

TITLE 4

BUSINESS LICENSES AND REGULATIONS

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CHAPTER 4.04

ELECTRIC FRANCHISE

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4.04.01 Electric franchise granted to Woodruff Electric Cooperative Corporation The city of Helena-West Helena, Arkansas (hereinafter called Grantor) hereby grants to the Woodruff Electric Cooperative Corporation, its successors and assigns (hereinafter called Grantee), the exclusive right, privilege and authority within the present and all future expansion of the corporate limits of the city of Helena-West Helena, Arkansas, except for such area within the present corporate limits, which at the date of enactment hereof is served by another supplier of electric energy, and except for such other areas which may be later annexed, where Grantee is not allowed by law to serve, (1) to sell, furnish, transmit and distribute electric power and energy to Grantor and to all inhabitants and consumers within said limits, and (2) to construct, maintain, operate and extend a system for such purposes and to enter on, under and upon and use any and all of the streets, alleys, avenues, bridges and other public grounds and ways belonging to, or under the control of Grantor, for the purpose of erecting, maintaining, repairing, replacing and operating poles, wires, anchors, stubs, transformers, substations, cables, conduits and other related facilities, appliances and apparatus which are necessary for, or useful in, the furnishing, sale, transmission or distribution of said electric service hereinafter called facilities.

REFERENCE: West Helena Ord. No. 1009.

4.04.02 Rights and responsibilities of grantor and grantee Grantee shall, and does by acceptance hereof, agree to provide to the city and its inhabitants adequate and reasonable electric service as a public utility and the facilities necessary to provide such service. Grantor, in recognition of the large and continuing investment necessary for Grantee to perform its obligations hereunder, and the need and duty to promptly construct its facilities, as defined above, required to serve customers, in all areas and zones of the city, consents to the construction of such facilities as defined in Section 4.04.01 in all such areas and zones, and Grantor agrees to protect by ordinance, regulation and otherwise, to the fullest extent permitted by law, and except as otherwise, limited herein, the grants of rights and privileges to Grantee set forth in Section 4.04.01 from interference with, or duplication by, other persons, firms or corporations seeking to engage in the sale or distribution of electric energy.

REFERENCE: West Helena Ord. No. 1009

4.04.03 Rights and responsibilities of grantor and grantee All facilities of Grantee which may be located on public ways, places and public property, as authorized herein, shall be located so as to not unreasonably obstruct public use and travel. All of Grantee's facilities shall be constructed, operated and maintained in accordance with standards at least equivalent to the standards prescribed by the National Electrical Safety Code. Grantee, its successors and assigns, shall replace and repair, at its own expense, all excavations, holes or other damage caused or done by it to public streets, ways, places and public property in the construction, operation and maintenance of its facilities.

REFERENCE: West Helena Ord. No. 1009

4.04.04 Rights and responsibilities of grantor and grantee The Grantee, its successors and assigns, is hereby given the right to trim, cut or remove trees, shrubbery or growth on or in public ways, places and public property which interfere or offer hazards to the operation of Grantee's facilities used or useful for the rendition of electric service, and, further, Grantee is hereby given the right, authority and permission to trim, cut and remove portions of trees, shrubbery or growth growing on private property but overhanging or encroaching on public ways, places and public property which interfere or offer hazards to the construction, operation and maintenance of Grantee's facilities.

REFERENCE: West Helena Ord. No. 1009.

4.04.05 Termination procedure The rights, privileges and authority hereby granted shall exist and continue from the date of passage of this ordinance, and thereafter, until terminated in accordance with provisions of Section 44 of Act 324 of 1935 Acts of the state of Arkansas as presently enacted or hereafter amended.

REFERENCE: West Helena Ord. No. 1009.

4.04.06 Rates The rates which are to be charged by Grantee for electric service hereunder shall be those which are now lawfully approved or prescribed, and as said rates may, from time to time, be amended by Grantee in accordance with law or by any regulatory authority having jurisdiction thereof.

REFERENCE: West Helena Ord. No. 1009.

4.04.07 City not liable for negligence of grantee In the construction, operation, and maintenance of its facilities, said Grantee shall hold and save harmless the said Grantor from damage, injury, loss or expense caused by the negligence of the Grantee, or its agents, servants or employees, in constructing, operating and maintaining said facilities or in repaving or repairing any streets, avenues, alleys, bridges or other public grounds.

REFERENCE: West Helena Ord. No. 1009.

4.04.08 Standard of care for facilities The Grantee shall endeavor at all times to keep its facilities in a reasonable state of repair, and to conform to such practices and install such appliance and equipment as may be in keeping with the customary usage and practice in cities of similar size in this state during the time this franchise shall remain in force.

REFERENCE: West Helena Ord. No. 1009.

4.04.09 Franchise tax

- A. From and after January 1, 1992, the franchise tax paid by Woodruff Electric Cooperative Corporation shall be 5.00% of the gross revenues paid to Woodruff

Electric Cooperative Corporation during the preceding calendar year by its residential and commercial customers within the incorporated limits of the city of Helena-West Helena, Arkansas.

REFERENCE: West Helena Ord. No. 1576.

- B. The payment of the tax assessed herein shall be made in approximately equal quarterly installments beginning in January, 1992.

REFERENCE: West Helena Ord. No. 1576.

4.04.10 Street lighting Electric service furnished the Grantor for street lighting and other purposes shall be paid for by the Grantor in accordance with the applicable rate schedules of the Grantee now on file and/or as they may in the future be filed by the Grantee and approved by the Arkansas Public Service Commission or other regulatory authority having jurisdiction. The Grantee shall have the privilege of crediting any amount due Grantor with any unpaid balances due said Grantee for electric service rendered to said Grantor.

REFERENCE: West Helena Ord. No. 1009.

4.04.11 Private generation facilities allowed Nothing herein shall be construed to prohibit any person, firm or corporation from owning and operating facilities for generating, distributing, or furnishing electric energy for his or its own use or for the use of his or its tenants, all of which facilities and use are wholly on the same premises owned by such person, firm or corporation.

REFERENCE: West Helena Ord. No. 1009.

