



Fee: \$ _____

City of North Plains

31360 NW Commercial St. North Plains, OR 97133

Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

PEDDLERS, SOLICITORS, TEMPORARY AND STREET VENDOR BUSINESS REGISTRATION LICENSE APPLICATION

(NOTE: Individual applicants must apply in person and bring their driver's license)

General Company Information

Select One: Peddler Solicitor Street Vendor *(License valid 6 months from date of approval)*
 Temporary Merchant *(Valid for 45 days)*

Company Name: _____

Local Agent Name: _____
(Person to contact for complaints against business)

Physical Address: _____
Street *Apartment/Unit #*

_____ _____
City *State* *ZIP Code*

Mailing Address: _____
Street *Apartment/Unit #*

_____ _____
City *State* *ZIP Code*

Business Phone: () - _____ Business Fax: () - _____

Co. Email Address: _____

Local Agent
Physical Address: _____
Street *Apartment/Unit #*

_____ _____
City *State* *ZIP Code*

Personal Information

Individual Name: _____

Date of Birth: _____ Drivers License Number: _____

Prior Criminal History (include convictions or incarcerations within last ten years from date of application):

Previous Sales History (include history within the community within ten year period from date of application):

Description of Goods or Services Offered for Sale: _____

Agreement

I and my company agree to adhere to the following standards:

All peddlers, solicitors, and street vendors shall register individually with the city prior to engaging in any activities defined in Municipal Code section 6.25.020. The registration shall be filed with the City Recorder on a form supplied by the city. Registrations will be accepted only during normal city business hours. Failure to provide complete and accurate information may result in a violation of this section and immediate revocation and/or denial of registration.

A registration is valid for a period of six months. After six months, re-registration is required before further business can be conducted.

Peddlers and Solicitors - All peddler and solicitors shall:

1. Limit their hours of operation to only those hours between 9:00am and 9:00pm.
2. Not enter uninvited into a private building, structure or room.
3. Not enter uninvited upon private property that is posted "No Soliciting" or with a similar sign.
4. Within 30 seconds after beginning the conversation with a potential customer:
 - a. Provide identification of both the person and whom the person represents;
 - b. Explain the purpose of the person's call;
 - c. Provide a description in commonly understood terms of the goods or services offered for sale; and
 - d. Inquire whether the person being solicited is interested in listening to a sales presentation and immediately discontinue the solicitation if the person being solicited gives a negative response.
5. During the course of the solicitation, state the total cost of the goods or services offered for sale and the number, timing and amount of installment payments if payment on an installment basis is available to the person being solicited.

Street Vendors - Sales operations shall be:

1. Limited to the period from one-half hour before dawn to one-half hour after dusk; and
2. Limited to not stopping adjacent to any lot in excess of 15 minutes in any one hour period, push carts may be located at specific locations on the public rights-of-way or sidewalk subject to approval by the City Manager.

Any registrant who does not meet the eligibility requirements provided in the Municipal Code Section 6.25.030 may appeal to the City Manager. The City manager may accept or reject the appeal, or waive any requirements imposed. All appeals must be made by submitting a formal request to the City Recorder, together with the non-refundable processing fee as established by City Council resolution.

Temporary Merchants

- A. Requirements – A temporary merchant who intends to operate a business for more than three consecutive days at any one location, and who is not identified as exempt under the provisions of Municipal Code Section 6.25.070 shall obtain a license from the city prior to engaging in any sales activities. Temporary merchants are authorized to set up only on properties within the C-2 Highway Commercial Zone. One temporary merchant license may serve as an umbrella license for several related organizations on one lot during the same license period.
- B. Term –
 1. A temporary merchant license is valid for up to 45 consecutive days for each location, after which it may be renewed, subject to a fee set by City Council resolution.
 2. A qualified temporary merchant who anticipates operating a business for more than 45 days at one location may apply for a temporary merchant license which has no expiration date, subject to a fee set by City Council resolution. Under this provision, a seasonal business that

is open year to year shall be allowed to open each year without re-licensing provided the location or physical size does not change.

- C. Exemptions – The following temporary merchants do not require a license and are exempt from the application requirements contained within Section 6.25.080 but must meet the standards under Section 6.25.080.
1. Any temporary merchant who is in operation for three or fewer consecutive days at the same location.
 2. A non-profit organization selling goods, wares or merchandise, whose business is in operation on private property during one period not exceeding 45 consecutive days in any three month period.
 3. Sales associated with events sponsored through City Council or City Manager action such as North Plains Garlic Festival.
 4. Temporary construction offices in conjunction with the initial development of residential, commercial or industrial property.
- D. Standards –
1. The activities of the temporary merchant shall not impair or impede the proper flow of pedestrian or vehicular traffic on public or private property.
 2. The activities shall not unduly restrict parking spaces on public or private property. Any parking spaces which are customarily in use during normal working hours shall not be used as a location for a temporary merchant.
 3. Approved parking spaces shall be provided as is deemed appropriate by the city. Required parking spaces shall be located within 100 feet of the temporary merchant. In no case shall there be less than two available parking spaces per temporary merchant. Required parking spaces for temporary merchants are used on a temporary basis and, therefore, they may be graveled, asphalt or concrete surfaces. In all other respects, parking areas shall meet requirements of the North Plains Zoning and Development Code.
 4. Only one temporary merchant license will be permitted on any individual lot or development site at any given time.
 5. Licenses shall be displayed by the temporary merchant in a visible location and shown to any customer or city official upon request.
 6. The proposal shall comply with the North Plains Zoning and Development Code as far as signage, height restrictions, public access, setbacks, coverage, vision clearance and yard requirements. No storage, display or sale may take place inside the required front setback area.
 7. All applicable sanitation codes, including waste disposal shall be complied with. If self-contained facilities such as porta-potties are proposed, they must also meet all applicable city and state sanitation requirements.
- E. Application – The applicant shall provide the following information together with the application:
1. A site map of the location of temporary merchant activities.
 2. The name of a local agent to receive complaints against the business.
 3. If located on private property, signed, written consent from the owner of the property which authorizes the merchant to conduct business from the property must be provided.
 4. If located on public property, signed, written consent authorized by the City Council or other public agency with authority to allow the merchant to conduct business from the publicly owned property must be obtained. The City Council is under no obligation to approve any request for such use.

Licensing Approval, Authority and Appeals – The city shall have the authority to approve or deny any application for a license to be issued under Municipal Code Section 6.25. A license shall not be issued if the applicant has provided false information on the application form.

Any applicant for a license which is denied approval may appeal the decision to the City Manager. The City Manager may accept or reject the decision of city staff, or waive any requirements imposed.

Penalty – Any person who engages in activities within the corporate city limits without having first registered, as provided by this Chapter, or without having first applied for and obtaining the license herein

provided for, or who violates any other of the provisions of this Chapter, shall have committed an infraction and shall be processed in accordance with Chapter 1.01 of the Municipal Code. Every day of a continuing violation shall be deemed a separate offense for the purposes of these penalties.

Certification and Acknowledgment – I hereby certify that this application contains no misrepresentation or falsification and that the information given is true and complete to the best of my knowledge and belief. I understand that misrepresentation or omission of facts called for in this application is cause for cancellation of the application and/or permit.

I authorize the City of North Plains, to make any necessary and appropriate investigations to verify the information contained herein, and I authorize and release from liability all previous and present employers, government agencies, educational institutions, and references to provide/release information as necessary to verify the information provided is accurate.

I have read and understand all of the provisions of this acknowledgment. By signing this application I hold the City of North Plains harmless for any result of the criminal background check, referenced herein.

Applicant Signature: _____ Date: _____

FOR CITY USE ONLY

Received by: _____ Date Received: _____ Receipt Number: _____

ATTACHMENTS TO BE INCLUDED WITH APPLICATION:

Copy of State Business License Copy of any materials being distributed Drivers License

Street Vendors: Schedule of Lot Locations noting addresses, route and time frames

Temporary Merchants: Schedule of Lot Locations noting addresses and time frames
 Site map drawing showing property dimensions, setbacks, lot coverage, vision clearance
 Waste disposal information
 Signed property owner consent (if using private property)
 Signed public agency consent (if using public property)

REVIEW AUTHORITIES:

City Manager: _____ Approve Deny

Zone: _____ (Temporary Merchants limited to C-2 Highway Commercial Zone)

Parking Requirements: _____

Comments: _____

License Number: _____ Approved: _____
 Seasonal Temporary Merchant Business Expiration Date: _____