

BILL NO. 2023-171

ORDINANCE NO. 11887

AN ORDINANCE OF THE CITY OF SEDALIA, MISSOURI, AMENDING ARTICLE II OF CHAPTER 12 OF THE CODE OF THE CITY OF SEDALIA, MISSOURI TO ADD SUBDIVISION III FOR TEMPORARY BUSINESS LICENSES FOR SPECIAL EVENT ORGANIZERS AND VENDORS.

WHEREAS, the Council desires to encourage special events such as cultural festivals, craft fairs, and community celebrations within the City; and

WHEREAS, while the City Code addresses temporary business permits for those wishing to operate a business for less than 14 days, the Council desires to allow businesses to operate during the times defined for special events and where the event organizer is hosting an event at a location other than their registered business address; and

WHEREAS, the Council wishes to allow vendors to sell their wares at special events under the auspicious of a permit that both ensures the necessary degree of regulation while also encouraging the economic activity such vendors create.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. That Article II – Occupational License Taxes, of Chapter 12 – Business Regulation and Taxation of the Code of the City of Sedalia, Missouri be amended to remove Sections 12-115(c) and (d) in their entirety.

Section 2. That Article II. – Occupational License Taxes, of Chapter 12 – Business Regulation and Taxation of the Code of the City of Sedalia, Missouri be amended to add a new subdivision – Special Event Organizers and Vendors, as follows:

Subdivision III

Section 12-121 Definitions

- (a) The term “special event” refers to any organized event open to the public where goods and/or services are available for purchase, such as cultural festivals, craft fairs, and community celebrations.
- (b) The term “special event organizer” refers to the person, group, or entity that is organizing the special event and is responsible for the activities associated with the special event.
- (c) The term “special event/mobile vendor” refers to a person, group, or entity that transacts the business of selling goods and services under the auspices of a special event organizer.
- (d) The term “non-profit” refers to a business model where the income of the enterprise is for some collective or public benefit and not to be distributed as profits as documented by the Internal Revenue Service.

Section 12-122 Special Event Organizer Permits

(a) A person, group, or entity wishing to hold a special event within the city limits shall apply for a special event organizer permit from the City, which has discretion to grant or deny the application. The application for the permit must include the address of the organizer, the address of the special event location, the date(s) and time(s) of the special event. A group claiming not-for-profit status must provide documentation from the Internal Revenue Service confirming that status.

(b) Special event organizer permits are valid for one year from the date of issuance. During that period of time, no particular special event shall have a duration of more than twelve (12) days. Those twelve days need not be consecutive, such that a recurring special event could, for example, occur on the first day of each month for a year under a single permit.

(c) The cost of a special event organizer permit shall be set out in the city fee schedule. The City of Sedalia shall be excused from paying the fee for its own events.

(d) The organizer is responsible for verifying that all vendors are properly licensed to do business in the City of Sedalia.

Section 12-123 Special Event/Mobile Vendor Permits

(a) No business shall be conducted in association with a special event or within 200 yards of a special event space or area without a special event vendor permit and permission from the event organizer except preexisting businesses unaffiliated with the special event that are permanently located within the space or area of the special event or within 200 yards of that space or area.

(b) Special event/mobile vendor permits pursuant to this section are valid for one year from the date of issuance.

(c) To obtain a special event/mobile vendor permit, the applicant must have a valid retail sales license issued by the state director of revenue as required by RSMo 144.083, a statement from the state director of revenue of no taxes due, have a valid Federal Employer Identification, have paid all real property and personal property taxes, and agree to obey all applicable local, state, and federal laws.

(d) The cost of a special event/mobile vendor permit shall be set out in the city fee schedule.

(e) Any special event/mobile vendor preparing, serving, or selling food at a special event is required to be familiar with all applicable food safety standards, agrees to on demand inspection of the food and surrounding area by the Pettis County health inspector, and agrees to obey any cease and desist order given by the Pettis County health inspector to protect health and safety.

(f) These provisions shall not apply to the Missouri State Fairgrounds during the period of the Missouri State Fair. At all other times, these provisions shall apply to the area of the Missouri State Fairgrounds.

Section 3. That all other parts and provisions of the City Code not in conflict herewith shall remain in full force and effect unless previously or subsequently amended or appealed.

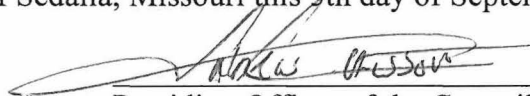
Section 4. That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

Section 5. That this Ordinance shall be in full force and effect from and after the date of its passage approval.

Section 6. That the City Clerk is authorized by this ordinance to correct any scrivener's errors identified within this Ordinance.

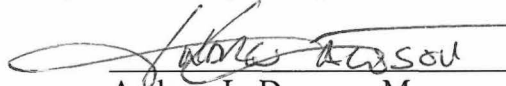
Section 7. This ordinance will become effective October 1, 2023.

Read two times by title, copies of the proposed ordinance having been made available for public inspection in the City Clerk's Office prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of September, 2023.



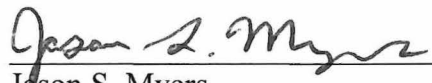
Presiding Officer of the Council

Approved by Mayor of said City this 5th day of September, 2023.



Andrew L. Dawson, Mayor

ATTEST:



Jason S. Myers,
City Clerk