4.04.12 Franchise granted to Entergy The city of Helena-West Helena, Arkansas (hereinafter called City) hereby grants to the Entergy, its successor, Entergy and assigns (hereinafter called Entergy), the exclusive right, privilege, and authority within the present and all future expansion of the corporate limits of the city, except for such area within the present corporate limits, which at the date of enactment hereof is served by another supplier of electric energy, and except for such other areas which may be later annexed, where Grantee is not allowed by law to serve, (1) to sell, furnish, transmit and distribute electric power and energy to Grantor and to all inhabitants and consumers within said limits, and (2) to construct, maintain, operate and extend a system for such purposes and to enter on, under and upon and use any and all of the streets, alleys, avenues, bridges and other public grounds and ways belonging to, or under the control of Grantor, for the purpose of erecting, maintaining, repairing replacing and operating poles, wires, anchors, stubs, transformers, substations, cables conduits and other related facilities, appliances and apparatus which are necessary for or useful in the furnishing, shale, transmission or distribution of said electric service (hereinafter called facilities).

REFERENCE: West Helena Ord. No. 1575.

4.04.13 Rights and obligations of each party Entergy shall, and does by acceptance hereof, agree to provide to the City and its inhabitants adequate and reasonable electric service as a public utility and the facilities necessary to provide such service. City, in recognition of the large and continuing investment necessary for Entergy to perform its obligations hereunder, and the need and duty to promptly construct its facilities, as defined in Section 1 in all such areas and zones, and City agrees to protect by ordinance, regulation and otherwise limited herein, the grants of rights and privileges to Entergy set for in Section 1 from interference with, or duplication by, other person, firms or corporations seeking to engage in the sale or distribution of electric energy.

REFERENCE: West Helena Ord. No. 1575.

4.04.14 Electrical facilities shall not obstruct public use and travel All facilities of Entergy which may be located on public ways, places and public property, as authorized herein, shall be located so as to not unreasonably obstruct public use and travel. All of the Entergy's facilities shall be constructed, operated and maintained in accordance with standards at least equivalent to the standards prescribed by the National Electrical Safety Code. Entergy, its successors and assigns, shall replace and repair, at its own expense, all excavations, holes or other damage caused or done by it to public streets, ways, places and public property in the construction, operation and maintenance of its facilities.

REFERENCE: West Helena Ord. No. 1575.

4.04.15 Entergy may trim trees, shrubbery and growth Entergy, its successors and assigns, is hereby given the right to trim, cut or remove trees, shrubbery or growth on or in public ways, places and public property which interfere or offer hazards to the operation of Entergy's facilities used or useful for the rendition of electric service, and, further, granted is hereby given the right, authority and permission to trim, cut and remove portions of trees, shrubbery or growth growing on private property but overhanging or encroaching on public ways, places and public property which interfere or offer hazards to the construction, operation and maintenance of Entergy's facilities.

REFERENCE: West Helena Ord. No. 1575.

4.04.16 Rights, Privileges and authority shall exist until termination The rights, privileges and authority hereby granted shall exist and continue from the date of passage of this ordinance, and thereafter, until terminated in accordance with provisions of Section 44 of Act 324 of the 1935 Acts of the state of Arkansas, as presently enacted or hereafter amended.

REFERENCE: West Helena Ord. No. 1575.

4.04.17 Rates shall be as lawfully approved The rates which are to be charged by Entergy for electric service hereunder shall be those which are now lawfully approved or prescribed, and as said rates may, from time to time, be amended by Entergy in accordance with

law or by any regulatory authority having jurisdiction thereof.

REFERENCE: West Helena Ord. No. 1575.

4.04.18 Entergy shall use reasonable and proper precaution In the construction, operation and maintenance of its facilities, said Entergy shall use reasonable and proper precaution to avoid damage or injury to persons or property and shall hold and save harmless the said City for damage, injury, loss or expense caused by the negligence of the Entergy, or its agents, servants or employees, in constructing, operating and maintaining said facilities or in repaving or repairing any streets, avenues, alleys, bridges or other public grounds.

REFERENCE: West Helena Ord. No. 1575.

4.04.19 Entergy shall keep its facilities in a reasonable state of repair Entergy shall endeavor at all times to keep its facilities in a reasonable state of repair, and to conform to such practices and install such appliances and equipment as may be in keeping with the customary usage and practice in cities of similar size in this state during the time this franchise shall remain in force.

REFERENCE: West Helena Ord. No. 1575.

4.04.20 Entergy franchise tax From and after January 1, 1992 and thereafter during the life of this franchise, Entergy shall pay to the City each year a franchise payment in the amount equal to five percent (5.0%) of the preceding calendar year's gross residential and commercial electric revenues as paid to Entergy by residential and commercial customers located within the corporate limits of the City. Payments shall be made by Entergy to the City in approximately equal quarterly installments beginning in February, 1992. The first such payment is to be made in February, 1992 for the first quarter of 1992. Residential and commercial electric revenues are those revenues so classified pursuant to Entergy's uniform classification standards. The City shall have the right to examine and verify, from the records of Entergy, any data relating to the gross revenues of Entergy from customers on which said franchise tax is due. In the event of a controversy between the City and Entergy as to the amount of gross revenues received by Entergy in the city of Helena-West Helena, Arkansas upon which said tax is due, such controversy shall be referred to the Arkansas Public Service Commission, or such successor regulatory agency which may have jurisdiction over Entergy, for final determination, and the decision of said Commission shall be binding upon both parties hereto.

It is expressly agreed and understood by the City and Entergy that the aforesaid payment shall constitute and be considered as complete payment and discharge by Entergy, its successors and assigns, of all licenses, fees, charges, impositions or taxes of any kind (other than automobile license fees, special millage taxes, and the general ad valorem taxes) which are now or might in the future be imposed by the City under authority conferred upon the City by law. In the event such other tax or taxes are imposed by the City, the obligation of Entergy set forth herein, to pay the City the sum of five percent (5.0%) annually of the gross residential and commercial electric revenues shall immediately terminate.

REFERENCE: West Helena Ord. No. 1575.

4.04.21 Electrical service for street lighting

- A. In consideration of the Company making facilities available for street lighting purposes and/or the improvement of certain existing facilities and the benefits accruing to the parties hereto, the city agrees to purchase all street lighting service required by it from the Company in the areas where Company may legally serve, and the Company agrees to supply and sell to the City, and City agrees to pay for all such service under Company's applicable Rate Schedules and Service Regulations as now on file with the Arkansas Public Service Commission (APSC) or as provided in said schedules and regulations as they may be lawfully amended, altered or superseded in the future, with the approval of the APSC or any other regulatory agency having jurisdiction.
- B. Company will at its expense make the following removals from its present street lighting facilities serving the City: There is no outstanding request for removals from its present street lighting facilities from the City.
- C. Company will at its expense install the following street lighting facilities or make the following additions to its existing street lighting facilities serving the City: There is no outstanding request for removals from its present street lighting facilities from the City.
- D. After completion of the hereinabove described removals and additions, the Company's street lighting facilities serving the City will consist of:

City formerly known as Helena:

| | |
|-----|--|
| 345 | 100 Watt Mercury Vapor |
| 77 | 175 Watt Mercury Vapor |
| 32 | 250 Watt Mercury Vapor |
| 12 | 400 Watt Mercury Vapor |
| 2 | 400 Watt Mercury Vapor (excess lamps per pole) |
| 60 | 150 Watt High Pressure Sodium |
| 13 | 250 Watt High Pressure Sodium |
| 37 | 400 Watt High Pressure Sodium |
| 53 | 30' or less mounting height poles @\$1.84 |
| 36 | 30' or less mounting height poles @\$0.00 |
| 3 | 35' or less mounting height poles @\$0.00 |

City formerly known as West Helena:

| | |
|-----|--|
| 105 | 100 Watt Mercury Vapor |
| 279 | 175 Watt Mercury Vapor |
| 182 | 400 Watt Mercury Vapor |
| 4 | 400 Watt Mercury Vapor (excess lamps per pole) |
| 48 | 150 Watt High Pressure Sodium |
| 1 | 250 Watt High Pressure Sodium |
| 53 | 30' or less mounting height poles @\$1.84 |
| 13 | 35' or less mounting height poles @\$0.00 |
| | \$0.00 AFC charges of \$2.08 (pre-inventory) |

- E. In order to provide for further improvements in the future to the street lighting system serving the City, Company agrees to make additions to or changes in its street lighting facilities when requested in writing by the Mayor, upon authorization of the City Council, provided, in Company's judgment, such changes do not constitute a major revision of the street lighting facilities. Such additional street lights or changes in existing street lights will be made at Company's expense and electric service for such lights will be supplied by the Company and will be paid for by the City in accordance with the provisions of the applicable rate schedule, and under the terms and conditions of this agreement.

Non-Company owned street lighting facilities in city formerly known as Helena consist of:

70 175 Watt Mercury Vapor customer owned lights.

- F. This constitutes the entire agreement between the parties hereto with reference to the subject matter hereof and supersedes all previous understandings and agreements, written or oral, pertaining to the subject matter.
- G. The term of the agreement shall be from _____ to _____ and shall be automatically extended for successive periods of one year each until terminated by written notice given by one party to the other not more than six (6) months, nor less than three (3) months prior to the expiration of the original term or any extension thereof. (Ord. No. 2006-32, Secs. 1-8.)

REFERENCE: West Helena Ord. No. 1575.

4.04.21 Electrical service for street lighting Electric service furnished the City for street lighting and other purposes shall be paid for by the City in accordance with the applicable rate schedules of Entergy now on file and/or as they may in the future be filed by Entergy and approved by the Arkansas Public Service Commission or other regulatory authority having jurisdiction. Entergy shall have the privilege of crediting any amount due City with any unpaid balance due said Entergy for electric service rendered to said City.

REFERENCE: West Helena Ord. No. 1575.

4.04.22 Ordinance shall constitute a contract Upon written acceptance by Entergy, this chapter shall constitute a contract between City and Entergy, and its successors and assigns. (Ord. No. 1575, Sec. 11)

CHAPTER 4.08

GAS FRANCHISE

Sections:

- 4.08.01 Gas franchise granted to Mid-South Gas Company
- 4.08.02 Rights and responsibilities of gas company and city
- 4.08.03 Imposed; when due; in lieu of other taxes
- 4.08.04 Construction of article
- 4.08.05 Franchise Tax – Centerpoint Energy

4.08.01 Gas franchise granted to Mid-South Gas Company The Mid-South Gas Company (hereinafter sometimes referred to as the "Gas Company") is duly authorized by franchise ordinance heretofore enacted to operate a gas distribution system and appurtenances thereto, used in, or incident to the rendition of gas service to Helena-West Helena, and the inhabitants thereof residing in said city.

4.08.02 Rights and responsibilities of gas company and city The gas company is now occupying and shall continue to occupy the streets and alleys of Helena-West Helena, for the purpose of operating, maintaining and extending its gas service to the city and the inhabitants and consumers residing in said city, and shall continue to supply to the city and consumers therein gas service.

4.08.03 Imposed; when due; in lieu of other taxes The Mid-South Gas Company shall pay to the city of Helena-West Helena 4.25% of the gross revenues paid to Mid-South Gas

Company, or its successors or assigns, during the preceding calendar year by its residential and commercial customers within the incorporated limits of the city of Helena-West Helena, Arkansas. All such payments shall be paid in January. The tax as herein levied shall be in lieu of any occupation tax, license tax, excise tax and any other character of municipal tax or fee (excepting the general ad valorem taxes, automobile license fees, and special millage taxes) which are now and might in the future be imposed by West Helena under authority conferred upon the city by law.

REFERENCE: A.C.A. 14-200-101.

4.08.04 Construction of chapter This chapter shall not be construed to alter or change the terms or conditions of the present franchise under which the gas company is operating.

Nothing in this chapter shall be construed to alter or change the present rate schedule under which the gas company is now operating, except by order of the Arkansas Public Service Commission or other legally constituted bodies.

REFERENCE: West Helena Ord. No. 646.

