

ORDINANCE NUMBER 1534 - 21

AN ORDINANCE TO AMEND SECTION 22-65-RETAIL LICENSE REQUIREMENTS BY ALLOWING FOR TENT SALES AND THE LIMITATIONS THEREON FOR LICENSED RETAIL HOLDERS OPERATING WITHIN THE CITY OF MUSCLE SHOALS, ALABAMA AND TO PROVIDE FOR PENALTIES FOR VIOLATION THEREOF

WHEREAS, the City Council of Muscle Shoals, Alabama has determined that allowing and providing for the outdoor or tent sales within the City of Muscle Shoals or its police jurisdiction and to provide for the following:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Muscle Shoals, Alabama, for the amendment to section 22-65 of the Code of Ordinances of the City of Muscle Shoals to allow and provide for outdoor or tent sales

Section 1. Section 22-65- Retail license requirements as currently written shall remain in force and effect and the following and additional provisions incorporated therein and shall be in full force and effect:

A. Businesses or persons currently holding a valid business license issued by the City of Muscle Shoals shall be allowed and permitted to hold an outdoor or tent sale on their business premises upon and under the following requirements:

- a. The person or business must have a current and valid business license issued by the City of Muscle Shoals.
- b. The outdoor or tent sale must be conducted on the premises connected with the business location for which the license was issued.
- c. Any outdoor or tent sale or sales shall be limited to total of thirty (30) calendar days during any one (1) calendar year.
- d. Multiple outdoor or tent sales conducted hereunder shall be allowed during a calendar year but must not exceed a total of thirty (30) days in a calendar year.
- e. Any day, or portion thereof, that the outdoor or tent sale is open for business shall count as one of the thirty (day) limit.

- f. Outdoor or tent sales conducted hereunder shall be done so only during the time period that the main business location is open for business.
- g. The person or business holding a current business license from the City of Muscle Shoals shall notify the Business or License Inspector of the City in writing of the dates that the outdoor or tent sale shall be in operation and said notice shall be given at least ten (10) days before the outdoor or tent sale is commenced.

Section 2. Severability.


If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 3. Effective Date.


This Ordinance, and its provisions, shall become effective upon publication or posting pursuant to law or as otherwise provided for by law.

APPROVED and ADOPTED this the 3rd day of May, 2021.

**COUNCIL OF THE CITY OF MUSCLE
SHOALS, ALABAMA**

BY: 
KEN SOCKWELL
President of the Council

ATTEST:


RICHARD L. WILLIAMS,
City Clerk


TRANSMITTAL

I hereby certify that the foregoing Ordinance Number 1534 - 21 was passed on the 3rd day of May, 2021 by the City Council of the City of Muscle Shoals and was transmitted to the Mayor on the 4th day of May, 2020 at 2:00 p.m. o'clock.



City Clerk

APPROVED on 5/4/21 at 3:30 pm o'clock



MIKE LOCKHART
Mayor of the City of Muscle Shoals, Alabama

CERTIFICATE OF POSTING

I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Ordinance was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 3rd day of May, 2021 at 6:00 o'clock p.m. in said City.

The said Ordinance has been duly and properly published or posted on the 5th day of May, 2021 pursuant to and in compliance with Act. 2011-680 of the Acts of Alabama, by posting a copy of said Ordinance at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Building # 1, Gattman Park; and First Metro Bank, Muscle Shoals Branch; being four conspicuous public places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.

I certify that a copy of the said Ordinance has been posted to the City's website which may be found at www.cityofmuscleshoals.com

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

This 5th day of May, 2021.



RICHARD L. WILLIAMS, City Clerk

