

# ORDINANCE COMMITTEE

## A G E N D A

TOWN OF CHINCOTEAGUE

August 12, 2010 - 5:00 P.M. – Council Chambers - Town Hall

CALL TO ORDER

ROLL CALL

OPEN FORUM / PUBLIC PARTICIPATION

AGENDA ADOPTION:

---

1. Consider revision to Code Section 2.127/Pony Penning Sales
2. Establish priorities and work plan for Committee
  - Fill and Drainage
  - Weed Control
  - Harbor Ordinance (Ramp use, abandoned boats)
3. Committee Member Comments

ADJOURN:

**Sec. 2.127. Pony Penning sales.**

*Pony Penning sales* is herein defined in this ordinance to mean and include all general sales within the town, open to the public, for the purpose of disposing of any personal property.

*Permit.* A permit is required for conducting Pony Penning sales within the town and must be secured ~~seven~~ **eight** days prior to the Saturday preceding Pony Penning. The permit shall be displayed at the sale location for the entire length of the sale.

*Permit fee.* The permit fee shall be \$300.00.

- (1) Anyone with a valid town business license is exempted from the permit fee.
- (2) Any person who produces documentary evidence to the reasonable satisfaction of the town manager that said person derives less than 50% of their gross income from the sale of such merchandise is exempt from the permit fee.
- (3) Anyone selling prepared food as defined in the town's meal tax ordinance must submit a deposit to the town manager in an amount of \$500.00 prior to receiving such permit, which amount shall be applied to any tax due as a result of such sales, and the remaining balance of the deposit, if any, shall be refunded to permittee at the end of such period upon computation of the actual tax due and payable as determined by such sales. Anyone conducting such food sales who has, for a period of three years preceding this permit, complied with all applicable reporting and payment procedures as otherwise required is exempt from this deposit requirement.

*Duration of sale; hours of operation; frequency.* Sales conducted under this section are restricted to a maximum period beginning no sooner than the Saturday preceding Pony Penning and ending on the Saturday immediately following Pony Penning. Any sale exceeding this time period or otherwise not in compliance with this section will not be considered Pony Penning sales and will be in violation of this section and will be considered a business and must comply with all applicable zoning and business licensing requirements.

*(Amended 6/19/08.)*