

CHAPTER 8

TEMPORARY MERCHANT

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16.8.1 Purpose. A temporary merchant under the ordinance shall be deemed and construed to mean and include any person or persons, firm or corporation, either principal or agent, employer or employee who engages in a business in the City by selling or offering for sale goods, wares, merchandise, food or refreshment for a period of nor more than one hundred eighty (180) days and who, for the purpose of carrying on such business, hires, leases or occupies any room, building, structure, stand, trailer or vending cart on any real property or on the adjoining street or public place in the City. The person, firm or corporation so engaged shall not be relieved from the provisions of this section by reason of associating temporarily with any local business.

16.8.2 License Required. It shall be unlawful for any person to conduct the business of a temporary merchant without first securing a license therefore.

16.8.3 License Application; Certificate of License with Term. All applications for a license under this Chapter shall be made to and upon forms provided by the City. Upon the granting of a license, the City shall issue a certificate of license. The certificate shall show the name of the licensee, the business or occupation to be carried on thereunder, the place of business, and the date of expiration of such license.

16.8.4 License Fees. The City shall collect a fee from each temporary merchant in the amount established from time to time by resolution of the City Council.

16.8.5 Regulations. (1) No temporary merchant shall use any excessively noisy device to attract attention to his/her wares. The temporary merchant shall not shout or call his/her wares in a loud, boisterous manner.

(2) All conveyances and receptacles used by the temporary merchant to carry foodstuffs or other edibles shall be kept in a clean and sanitary condition and foodstuffs and other edibles shall be protected from dirt, dust, insects or other contamination. All State and Davis County

food handler requirements must be met and a food handler permit from Davis County must be obtained.

(3) All temporary merchants shall be subject to all applicable rules and regulations of the City.

(4) No temporary merchant shall stand or allow his/her booth, stand or vehicle to locate upon any public way without receiving prior City approval. The temporary merchant's stand, booth, cart or vehicle must be so located so as to provide adequate parking for his/her customers off the traveled portion of the street and to prevent congestion on public ways.

(5) The temporary merchant must exhibit to the City written permission from the property owner or person in control of the property on which the temporary merchant will locate and operate said business.

(6) The temporary merchant's stand, booth, cart or vehicle must be removed from its approved location within fourteen (14) days from the day selling or offering for sale goods, wares, merchandise, food or refreshment stops or from the conclusion of the one hundred and eighty (180) day license period, whichever is sooner.

16.8.6 Cleanup Deposit. A cleanup deposit in the amount established from time to time by resolution of the City Council shall be required of the licensee to assure the removal of unsold goods, stand, booth, cart, vehicle and related debris remaining on the premises within fourteen (14) days from the day selling or offering for sale goods, wares merchandise, food or refreshment stops or from the conclusion of the one hundred and eighty (180) day license period, whichever is sooner. Said deposit shall be refunded to the licensee, provided the premises are left clean and free of said unsold good and related debris as determined by inspection.