



Itinerant Merchant Application

Dallas City Code Section 7.855

Application Fee - \$100.00

Official Use Only	
Date Rec'd _____	
File No. _____	
Fee _____	Paid _____

Applicant's Name

Complete Mailing Address

Phone

Email

Business Name

Complete Mailing Address

Phone

Email

Describe your business, including products and /or services

Days and hours of operation

How long will you be conducting business? Begin Date

End Date

Itinerant Business location

Signature (consent) of Property Owner

Do you intend to conduct business in the Public Right-of-Way (city streets or sidewalks)?

Yes

No

If yes, applicant must obtain and maintain a policy of liability insurance in the amount of \$1,000,000, and name the City of Dallas, Oregon as an additional insured. A certificate of insurance shall be provided to the City before the City will issue the permit.

Please submit a site plan showing placement of structures, sales area, customer vehicle parking, vehicle access and traffic circulation.

I hereby certify that, to my knowledge, the above information is true and correct.

Applicant's Signature

Date

Step 1

*Please submit
payment in the
amount of
\$100.00 to:*

Finance Department
187 SE Court Street
Dallas, OR 97338
503-831-3508



Step 2

*Please
return
completed
form to:*

City Manager's Office
187 SE Court Street
Dallas, OR 97338
503-831-3502
sam.kaufmann@dallasor.gov

Dallas City Code Section 7.850 - 7.860

7.850 Definition.

For purposes of sections 7.850 to 7.860:

- (1) "Food cart" is a type of itinerant merchant business that is a mobile food service operation offering prepared food for sale to walk-up customers.
- (2) "Itinerant merchant" is a person who sells or offers for sale to the public at large, goods, wares, or merchandise, other than from door-to-door or from place-to-place, from a motor vehicle, trailer, cart, wagon, or stand, on a nonpermanent or noncontinuous basis.
- (3) "Master license" is a license issued to the organizer or sponsor of a coordinated event or activity, approved by the city council, involving more than one itinerant merchant (a) for a limited duration, not exceeding five consecutive days; or (b) on a scheduled recurring basis, not more frequently than twice each calendar week, for a period not to exceed six consecutive months. A master license shall be subject to all of the provisions of sections 7.000 to 7.075.

[Section 7.850 amended by Ordinance No. 1725, passed June 21, 2010; amended by Ordinance No. 1789, passed October 19, 2015.]

7.851 Application and Fee.

- (1) Application for an itinerant merchant permit shall be made on a form prescribed by the city manager and be accompanied by the fee established by resolution of the city council.
- (2) An applicant for a permit to operate a food cart business shall submit proof of required Health Department permits with the application.

[Section 7.851 added by Ordinance No. 1725, passed June 21, 2010; amended by Ordinance No. 1789, passed October 19, 2015.]

7.855 License Required; Exception.

- (1) Except as provided in section (2), no person shall engage in business as an itinerant merchant without first obtaining a permit from the city manager.
- (2) A person named under a master license issued under section 7.030 is not required to have a license under subsection (1) of this section during the activity or period covered by the master license, provided, that the person shall comply with all of the requirements of sections 7.857 and 7.858, and all other applicable laws, rules, regulations and ordinances.

[Section 7.855 amended by Ordinance No. 1725, passed June 21, 2010.]

7.856 Time Limit and Location.

- (1) Except as provided in subsection (4), no itinerant merchant shall do business or leave any stand or structure associated with their business at the same location for more than 3 months in any calendar year, unless the itinerant merchant is named under a master license issued for a recurring activity or event, as authorized under section 7.850(2), in which case the itinerant merchant may do business at the licensed location for the duration of the license period, provided, the merchant may not leave any stand or structure in place when not actively engaged in business.
- (2) If an itinerant merchant, other than a food cart merchant, ceases to operate a business for 14 consecutive days, the license for that itinerant merchant shall automatically terminate and all stands, signs, storage facilities and structures of any kind associated with the business shall be immediately removed.

(3) If the licensee under a master license for a scheduled recurring event or activity fails to operate the event or activity on more than two consecutive scheduled occasions, the master license shall automatically terminate and all stands, signs, storage facilities and structures of any kind associated with the activity or license shall be immediately removed. Upon termination of a master license, all persons named under the master license shall cease doing business under the license.

(4) Itinerant merchant activities shall only be allowed in a commercial zone with the written permission of the lot owner. Furthermore, the proposed location must have adequate off-street parking, circulation, and other improvements deemed necessary by the city manager.

(5) Notwithstanding subsections (1) through (4) above, food carts shall be permitted to remain in an approved location for a period of 6 months, and shall be permitted to renew a license to operate at the same location for successive 6 month periods upon submission of a new application and payment of the required fee for each six-month period.

[Section 7.856 added by Ordinance No. 1437, passed June 4, 1990; amended by Ordinance No. 1725, passed June 21, 2010; amended by Ordinance No. 1789, passed October 19, 2015.]

7.857 Outside Storage Prohibited.

No outside storage or display of supplies, equipment, stock, wares or other materials associated with the business shall occur except while the itinerant merchant is present and open for business.

[Section 7.857 added by Ordinance No. 1437, passed June 4, 1990; amended by Ordinance No. 1725, passed June 21, 2010.]

7.858 Premises to be Maintained.

The business premises and any adjacent areas used or under the control of the itinerant merchant shall at all times be kept neat, clean and free of debris. All stands, storage facilities or structures used shall be in good condition, be well maintained and be aesthetically appropriate to the surrounding area.

[Section 7.858 added by Ordinance No. 1437, passed June 4, 1990; amended by Ordinance No. 1725, passed June 21, 2010.]

7.859 Insurance.

The city manager may require the itinerant merchant to obtain and maintain a policy of liability insurance from an insurance company licensed to issue insurance in the State of Oregon, with limits in an amount the city manager reasonably deems appropriate, and with the city named as an additional insured thereunder, and to provide the city with a certificate of such insurance. Said insurance coverage, if required, shall be maintained for so long as the permit remains in effect. The insurance policy and certificate of insurance shall contain a provision that, for the period of time covered by the permit, it cannot lapse or be canceled or amended without at least ten days advance notice to the city.

[Section 7.859 added by Ordinance No. 1725, passed June 21, 2010.]

7.860 Penalty.

Violation of a provision of Sections 7.855, 7.856, 7.857, or 7.858 is a civil infraction.

[Section 7.860 amended by Ordinance No. 1437, passed June 4, 1990; amended by Ordinance No. 1725, passed June 21, 2010.]