

ATTENTION TO ANYONE WISHING TO OPERATE AS A TRANSIENT BUSINESS

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

- 1) Please file a business license application with the City Clerk's office.
- 2) Review all enclosed documentation (Transient Business Regulations & Permit for Transient Business).
- 3) Obtain or review the following:
 - a. Business is to be located in a B-2 (Highway Business) or I (Industrial) zoning district. Zoning Map: www.murrayky.gov/planning/gis/maps/zoning_web_2006.pdf. Any transient business request outside of the B-2 or I zoning districts 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 (Neighborhood Business), B-3 (Central Business), and B-4 (Medium Density Business) zoning districts. 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, a copy of a current health permit issued by the Calloway County Health Department is required.
- 4) Fill out a transient business permit and submit it for approval through Planning and Engineering Department.

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 City Clerk's office. 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.

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) and I (Industrial) zoning districts and as a Conditional Use in a B-1, B-3, and B-4 zone.
2. Transient businesses must be a minimum of 1000 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 would have to be approved through the Murray Planning Department.
5. Transient businesses may not be permitted at a location more than 90 days per calendar year. The owner/operator may reapply for a permit at the end of their duration, but the transient business must be relocated at a minimum of 1000 ft. (measured in radial distance) from the prior location.
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 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.
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. 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 § 156.999 of the City of Murray Code of Ordinances.
11. The provisions of this ordinance shall not be interpreted to be in contravention of KRS 365.

PERMIT FOR TRANSIENT BUSINESS

Name _____

Permanent Physical Address _____

Phone number you can be reached _____

Location of transient business _____

Description of business _____

Have you operated before in Murray as a transient business? YES _____ NO _____

Will your transient business require the distribution of food products? YES _____ NO _____
If so, a copy of the current health permit issued by the Calloway County Health Department is required.

Which type of transient business licenses are you applying for?

1 Day _____ 3 Day (Weekend) _____ 1 Week _____ 30 Day _____ 60 Day _____ 90 Day _____

General regulations of transient businesses

- Any signage, other than that permanently affixed to the mobile transient facility would have to be approved through the Murray Planning Department.
- Transient businesses are permitted uses in the (B-2) and (I) zoning districts and must be a minimum of 1000 ft. from another (measured by radial distance).
- A copy of a lease agreement, deed, or similar document from the property owner is required.
- Transient businesses may not be permitted at a location more than 90 days per calendar year.
- A site plan will be required. 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.

OFFICE USE ONLY

Date _____ Approved _____ Denied _____

Conditional Use Permit Required? Yes _____ No _____ Details _____

Date when transient business begins: _____ Expiration _____
Zoning Official