4.08.05 Franchise tax – Centerpoint Energy There is hereby levied an annual Occupation (License) Tax on the use and occupancy of the streets and alleys and other public places in said municipality (in lieu of any other special city taxes) to be paid by Arkansas Louisiana Gas Company, a division of Centerpoint Energy, its successors and assigns, for the year 1992 and future years until changed by ordinance, in an amount equal to 5.00% of gross revenues collected each year by said Company for natural gas consumption from domestic and commercial customers located within said municipality. The tax shall be computed quarterly for the periods ending March 31, June 30, September 30, and December 31, and payments shall be made within thirty (30) days after the end of each said quarter. Said tax, together with the cost of billing, collecting and remitting same, shall be passed on by the Gas Company to its domestic and commercial customers within the corporate limits of said municipality, as a percent of monthly gross billings, in proportion to the amount of natural gas used by said customers.

REFERENCE: West Helena Ord. No. 1577 (1992).

CHAPTER 4.12

TELEPHONE FRANCHISE

Sections:

- 4.12.01 Authority granted for operation of telephone system
- 4.12.02 Tax imposed upon Southwestern Bell Telephone Company
- 4.12.03 Tax shall be in lieu of other charges
- 4.12.04 Temporary moving of lines
- 4.12.05 Permission to trim trees
- 4.12.06 Chapter does not require or permit electric light or power wire attachments
- 4.12.07 Exclusive privileges not given

4.12.01 Authority granted for operation of telephone system The Southwestern Bell Telephone Company, its successors and assigns (herein referred to as "Telephone Company") shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the city of Helena-West Helena, Arkansas, (herein referred to as "City") . The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said City shall remain as now constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Telephone Company in the conduct of its business and said Telephone Company shall continue to exercise its right to place, remove, construct and reconstruct, extend and maintain its said plant and appurtenances as the business and purpose for which it is or may be incorporated may from time to time require, along, across, on, over, through, above and under all the public streets, avenues, alleys, and the public grounds and places within the limits of said City as the same from time to time may be established.

REFERENCE: West Helena Ord. No. 1578.

4.12.02 Tax imposed upon Southwestern Bell Telephone Company The Telephone Company shall pay to the City for the period of January 1, 1992 through December 31, 1992 inclusive and thereafter for like periods an amount equal to 5.00% of the annualized access line revenues from the last month of the preceding year. Said sum to be paid in equal quarterly installments on or before the last day of March, June, September, and December of each year.

REFERENCE: West Helena Ord. No. 1578 (1992).

4.12.03 Tax shall be in lieu of other charges The annual payment herein required shall be in lieu of all other licenses, charges, fees or impositions (other than the usual general or special ad valorem taxes) which may be imposed by the City under authority conferred by law. The Telephone Company shall have the privilege of crediting such sums with any unpaid balance due said Company for telephone services rendered or facilities furnished to said City.

REFERENCE: West Helena Ord. No. 1578.

4.12.04 Temporary moving of lines The Telephone Company on the request of any person shall remove, raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or parties requesting the same, and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than forty-eight hours advance notice to arrange for such temporary wire changes.

4.12.05 Permission to trim trees Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said City so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Company, all the said trimming to be done under the supervision and direction of any city official to whom said duties have been or may be delegated.

4.12.06 Chapter does not require or permit electric light or power wire attachments Nothing in this Ordinance contained shall be construed to require or permit any electric light or power wire attachments are desired by the City, then a separate non-contingent agreement shall be a prerequisite to such attachments.

REFERENCE: West Helena Ord. No. 1578.

4.12.07 Exclusive privileges not given Nothing herein contained shall be construed as giving to the Telephone Company any exclusive privileges, nor shall it affect any prior or existing rights of the Telephone Company to maintain a telephone system within the City.

REFERENCE: West Helena Ord. No. 1578.

CHAPTER 4.16

CABLE TV FRANCHISE

Sections:

- 4.16.01 Cable TV franchise granted to Teleservice Corporation of America
- 4.16.02 Requirements in placing poles; city not being liable for negligence of grantee
- 4.16.03 Requirement of insurance
- 4.16.04 Adoption of rules necessary to carry out the grantee's business
- 4.16.05 Temporary moving of lines
- 4.16.06 Permission to trim trees
- 4.16.07 Moving of equipment required
- 4.16.08 Franchise tax
- 4.16.09 Rates

- 4.16.10 Right of renewal
- 4.16.11 Obligation on successor
- 4.16.12 Free installation
- 4.16.13 Payment policy
- 4.16.14 Pre-wiring of new construction
- 4.16.15 Underground Service lines
- 4.16.16 Mayor authorized and directed to file with FCC
- 4.16.17 Copy to be mailed to local cable operator.

4.16.01 Cable TV franchise granted to Teleservice Corporation of America Davco Electronics Corporation of Batesville, Arkansas, its successors and assigns, be it is hereby granted the non-exclusive right and/or franchise to furnish direct wire reception of television programs, and any and all other signals such as FM stations, FM music, audio programs or services, educational television, etc. both off-air and locally originated to the residents of the city of Helena-West Helena, Arkansas, by mean of the establishment of a master antenna system and local origination equipment, utilizing a special tower and antenna, a head-end control unit, cameras and microphones, cables and amplifiers, and relaying the signals directly into the television receivers for a period of fifteen (15) years from the effective date of Ord. No. 1626, (together with the right to erect and maintain such poles, fixtures, etc., along the alleys and streets of this City as may be necessary and convenient for it's business as a television signal furnisher in supplying the citizens in said city and the public in general, and to use and occupy for it's television cables, the bridges, lanes and alleys and places within said municipality for the purpose of erecting, constructing, laying, owning, leasing or otherwise acquiring, maintaining and operating such system) all such right and use to be and continue on the conditions and terms as herein stated; present utility poles may be used with permission of the owners.

REFERENCE: West Helena Ord. No. 1626.

4.16.02 Requirements in placing poles; city not being liable for negligence of grantee Said poles and wires shall be placed and maintained so as not to interfere with travel or use of such streets, alleys or public places of said city, and said Teleservice Corporation of America, its successors and assigns, shall hold said city free and harmless from damages arising from any abuse or negligence of said company. Said poles and wires shall be placed so as not to interfere with the flow of water in any sewer, drain or gutter, or with any gas or water pipe lines; and this grant is made and is to be enjoyed subject to all such reasonable regulations and ordinances of a public nature as said city may authorize or see proper from time to time to adopt not destructive to the rights herein granted.

