



CITY COUNCIL ACTION ITEM

Date April 29, 2009

TO: Mayor and City Council

FROM: John Szerlag, Acting City Manager
Tonni L. Bartholomew, City Clerk

SUBJECT: Chapter 60 – Fees and Bonds Required – Christmas Trees, Sidewalk Sales and Temporary Merchant Businesses Fees

Background:

- The attached fee schedule establishes the fees collected the City Clerk's Office for Christmas Trees, Sidewalk Sales and Temporary Merchant Businesses, pursuant to Chapter 61 of the City of Troy Code of Ordinances.
- City Council adopted amendments to Chapter 61 – Temporary (formerly Transient) Merchant Businesses (Resolution #2008-11-350a) and Chapter 69 – Miscellaneous Licensed Businesses (Resolution #2008-11-350d) at the Regular City Council Meeting of Monday, November 24, 2008. The adopted resolutions missed the inclusion of the above mentioned license fee amendments to correctly identify the Sidewalk Sale fee and eliminate fee duplication for Christmas Trees as well as reference Bonding Requirements for all Temporary Merchant Businesses by inserting a cross reference to Chapter 61, Section 10 of the Troy City Code.
- It is requested that Chapter 60 of the Troy City Code, be amended to incorporate amendments to Christmas Trees, Sidewalk Sales and Temporary Merchant Businesses, as attached.

Attachment:

- Chapter 60 – Fee and Bonds Required proposed amendments

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 60 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 60, Fees and Bonds Required, of the Code of the City of Troy.

Section 2. Amendment

60.04 Fee Schedule. (Christmas Tree Sales, Sidewalk Sales and Temporary Merchant Businesses)

Christmas Tree Sales (Chapter 69-61)	
Annual Fee: Each Location	\$100.00
Annual Deposit: Clean-up Deposit	\$100.00
Sidewalk Sale (Chapter 69-61):	Per day \$ 20.00
Temporary Merchant Businesses (Chapter 61)	
<u>Bond Requirements - \$500.00 per Chapter 61, Section 10</u>	
<u>Christmas Tree Sales – Per application</u>	<u>\$100.00</u>
<u>Sidewalk Sales – Per application</u>	<u>\$100.00</u>
<u>Sidewalk Sales – Per extension</u>	<u>\$50.00</u>
Temporary Indoor Uses:	
Per application	\$100.00
Per extension	\$100.00
(Rev. 11-24-08; Enacted: 01-01-09)	
Temporary Outdoor Use:	
Per application	\$100.00
Per extension	\$100.00
(Rev. 11-24-08; Enacted: 01-01-09)	

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the

effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2009.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk