



Itinerant Merchant Application

Dallas City Code Section 7.855

Effective July 1, 2023
-Application Fee - \$20.00-

*-Please note: Processing May Take Up to 5-7
Business Days-*

Dallas City Code Section 7.030, 7.070

7.030 Application Requirements; Background Check

1. Application for all licenses required by sections 7.100 to 7.860 shall be made on forms prescribed by the city manager. The application forms shall provide for information necessary to determine the identity and address of the applicant and of the owner of any business, activity, or device to be licensed and shall provide for other information as required by specific license provisions of this code or as necessary for review under section 7.035.

2. The application shall be signed by the applicant and shall constitute the applicant's consent to conduct an investigation of the applicant's qualifications by the city, and consent to a criminal background check of the applicant under city ordinance. If the applicant is a partnership, joint venture, limited liability company, corporation or other business entity, the applicant shall consent to a criminal background check on the entity and all partners, joint venturers, members, managers, officers and directors, as well as any employee or agent designated to conduct the licensed activity or operate the licensed device within the city of Dallas under the license.

HISTORY Amended by Ord. 1878 on 9/14/2022

7.070 Posting Of License

Except as provided in subsection (2), the license or permit shall be posted in a conspicuous place upon the business premises, available for inspection by the public, employees, and prospective employees of the business.

If the licensee has no office, business premises, or other established place of business within the city, the license shall be at all times in the possession of an employee or representative of the business who is present within the city while business is being transacted by an employee or representative within the city.

[Section 7.070 amended by Ordinance No. 1725, passed June 21, 2010.]

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.

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

HISTORY Amended by Ord. 1884 on 4/3/2023

7.851 Application And Fee

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.

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

No person shall engage in business as an itinerant merchant without first obtaining a permit from the city manager.

HISTORY Adopted by Ord. 1878 on 9/14/2022

Amended by Ord. 1884 on 4/3/2023

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.

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. Itinerant merchant activities may be allowed in conjunction with a special event for which a special event permit has been issued. Itinerant merchant activities not associated with a special event shall only be allowed in a commercial or industrial 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.

4. Notwithstanding subsections (1) through (3) 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.

HISTORY

Adopted by Ord. 1878 on 9/14/2022

Amended by Ord. 1884 on 4/3/2023

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.]



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

Applicant's Name

Date of Birth

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

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 a 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

Please
return
completed
form to: City Manager's Office
187 SE Court Street
Dallas, OR 97338
503-831-3502
recorder@dallasor.gov