REFERENCE: West Helena Ord. No. 880.

4.16.03 Requirement of insurance Grantee shall carry and require its contractors to carry adequate insurance as follows:

- A. Workmen's Compensation Insurance in accordance with the laws of the state of Arkansas.
- B. Public liability insurance with limits of not less than \$100,000.00 to any one person and \$300,000.00 as to each occurrence.
- C. Automobile liability insurance with limits of not less than \$100,000.00 as to any one person and \$300,000.00 as to any one accident.

On demand of the city of Helena-West Helena, grantee shall furnish appropriate certificates of insurance.

REFERENCE: West Helena Ord. No. 880.

4.16.04 Adoption of rules necessary to carry out the grantee's business Grantee shall have the authority to promulgate such rules, regulations, terms and conditions of its business as shall be reasonably necessary to enable the grantee to exercise its rights and perform its service under this permit and to assure an uninterrupted service to each and all of its customers.

REFERENCE: West Helena Ord. No. 880.

4.16.05 Temporary moving of lines Grantee shall on the request of any person holding a building moving permit issued by the city, temporarily raise or lower its wires to permit the moving of buildings. The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the grantee shall have the authority to require such payment in advance. Grantee shall be given not less than forty-eight (48) hours advance notice to arrange for such temporary wire changes.

REFERENCE: West Helena Ord. No. 880.

4.16.06 Permission to trim trees Grantee shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks, and public places of the city so as to prevent the branches of such trees from coming into contact with the wires and cables of the grantee, all trimming to be done at the expense of the grantee.

REFERENCE: West Helena Ord. No. 880.

4.16.07 Moving of equipment required In the event that any time during the period of this permit the city shall lawfully elect to alter or change the grade of any street, alley, or other public way, the grantee, upon reasonable notice by the city shall remove, relay and relocate its poles, wires, cables and other fixtures at its own expense.

REFERENCE: West Helena Ord. No. 880.

4.16.08 Franchise tax That Davco Electronics Corporation, its successors and assigns shall pay to the city of Helena-West Helena, Arkansas for the privilege and right granted by this franchise, a sum equal to five per cent (5%) of the gross receipts from the sale of its services within the corporate limits of the city. The total gross receipts as applied herein is defined as Residential and Commercial monthly service of the preceding calendar month.

This payment to the City is for monthly service fees only and does not include attachments fees, charges for relocation or any other income.

Monthly fees from which the payments is computed consists of the monthly charges to consumers or subscribers for both initial outlets and additional outlets.

REFERENCE: West Helena Ord. No. 1626.

4.16.09 Rates

A. Residential Installation Charges:

| | |
|--|---------|
| Unwired installation, one outlet, trip charge | \$15.00 |
| Wired installation, one outlet | 15.00 |
| Reconnect from temp. disconnect, non-pay, etc | 15.00 |
| Moving to another house, unwired | 15.00 |
| Moving to another house, wired | 15.00 |
| Moving within a house | 15.00 |
| Additional outlets within a residence | 15.00 |
| Fishing Wall, labor charge | 15.00 |
| Pre-wire new home, labor charge | 15.00 |
| (Customer's account must be current at time of order.) | |
| (One installation charge covers up to 4 residential outlets in same dwelling.) | |

B. Residential Monthly Service Charges:

| | |
|---------------------------------------|--------|
| First outlet in a residence | \$8.00 |
| Each additional outlet in a residence | 1.50 |

C. Commercial Installation Charges:

Rates of installation to commercial customers, such as motels, hotels, hospitals, apartments, nursing homes and housing authorities are based on the type of installation provided and the number of outlets served, minimum installation charge is \$15.00 per outlet and \$15.00 for pre-wiring; may be higher depending on actual costs. Trip charge does not apply. Please contact the manager for specific information.

D. Commercial Monthly Service Charges: (One location-one billing)

TV Dealers and service shops:

| | |
|------------------------|--------|
| 1st outlet | \$8.00 |
| Each additional outlet | 1.50 |

Motels, hotels, hospitals, nursing homes:

| | |
|------------------------|--------|
| 1st outlet | \$8.00 |
| Each additional outlet | 1.50 |

Apartments:

| | |
|------------------------|--------|
| 1st outlet | \$8.00 |
| Each additional outlet | 1.50 |

E. Business, other than the above:

| | |
|------------------------|--------|
| 1st outlet | \$8.00 |
| Each additional outlet | 1.50 |

F. Service outside the city limits: (where cable is available)

| | |
|-----------------------------|--------|
| Residential, one (1) outlet | \$7.50 |
|-----------------------------|--------|

REFERENCE: West Helena Ord. No. 1327.

G. Reasonable charges may be made for the installation of excessive, unusual or abnormal facilities, which are installations which require more than 200 feet of R6-59U drop wire to reach the subscriber's point of service.

H. Any changes in rates as may be proposed by the franchise holder shall be presented to the city of Helena-West Helena, and shall not be effective or put into application without prior approval of the City Council of Helena-West Helena.

REFERENCE: West Helena Ord. No. 1139.

I. Extension Policy - Grantee shall, where necessary to supply any person who will contract with it for its service and pay to Grantee in cash at said time, three (3) months advance service charge and who may make written demand therefore, extend any of its existing cables a distance of not to exceed two hundred feet per customer. Provided, if a customer desires service which requires additional

extension of the cable, it may obtain same by paying to Grantee the actual cost per foot for the additional cable and its installation.

REFERENCE: West Helena Ord. No. 1202.

- J. Discrimination Prohibited - Grantee shall not, as to rates, charges, rules, or in any other respect, make or grant any preference or advantage to any person nor subject any person to and prejudice or disadvantage, providing that nothing in this contract shall be deemed to prohibit the establishment of a graduated scale of charges and classified rate schedule to which any customer coming within such classification would be entitled.

REFERENCE: West Helena Ord. No. 1202.

- K. FCC Rules to Apply - This franchise is governed by and subject to all applicable rules and regulations of the Federal Communications Commission, specifically including Part 76, and by the laws of the state of Arkansas. Should there be any modifications of the provisions of Section 76.31 of the Rules and Regulations of the Federal Communications Commission which must be incorporated into this franchise, the City and Grantee agree that such incorporation shall be accomplished within one year after the effective date of the FCC's adoption of the modification or upon renewal of this franchise, whichever occurs first.

