

## ATTENTION TO ANYONE WISHING TO OPERATE AS A TRANSIENT BUSINESS

Steps to operate as a transient business in the City of Murray:

- 1) Fill out a transient business permit and submit it for approval through Planning and Engineering Department.
- 2) Review all enclosed documentations (Transient Business Regulations & Permit for Transient Business).
- 3) Review or obtain the following:
  - a. Business is to be located in a B-2 (Highway Business), B-3 (Central Business), B-4 (Medium Density Business), and I (Industrial) zoning districts. Zoning Map: [www.murrayky.gov/planning/gis/maps/zoning\\_web\\_2006.pdf](http://www.murrayky.gov/planning/gis/maps/zoning_web_2006.pdf). Any transient business request in a B-1 (Neighborhood Business) zoning district will require a Conditional Use Permit issued by the Murray Board of Zoning Adjustments at a scheduled public hearing. Transient Businesses are only allowed as a Conditional Use in a B-1. Transient businesses are not allowed in Residential Zoning Districts.
  - b. Site plan showing location of business on a lot.
  - c. Lease agreement, deed, or similar document from property owner granting permission to operate at a location.
  - d. If you require the distribution of food products (i.e. mobile food vendors) a copy of a current health permit issued by the Calloway County Health Department is required.
  - e. Mobile food vendors are only allowed to be set up for 14 days at a location. After 14 days, the vendors must leave that location for 30 days before returning to the location for another 14 days, per the Calloway County Health Department.
  - f. Upon approval from the Planning and Engineering Department, you will need to submit a business license application through the City Clerk's Office.

**SECTION III  
ARTICLE 10  
TRANSIENT BUSINESS REGULATIONS**

**A. INTENT**

The purpose of the Transient Business Regulations section is to establish minimum guidelines for transient (i.e. temporary, mobile) businesses wishing to conduct business within the city limits of Murray. The section provides requirements that promote the health, safety, morals, and general welfare of the citizens of Murray, Kentucky and establish reasonable and uniform regulations for transient businesses.

**B. DEFINITIONS**

TRANSIENT BUSINESS/MERCHANT: The sale of goods or services from roadside or public view by way of tent, trailer, roadside stand, parked vehicle or other similar enclosure not attached by permanent foundation.

**C. PROCEDURE**

1. Anyone wishing to operate a transient business must first obtain a business license application from the Murray Planning Department. No person shall operate a transient business in the city without an issued license.
2. The business license application will be reviewed by the Murray Planning Department to ensure zoning compliance. If all requirements in section D are met, the Murray Planning Department will issue a Transient Business Permit to the applicant.
3. If during the time the permit is in effect, the transient business fails to maintain the required conditions pursuant to section D, the City of Murray may revoke the permit and the transient business activity shall be terminated.
4. The decision of the City of Murray official concerning revocation of the Transient Business permit shall be final, unless a written appeal by the applicant is filed with the Murray Board of Zoning Adjustments within thirty days of the applicant's receipt of the notice to revoke the permit.
5. Each location shall only maintain one transient business. Permits are non-transferable.
6. It shall be the duty of the Chief of Police and the Police Department and/or the Code Enforcement Officer, to see that any person, firm, corporation, partnership, or other entity which engages in, does or transacts any temporary or transient business in the City have the license required and shall cause a citation to be issued for any person not having an appropriate license.

**D. REQUIRED CONDITIONS**

Approval of a Transient Business permit is subject to the following conditions:

