

Transient Merchant Requirements

- Transient merchant means any person, firm, or corporation, as principal or agent, or both, which is not a regular retail or wholesale merchant with a fixed and permanent retail place of business in the city, but rather one who displays samples and/or sells, goods, wares, merchandise or food in any temporary location, whether fixed or mobile, for immediate or future delivery.
- The Transient Merchant must first obtain an Occupational Tax Certificate from the City Clerk's Office.
- Transient merchants must then register with the Dalton Police Department. It shall be unlawful for any person to engage in business as a transient merchant without first having registered at the Police Department.
- Each registrant shall pay a \$25.00 registration fee. Each registrant shall make application at the Police Department to operate within the city as a transient merchant and, **if qualified**, shall be issued a permit. The event shall not **exceed seven (7) consecutive days**.
- A transient merchant shall not locate and conduct a business from a mobile vehicle or upon the public sidewalks, streets, alleys, walkways, parks, parking lots, rights-of-way, or other public lands of the city or upon state rights-of-way within the city limits.
- No merchandise, goods, or wares shall be sold within 50 feet of any right-of-way, including, but not limited to, any street or sidewalk.
- In the event that a transient merchant attempts to sell on the premises of a business within the city, the transient merchant must furnish **written** proof of the property owner's consent for the transient merchant to engage in such sales upon the property.
- If a transient merchant is going to sell merchandise, goods, foods, or wares on the premises of a business within the city, the property owner must have sufficient parking on said property to accommodate not only the existing businesses on said property, but must also demonstrate that it has **eight** available parking spaces for the sales of the transient merchant.
- The location of the transient merchant must not impede the ingress and egress of emergency vehicles onto or out of the premises on which the transient merchant's business is sited.
- If the business of the transient merchant involves commercial cooking, then the transient merchant shall comply with all applicable, health, fire and environmental codes and regulations.
- Any electrical power use by the transient merchant must be self contained and not drawn from the power supply of the owner of the premises upon which the transient merchant is located.
- Any signs utilized by a transient merchant shall comply with the city sign regulations;
- The hours of operation for any transient merchant on the premises of a business shall be between the hours of 10:00 a.m. until 6:00 p.m.
- Any transient merchant who violates any provision of this Article shall, in addition to a revocation of permit, shall be subject to a civil fine of not less than \$200 and not more than \$1000 per violation.

Exemptions

- ✓ Sells Agriculture products in their natural state which are grown or raised by the seller
- ✓ Makes house to house or personal calls for the purpose of displaying samples or taking orders for shipment directly from a manufacturer
- ✓ Conducts business at any industry or association trade show
- ✓ Sells items at a rummage, garage, antique, or similar sale when such person, firm, or corporation is a resident of the city or has a permanent place of business within the city and such sale is not part of the regular business activity of such person, firm, or corporation or when the net proceeds of such sale are to be used for charitable purpose
- ✓ Sells goods, wares, merchandise or food in the Downtown Business District under the authority of a special events permit issued pursuant to the Code