REFERENCE: West Helena Ord. No. 1202.

- L. Complaint Procedure - Grantee shall maintain a business office or a toll-free telephone listing in the City for the purpose of receiving inquiries and complaints from its customers and the general public. Grantee shall investigate all complaints when received, and shall in good faith attempt to resolve them swiftly and equitably. The City Clerk is hereby designated as the City official to receive and act upon any unresolved complaints. Notice of this complaint procedure shall be given to each subscriber at the time of initial subscription to the cable system.

REFERENCE: West Helena Ord. No. 1202.

4.16.10 Right of renewal The Teleservice Corporation of America, its successors and assigns, be and it is hereby granted, an option to renew this exclusive right and/or franchise under the same terms and conditions, at the end of the fifteen (15) year period, as referred to in Sec. 4.16.01 of this chapter, for an additional fifteen (15) year period, providing grantee shall not be in default hereunder, and provided further that said service rendered by the grantee is deemed adequate and acceptable by the City Council of Helena-West Helena.

REFERENCE: West Helena Ord. No. 880.

4.16.11 Obligation on successor All provisions of this chapter shall be binding upon the grantee and all successors, lessees and assigns of the grantee whether expressly stated herein or not, and all rights, authorities, powers, grants, and privileges secured by this chapter to the grantee shall be held to insure to the benefit of the grantee and all successors, lessees and assigns of the grantee.

REFERENCE: West Helena Ord. No. 880.

4.16.12 Free installation The Teleservice Corporation of America shall provide one (1) free installation and connection at the following buildings:

- A. All schools
- B. Helena-West Helena city hall
- C. All fire stations
- D. Helena-West Helena public library
- E. Helena-West Helena police station

REFERENCE: West Helena Ord. No. 880.

4.16.13 Payment Policy All bills are due and payable upon receipt. A customer wishing to pay service charges one year in advance will receive a discount of 5% off the net billing. If disconnected during the year which is prepaid, the discount will be subtracted from the amount refunded.

REFERENCE: West Helena Ord. No. 1241

4.16.14 Pre-wiring of new construction We will furnish drop wire to electricians or contractors for pre wiring. If we are requested to do the work, we will charge \$7.00 per outlet at the time of the order.

4.16.15 Underground service lines If we are requested to place service underground, the cost of wired or unwired installation (not to exceed 100' of drop wire) - \$20.00

If a customer or contractor places the underground drop (at not cost to the Cable Co.), unwired installation charge - \$10.00

If a customer or contractor places the underground drop (at no cost to the Cable Co.), wired installation charge - \$7.00

For information on underground drop (to exceed 100') arrangements must be made with the manager. Additional installation charges may apply.

* One trip charge will pay for installation up to four residential outlets in the same dwelling on the same installer's call, provided the monthly service charge for each outlet will begin immediately.

REFERENCE: West Helena Ord. No. 1241.

4.16.16 Mayor authorized and directed to file with FCC That the Mayor is hereby authorized and directed to file two completed F.C.C. Forms 328 by registered mail (not certified mail) with return receipt requested to:

Federal Communications Commission
Cable Franchising Authority Certification
P.O. Box 18539
Washington, D.C. 20036

REFERENCE: West Helena Ord. No. 1607.

4.16.17 Copy to be mailed to local cable operator The Mayor is further directed to mail a completed copy of this form 328 to our local cable operator at the address listed on the form by certified mail, return receipt requested, on the same day copies are mailed to the F.C.C.

REFERENCE: Ord. No. 1607.

CHAPTER 4.20

OCCUPATIONAL LICENSES

Sections:

- 4.20.01 Occupational licenses required
- 4.20.02 Schedule of fees
- 4.20.03 Application
- 4.20.04 Period governed by license
- 4.20.05 License to be specific
- 4.20.06 Unlawful to operate without a license
- 4.20.07 Penalty
- 4.20.08 City may file actions
- 4.20.09 Fines for furnishing false information
- 4.20.10 No transferral of license
- 4.20.11 Posting

4.20.01 Occupational licenses required The conducting and carrying on of all trades, business, occupations, vocations, callings, and professions, except those specifically exempted by the laws of the state of Arkansas, is hereby declared to be a privilege and each such trade, business, occupation, vocation, calling, or profession, shall apply for and pay for a license in the amount and in the manner hereinafter set out.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.02 Schedule of fees

| | |
|---|---|
| Business conducted by owner and/or spouse, no employees | \$50.00 |
| Business having 1-5 employees | \$50.00 + \$10.00 add. for each employee |
| Businesses having 6-10 employees | \$75.00 + \$10.00 add. for each employee |
| Businesses having 11-25 employees | \$100.00 + \$10.00 add. for each employee |
| Businesses having 26-50 employees | \$125.00 + \$10.00 add. for each employee |
| Businesses having 51 or more employees | \$250.00 + \$10.00 add. for each employee |

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.03 Application The following definition shall apply in construing the above sections:

Business as used in the foregoing sections shall mean any and all trades, occupations, businesses, vocations, callings or profession which are conducted within the city limits of the city of Helena-West Helena, Arkansas.

