

An Ordinance of the Haines Borough Amending Haines Borough Code Title 5 to provide a definition for Fair Vendor Permits and to extend Fair Vendor Permits to other Southeast Alaska State Fair events.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Amendment of Chapter 5.02.010. Chapter 5.02.010 of the Haines Borough Code of Ordinances is amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

5.02.010 Borough business license required.

A. No individual or entity may engage in business in the Haines Borough without first having been issued a Haines Borough business license **unless specifically exempted from this requirement.**

Section 5. Amendment of Chapter 5.04.020. Chapter 5.04.020 of the Haines Borough Code of Ordinances is amended to read as follows:

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STRIKETHROUGH ITEMS ARE DELETED

5.04.020 Definitions.

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"Fair Vendor Permit" means a permit issued under this chapter to vendors selling for a period of one week or less at an event sponsored by the Southeast Alaska State Fair and taking place at the Southeast Alaska State Fairgrounds. Vendors with a valid Haines Borough business license are not required to purchase a fair vendor permit.

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Section 6. Amendment of Chapter 5.04.050. Chapter 5.04.050 of the Haines Borough Code of Ordinances is amended to read as follows:

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5.04.050 Permit Application process- Hearings for new commercial tours and transient merchants- Renewal.

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D. Before a permit is issued under this title, a permit applicant must first obtain a borough business license ~~for sales tax purposes~~ **(except if the merchant/vendor has a Fair Vendor permit or a transient and itinerant merchant permit)** and any other required state and/or local licenses or permits.

E. Vendors without a valid Haines Borough business license making sales at events taking place at the Southeast Alaska State Fairgrounds ~~A Southeast Alaska State Fair vendor shall purchase a fair vendor permit, with the fee to be collected by the Southeast Alaska State Fair and remitted to the borough~~ **in lieu of a business license.**

Section 7. ~~Amendment of Chapter 5.08.030.~~ Chapter 5.08.030 of the Haines Borough Code of Ordinances is amended to read as follows:

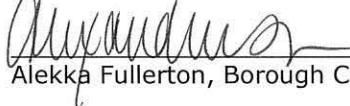
NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

5.08.030 Transient and itinerant merchants and vendors.

A. No person may engage in the temporary business of exhibiting, selling, and delivering goods, wares, or merchandise within the borough, whether alone, in association with, or in the name of a local dealer, merchant, or auctioneer, without first procuring a permit under Chapter 5.04 HBC. This section does not apply to a commercial traveler who occupies a temporary location and exhibits samples for the purpose of securing orders for future deliveries, but does not sell from stock. **The acquisition of the transient and itinerant merchant's permit exempts the merchant from the requirement to obtain a business license.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 11th DAY OF SEPTEMBER, 2018.

ATTEST:


Alekka Fullerton, Borough Clerk




Janice Hill, Mayor

Date Introduced 08/07/18
Date of First Hearing 08/21/18
Date of Second Hearing 09/11/18