1. Transient businesses are permitted uses in B-2 (Highway Business), B-3 (Central Business), B-4 (Medium Density Business), and I (Industrial) zoning districts and as a Conditional Use in a B-1 (Neighborhood Business) zoning district.
2. Transient businesses must be a minimum of 500 ft. from one another (measured by radial distance).
3. A copy of a lease agreement, deed, or similar document from the property owner is required.
4. Any signage, other than that permanently affixed to the mobile transient facility must be approved by the Murray Planning Department.
5. The maximum length of time a transient business will be allowed at an approved location will be ninety (90) consecutive days. The owner/operator may reapply for a permit at the end of that period, but the transient business must be relocated at a minimum of 500 ft. (measured in radial distance) from the prior location. The owner/operator may return to a previous location after 90 consecutive days.
6. A site plan must be submitted for review and approval. The site plan shall include a mapped location of the proposed business, including existing parking spaces, roadways, sidewalks, and buildings; it should also entail measurements of distance from proposed display/enclosure to nearby parking spaces, roadways, sidewalks, setbacks, and buildings. Aerial photography, existing surveys, or plat will suffice for this purpose. The site plan shall include any photography of tents, trailers, stands, etc. that will be used. The City of Murray has the right to accept or reject any site plan submitted. Once approved by the City, all site plans must be maintained by the transient business through the duration of the permit. Any deviation from the site plan by the transient business may result in revocation of the permit and the transient business activity shall be terminated.
7. All transient businesses are subject to the Public Noise Ordinance as prescribed in § 99 of the City of Murray Code of Ordinances.
8. If a transient business distributes or prepares food products, a copy of the current health permit issued by the Calloway County Health Department is required to be produced and must be displayed. Any revocation of the Health permit may constitute revocation of the transient business license.
9. The provisions of this ordinance shall not apply to any general sale, fair, auction, or bazaar sponsored by any religious, education, public service, or charitable organization.
10. Failure to comply with this ordinance could result in revocation of the transient business license or a penalty as prescribed in § 110.99 of the City of Murray Code of Ordinances.
12. The provisions of this ordinance shall not be interpreted to be in contravention of KRS 365.

**(ORD. 2016-1697, past 4/28/16)**

# TRANSIENT BUSINESS LICENSE AND PERMIT APPLICATION

### General Regulations

- Transient businesses are permitted only in B-2, B-3, B-4 and Industrial (I) zoning districts and as a Conditional Use in a B-1.
- Must be located a minimum of 500 feet from all other transient businesses.
- Transient businesses are not permitted to be at a location more than 90 days per calendar year.

Type of Permit:  1 Day  3 Day  7 Day  30 Day  60 Day  90 Day

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_ (Runs in consecutive days)

Location of Transient Business: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Business Owner: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Check Ownership Type:  Sole Proprietor  Partnership  Corporation  LLC  LLP

Business Identification # (Tax ID#, EIN#, or last 6 SSN):\* \_\_\_\_\_

**\*A separate application is needed for all businesses that operate under the above business identification number.**

Description of Business: \_\_\_\_\_

Have you previously operated as a transient business in the City of Murray?  Yes  No

Will your transient business require the preparation & distribution of food products?  Yes  No  
**If yes, a current health permit issued by the Calloway County Health Department must be submitted.**

### The following documents must be submitted along with this application for approval:

- Copy of lease agreement or similar document from property owner
- Site Plan - The site plan shall include a mapped location of the proposed business, including existing parking spaces, roadways, sidewalks, setbacks, and buildings; it should also entail measurements of distance from proposed display/enclosure to nearby parking spaces, roadways, sidewalks, and buildings. Aerial photography, existing surveys, or plat will suffice for this purpose. The site plan shall include any photography of tents, trailers, stands, etc. that will be used. *The City of Murray has the right to review and/or reject any site plan submitted. Once approved by the City, all site plans must be maintained by the transient business with the duration of the permit. Any deviation from the site plan by the transient business may result in revocation of the permit and the transient business activity shall be terminated.*
- Sign Permit Application (if applicable)
- A copy of any local, state or federal permit that is required for your business (i.e. Health department or State Fireworks permits)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### OFFICIAL USE ONLY

Zoning Location: \_\_\_\_\_ Sign Permit  Yes  No CUP Required?  Yes  No Health Dept Permit  Yes  No

Classification: \_\_\_\_\_ Fee Amount \$ \_\_\_\_\_ Business License# \_\_\_\_\_

Approved  Denied \_\_\_\_\_ Permit Expires \_\_\_\_\_

Zoning Official

Date