliage, etc., shall be left unattended after the operation has closed for business. For the purpose of this sub-section, closed for business shall mean any time the business or operation is not open for the sale of such goods.
 - (e) No Flea Market shall be located on or in the public Right-Of-Way, as defined in the Zoning Ordinance of the City of Prichard, Alabama, as the same may be from time to time amended.
- 2. All other provisions of Ordinance No. 1706 shall remain in full force and effect.
 - 3. Ordinance No. 1709, pertaining to flea markets, and all other ordinances in conflict herewith are hereby repealed.
 - 4. This ordinance shall become effective immediately upon adoption and publication as required by law.

ADOPTED this the 15th day of March, 2001.

APPROVED:


CHARLES E. HARDEN, MAYOR

ATTESTED:


DARLENE PALMER, CITY CLERK