

CITY OF FRONTENAC: ITINERANT MERCHANTS LICENSE

Itinerant merchant: All persons or entities who within the City engage in or conduct, either in one (1) locale or by traveling from place to place, a temporary or transient business of selling, buying or the promotion of sale or the promotion for sale of goods, wares and merchandise and/or perishable products of any nature, directly to or from the public with the intention of continuing in such business for a period not exceeding fourteen (14) days in any one (1) locale or place; except for tenants within the High Fashion District for a period not exceeding forty-five (45) days; and who for the purpose of carrying on such promotion, business, buying or selling hires, leases, rents, uses or occupies, either in or whole or in part, a room, building, motor vehicle or other structure for said promotion, sale or exhibition of such goods, wares, merchandise and/or perishable products.

Exclusions: The aforesaid definition shall not apply to:

- (1) The mere transportation of goods, wares, and merchandise and chattels of every description.
- (2) Persons using motor vehicles for the transportation of goods, wares and merchandise for delivery to an established list of customers or clientele, or to an established place of business.
- (3) Salespersons or agents for wholesale houses or firms who solicit orders from, or sell to retail dealers in the City for resale or other commercial purposes, or to manufacturers for manufacturing or other commercial purposes.
- (4) Persons conducting judicial or other sales under legal proceedings.

License

A. Registration Required

It shall be unlawful for any person to conduct business as an itinerant merchant without having first applied for and received a certificate of registration issued by the City.

B. Compliance with law required

Applicants and holders of itinerant merchants license shall comply with all directions and conditions set forth in this chapter and with all applicable laws and ordinances.

C. Application-Fee-Records

1. All applicants wishing to conduct business as itinerant merchants shall submit an application for license upon forms provided by the City.

2. A separate application is required for each itinerant merchant conducting activities in or on each separate parcel of land, building, tent, room, apartment, shop, store, structure, booth, stand or vehicle.
3. The applicant shall truthfully state in full the information requested on the application.
4. All applicants who conduct business as itinerant merchants shall submit with their application for such license an application fee of one hundred dollars (\$100.00), however, charitable, not-for-profit, religious or educational organizations shall not be required to submit such application fee.

D. Issuance or denial

No license shall be issued to:

1. Any person who has been convicted of the commission of a felony under the laws of the state or any other state or federal law within (5) years of the date of the application.
2. Any person who has been convicted of a violation of any of the provisions of this chapter, or an ordinance of any other municipality regulating soliciting within one year of the date of the application.
3. Any person or organization who has had a previous itinerant vendor license, issued by the City, revoked within one year of the date of the application.
4. Charitable solicitors unless they possess a valid not-for-profit letter from the State of Missouri and otherwise qualify under and comply with applicable City Ordinances.
5. Students, parents and faculty of an educational institution that are raising funds to support an activity related to and approved by the institution unless they possess a valid letter from the institution authorizing such activity.
6. An Itinerant merchant unless possessing a valid retail sales number issued by the State Director of Revenue as required by RSMo 144.083.

- E.** The City Administrator, or should the City Administrator be absent or should the office of the City Administrator be vacant then the City Clerk shall have the authority to approve or deny all applications for license submitted under Section 605.040. After receipt of the application fee set forth in Section 605.040 (C), and after review and consideration of the application, the City Administrator shall approve or deny said application.

The City Administrator shall not issue said approved license until the entire appropriate application fee shall have been paid.

F. Duration; renewal

A license shall be issued for a specific period of time as specified in Section 605.040. Renewal of license shall require an additional application fee. A maximum of two (2) licenses, including renewals per year shall be issued to any person or organization.

G. Display

A license shall be carried at all times by the itinerant merchant to whom issued when operating in the City. The license shall be exhibited by such itinerant merchant whenever requested to do so by any officer of the City or by any person being solicited.

H. Each owner or landlord of property and each promoter of itinerant vendor shows within the City which permits or promotes an itinerant vendor to sell or purchase goods, merchandise or services on its property or under its license, direction or control shall insure that each said itinerant merchant possesses a lawful license from the City to conduct such business and any said failure of such owner, landlord or promoter shall constitute a separate and independent violation of this ordinance.

Effective Date 06/20/2007

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