The Ten Dollars (\$10.00) charge for each employee shall be determined as follows:

Each person, firm or corporation subject to the provisions of this ordinance shall make application to the City Clerk in writing, upon forms to be furnished by the city. Each application shall indicate the character of business for which the license is requested, estimation of the average number of persons to be employed during the succeeding year, the location of said business, and be subscribed and sworn to by the proper person or officer of the person, firm, or corporation making application. Upon proper qualification and application, the City Clerk shall issue a license charging according to the estimate submitted. The person, firm or corporation shall file with the City Clerk a true statement of the average number of employees employed during the previous year, and shall pay any excess due the city by reason of the previous estimate having been too low. On or before February 1st of each and every year, such person, firm or corporation shall furnish an estimate of the average number to be employed during said year of application. The specific purpose and intent of this provision is that all persons, firms or corporations shall furnish the City Clerk accurate information concerning the number employed by them and shall be charged on the basis of the average number so employed.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.04 Period governed by license The period governed by any license issued hereunder shall be for one year beginning January 1st and ending December 31st of each and every year and all licenses shall be paid annually in advance and every year on or before February 1st; provided, however, any person, firm or corporation beginning business in the city of Helena-West Helena after January 1st but before June 1st of any year shall pay the full, annual license fee as hereinabove provided, but any person, firm or corporation beginning business after June 1st of any respective year shall be permitted to pay one half of the annual license fee provided for that business for the balance of the year, but thereafter shall pay the full amount of the license fee as herein provided.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.05 License to be specific The City Clerk shall issue a written license to the licensee upon proper application and payment. The license is to specify and designate the place where such business is to be conducted as well as the home address of said licensee. For each of two or more places at which the occupation is carried on at one and the same time, a separate license fee shall be paid. In the event two or more occupations are conducted from the same place or location, an application, license and fee is required of each business.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.06 Unlawful to operate without a license It shall be unlawful for any person, firm or corporation, whether as principle or agent, to commence, engage in or carry on any trade, business, occupation, vocation, calling or profession in the city without having first procured a license and the commencing, engaging in or carrying on of any such trade, business, occupation, vocation, calling or profession without first procuring a license from the city to do so and pursuant to this ordinance, shall constitute a violation of this ordinance and each day that such activity is carried on without procuring such license shall constitute a separate offense.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.07 Penalty All annual licenses shall be obtained prior to February 1st of each year. In the event that the final date for payment shall fall on a Saturday, Sunday or legal holiday, payment shall be deemed to be timely made if paid in person on the first regular business day thereafter. Failure to obtain and pay for such licenses on or before the dates herein specified shall be deemed a delinquency. All such delinquents shall pay a penalty of twenty-five percent (25%) of the amount due in addition to the amount of license payable if such payment is made without court action and on or before March 1st of each year. All such delinquents not having paid by March 1st of each year shall pay a penalty of one hundred percent (100%) of the amount due in addition to the amount of license payable if such payment is made without court action. Court action shall be taken at the expiration of sixty (60) days after the due date of February 1st as specified. If court actions brought against such delinquent, any person, firm or corporation violating any provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than Twenty-Five Dollars (\$25.00) nor more than

double the amount of the license and penalty due hereunder and each day's violation shall constitute a separate offense. The payment of the license fees and penalties after committing a violation of this chapter shall not relieve the violator from paying the fine or penalty imposed by the District Court. Neither shall the payment of the fine or penalty relieve the violator of liability for the amount of license fee due the city. There should be nothing in this ordinance which shall be construed to make it mandatory on any employee or official of the city to give notice of the license fee due as a condition precedent to the filing of any action and the fact that any violator has not received written notice of license fee due shall be no defense.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.08 City may file actions In addition to the penal provisions contained in the foregoing section, the amount of license imposed by this ordinance shall be deemed a debt due the city and the city shall have the right to file an action in any court of competent jurisdiction for the collection of such debt.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.09 Fines for furnishing false information Any person, firm or corporation required by this ordinance to furnish certain information to the City Clerk and who willfully furnishes false information for the purpose of defrauding the city of any portion of the fee rightfully due or who fails to furnish the information requested shall be deemed in violation of this ordinance and upon conviction, shall be fined double the amount of the license fee paid or due.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.10 No transferral of licenses No license issued under this chapter shall be transferred except by the consent of the City Council of the city of Helena-West Helena, Arkansas, and no license shall ever be transferred more than once per year and never from one business to another.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

4.20.11 Posting Each license shall be posted in a conspicuous place where such business is carried on and the holder of such license shall immediately show such license to any officer of the city upon being requested so to do.

REFERENCE: A.C.A. 26-77-102; West Helena Ord. No. 1573.

CHAPTER 4.24

OFFICES OF UTILITY COMPANIES

Sections:

- 4.24.01 Offices required for utility companies
- 4.24.02 Services required
- 4.24.03 Penalty for violation

4.24.01 Offices required for utility companies All public utilities operating or franchised to operate in the city, shall maintain within the corporate limits of the city an office staffed by a sufficient personnel to collect accounts receivable, accept applications for service and maintain the existing plant of said public utility within the city, said office to be open at all reasonable times for these purposes.

4.24.02 Services required All public utilities operating or franchised to operate within the city shall provide the same services as are provided in other cities and towns in which they are franchised to operate.

4.24.03 Penalty for violation Any person, organization or corporation operating as a public utility within the city who shall violate or cause to be violated any provision of this chapter shall be subject to having his franchise revoked.

CHAPTER 4.28

DEALERS OF PRECIOUS METALS

Sections:

- 4.28.01 Privilege tax
- 4.28.02 Applicability
- 4.28.03 Code of ordinances amended
- 4.28.04 Definitions
- 4.28.05 Records
- 4.28.06 Reports for Police Department
- 4.28.07 Contents of reports
- 4.28.08 Duty to retain goods
- 4.28.09 Notification to police of altered goods
- 4.28.10 Penalties
- 4.28.11 Exclusion

4.28.01 Privilege tax That the code of ordinances of the city of Helena-West Helena, Arkansas, is hereby amended to read as follows:

| | <u>Amount of Fee</u> |
|------------------------|----------------------|
| Precious Metal Dealers | \$100.00 per day |

REFERENCE: West Helena Ord. No. 1320.

4.28.02 Applicability This subsection shall not apply if the person, firm or corporation pays a privilege license tax under another classification of the code of ordinances, provided the tax is paid for the privilege of conducting a business, occupation of profession which routinely and customarily includes the buying of precious metals.

REFERENCE: West Helena Ord. No. 1320.

4.28.03 Code of ordinances amended That the code of ordinances of the city of Helena-West Helena, Arkansas, is hereby amended to read as follows:

Dealers in precious metals

REFERENCE: West Helena Ord. No. 1320.

4.28.04 Definitions The following definitions shall apply to the use of certain terms in this article:

Precious metal dealer: A person, firm or corporation engaged in the business of buying precious metals, whether for cash or trade, and whether or not a fixed place of business is maintained for such purposes.

Precious metals: Any form of gold, silver or platinum.

