

**A SUMMARY OF ORDINANCE NO. 2011-03, ENTITLED “AN  
ORDINANCE REGULATING BUSINESS PRACTICES WITHIN THE  
CITY OF LONDON, KENTUCKY”**

This Summary is prepared pursuant to KRS 83A.060(4).

The following is intended to be a summary of Ordinance No. 2011-03 as herein above stated. This summary is prepared by Larry G. Bryson, the attorney for the City of London, Kentucky, who is authorized to practice law in the Commonwealth of Kentucky and who further states that this document is a true and correct summary of Ordinance No. 2011-03.

Ordinance No. 2011-03 is a new Ordinance regulating business practices in the City of London that does not allow a business that does not have a permanent place of business or location within the City of London. “Permanent place of business” and “permanent location of business” means either owned or leased by the person operating the business from which a property tax is assessed and paid to the City and which is operated more than four (4) days a week on a regular basis and which is at least one hundred square feet (100) of floor space, electricity and a business phone and may not be shared with or used for another purpose.

The Ordinance recognizes that businesses within the City of London pay a privilege license fee and a property tax on their inventory whereas others do not. Local businesses may warrant their merchandise and by being local, the businesses may be contacted by local residents to repair or replace merchandise purchased locally, whereas others may not. The City of London has an interest in protecting its citizens from fraud and abusive business practices that may be practiced by non-local transient businesses.

The Ordinance excepts agricultural or farm products sold at the Farmers’ Market, on City property, at the Community Center, the local Livestock Yards, flea

markets, yard and garage sales at personal residences or places of business (in keeping with London City Ordinance No. 761), booths at festivals or City Sponsored events, or non profit or charitable, church, schools or other such organizations.

Any person violating the Ordinance shall be told of their violation by the London City Police and continuing the violation after being so informed of the violation is a Class B Misdemeanor. Any Ordinances or parts of Ordinances in conflict with this Ordinance are repealed.

The full text of the Ordinance is on file at the office of the Clerk of the City of London, 501 South Main Street, London, Kentucky, where it may be inspected.

This Ordinance is certified by Larry G. Bryson as City Attorney of the City of London, pursuant to KRS 83A. 060(9) and will be effective on publication.

---

LARRY G. BRYSON  
ATTORNEY FOR THE CITY OF LONDON

**\*\* THIS ORDINANCE WAS NOT READ THE SECOND TIME AND WAS NOT PUBLISHED**

COMMONWEALTH OF KENTUCKY  
CITY OF LONDON  
ORDINANCE NO. 2011-03

AN ORDINANCE REGULATING BUSINESS PRACTICES WITHIN  
THE CITY OF LONDON, KENTUCKY

Whereas, London businesses pay a privilege license fee for the privilege of transacting business within the City of London, and

Whereas, persons who do not have an allocation or place of business in the City of London have come into the City limits of the City of London and sold items of merchandise in direct competition with merchants of the City of London, and

Whereas such non-resident merchants do not pay privilege licenses in the same manner as resident merchants, nor do they pay any property taxes on their inventory as do resident merchants, and

Whereas the residents of the City of London purchase such merchandise and the non-resident merchants, having no business within the City of London, do not warrant their merchandise and are not available to replace or repair such merchandise, all to the damage and detriment of the citizens of the City of London, and in order to prevent fraud, impositions and other abuses upon the citizens of the City of London, and

Whereas it is necessary to provide for the safety and welfare of the public of the City of London and in order to assure a fair manner of competition in the requirements of transacting business within the City of London,

*BE IT THEREFORE ORDAINED* by the City of London as follows:

1. No person or business entity engaging in the selling of merchandise shall operate or exist within the City of London that does not

have a permanent place of business or location of business within the City of London.

2. "Permanent place of business" or "permanent location of business" is intended to mean property, either owned or leased by the person or business entity operating the business, and which contains an inventory of property from which property tax (ad valorem) is assessed and paid to the City of London by such business operator and which is operated more than four (4) days per week on a regular basis. The place of business must have at least 100 square feet of floor space, electricity and a business phone. The place of business may not be "shared" or used for any other purpose.
3. There are excepted from this Ordinance the following:
  - a. Any persons selling agricultural or farm products the "Farmers' Market" on City of London property or the sale or auction of other items at the London Community Center during a time when such City Property is rented or leased for shows, demonstrations, or events,
  - b. Persons selling products at any Livestock Yard,
  - c. Persons selling items at any flea market within the City,
  - d. Persons having "yard" sales or garage sales at their personal residence or place of business, in keeping with the provisions of London City Ordinance No.761,
  - e. Persons operating booths at any festivals or city sponsored events, or
  - f. Any non profit or charitable, church, schools or other such organizations.
4. Any person in violation of this Ordinance shall first be informed of the violation by the London City Police. A continuing violation of this Ordinance after being informed of this Ordinance by the City Police is a Class B Misdemeanor.

5. Any Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall be effective on publication.

\_\_\_\_\_  
Troy Rudder, Mayor

Attested: \_\_\_\_\_  
Carol Adams, City Clerk

First Reading: April 4, 2011

Second Reading: \_\_\_\_\_

Publication Date: \_\_\_\_\_

**\*\* THIS ORDINANCE WAS NOT READ THE SECOND TIME NOR WAS IT PUBLISHED**