REFERENCE: West Helena Ord. No. 1320.

4.28.05 Records Every person, firm or corporation engaged in the business of buying, whether for cash or trade, precious metals shall keep a well-bound record book or register which shall contain a copy of every bill of sale issued by said dealer. The Chief of Police or his duly authorized agent shall be entitled to inspect said book or register at any reasonable time.

REFERENCE: West Helena Ord. No. 1320.

4.28.06 Reports for Police Department Every person, firm or corporation engaged in the business of buying, whether for cash or trade, precious metals shall daily enter on forms supplied by the Chief of Police, in chronological order, all transactions wherein and whereby it receives previous metals and shall provide all pertinent information pertaining to each transaction to the

Chief of Police. Each page or sheet aforementioned shall contain columns appropriately entitled for the recording of such information as shall be required herein, and specifically shall contain columns entitled "Amount paid", "Article", "Description of article", "Marks", "Name of party selling", "Method of identification", "Address", "Description of person" and "Thumbprint of person selling the goods", though other columns for pertinent information may be added or deleted from time to time.

REFERENCE: West Helena Ord. No. 1320.

4.28.07 Contents of reports

The information to be entered under the column titles shall be as follows:

1. "Amount paid" In this column shall be entered the amount paid for the article or articles by a dealer in precious metals.
2. "Article" The entry in this column shall be a description of the class of goods within which the purchased items belong. Examples are: coins, rings, silverware, etc.
3. "Description of article" Here a concise description of the goods shall be given.
4. "Marks" In this column any identifying marks, initials, monograms, brand name, or personalized features shall be entered to further describe the goods.
5. "Name of party selling" Here shall be entered the name of the person presenting the goods for sale. The name shall be substantiated and verified by the dealer by examination of the driver's license or social security card of the seller.
6. "Method of identification" The entry here shall be the number appearing on the driver's license, social security card or other identification source of the person selling the articles.
7. "Address" The address of the person selling the goods shall be placed in this column.
8. "Description of person" A description of the person selling the goods shall be made in this column indicating sex, race, height and weight.
9. "Thumbprint of person selling the goods" In this space, the dealer shall require the seller to place a legible print of his/her right thumb.
10. "Photograph" In this space the dealer shall attach a photograph of the

goods received.

REFERENCE: West Helena Ord. No. 1320.

4.28.08 Duty to retain goods No precious metals of any kind whatsoever received by the dealer shall be sold or permitted to be removed from the place of business of the dealer for a period of thirty-six (36) hours from the time of receiving same and all such goods shall be retained in the original condition in which they were received during said thirty-six (36) hour period.

REFERENCE: West Helena Ord. No. 1320.

4.28.09 Notification to police of altered goods In the event any articles sold to any person regulated by this chapter, which normally carry or have a serial number or other means of identification, which shall have said serial number or other means of identification removed, mutilated, defaced or destroyed, or melted down, such fact shall be immediately reported by the dealer to the Chief of Police or his duly authorized agent.

REFERENCE: West Helena Ord. No. 1320.

4.28.10 Penalties Any person, firm or corporation who shall willfully violate any provision hereof shall upon conviction thereof be deemed guilty of a misdemeanor and shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each offense or by imprisonment for not more than one year. Each and every item of goods acquired in violation hereof shall be deemed a separate transaction and each failure of any person, firm or corporation to keep a record of each transaction as required by this article, or to make a report as required by this article, or to comply with any other provision hereof, shall constitute a separate offense.

REFERENCE: West Helena Ord. No. 1320.

4.28.11 Exclusion This ordinance shall have no application to financial institutions chartered under state or federal banking laws; nor to security firms duly licensed under federal or state laws; not to transactions between such institutions or firms and their customers.

REFERENCE: West Helena Ord. No. 1320.

CHAPTER 4.32

SALE OF FISH AND SEAFOOD

Sections:

- 4.32.01 Restrictions
- 4.32.02 Licenses required
- 4.32.03 Fee for licenses
- 4.32.04 Cleanliness of vehicles
- 4.32.05 Duties of health officer
- 4.32.06 Penalties

4.32.01 Restrictions It shall be unlawful to sell or offer for sale any fish or seafood from any motor vehicle or any mobile vehicle or cart of any kind, on any public street or sidewalk in the city, except as provided herein.

REFERENCE: A.C.A. 26-77-105; Ord. No. 1276

4.32.02 Licenses required It shall be unlawful to sell or offer for sale any fish or seafood from any motor vehicle or any mobile vehicle or cart of any kind in the city without having first secured a license therefore.

Any license issued under the provisions of this ordinance may be revoked by the Health Officer for any violation of any regulation hereof, and such revocation shall be in addition to any fine imposed by virtue of this section.

REFERENCE: A.C.A. 26-77-105; Ord. No. 1276

4.32.03 Fee for license Application for such licenses shall be made to the Clerk, and shall state thereon the description and number of vehicles, if any, intended to be operated; the nature of, the merchandise to be sold; and the name and address of the applicant.

The annual fee for such license shall be \$100.00 for each vehicle.

Upon receipt of such application, the Clerk shall notify the Health Officer who shall make an inspection of the vehicle as to compliance with the laws of the state of Arkansas and the provisions of this ordinance. Upon approval by the Health Officer and payment of the annual fee by applicant, the Clerk shall issue a license. Such license shall not be transferable.

REFERENCE: A.C.A. 26-77-105; Ord. No. 1276

4.32.04 Cleanliness of vehicles All such vehicles shall be kept in a clean and sanitary condition and shall be thoroughly cleaned each day they are so used. It shall be unlawful to permit stale merchandise or decaying matter, or any other waste material or product to accumulate in or on any such vehicle while it is so used.

REFERENCE: A.C.A. 26-77-105; Ord. No. 1276

4.32.05 Duties of health officer It shall be the duty of the Health Officer to make or cause to be made such inspections as may be necessary to insure compliance with the provisions of this ordinance and the laws of the state of Arkansas.

REFERENCE: A.C.A. 26-77-105; Ord. No. 1276

4.32.06 Penalties Any person, firm or corporation violating any provision of this ordinance shall be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

REFERENCE: A.C.A. 26-77-105; Ord. No. 1276.