



CITY OF CARBONDALE, ILLINOIS

APPLICATION FOR TRANSIENT MERCHANT OR ITINERANT VENDOR LICENSE

Please print legibly or type

DEFINITIONS:

Transient Merchant: A person/business engaged temporarily in the retail sale of goods, wares or merchandise in this City and who, for the purpose of conducting such business, occupies any building, room, vehicle, structure of any kind, vacant lot or parcel of property.

Itinerant Vendor: A person/business who transports tangible personal property for retail sale within the City who does not maintain in this City an established office, distribution house, sales house, warehouse, service enter or residence from which such business is conducted.

Name of Business _____

Street Address of Business _____

P.O. Box of Business _____

City _____ State _____ Zip _____

Business Phone (____) _____ Business Fax (____) _____

Location from which applicant intends to sell: _____

Date(s) of proposed sale: From _____ To _____

Nature of business proposed to be conducted. Include the type(s) of good to be sold and how those goods will be sold (out of a truck, from a stand, from a hotel room, etc.). BE SPECIFIC.

Describe vehicle to be used (if applicable):

Make & Model _____ Color _____ License # _____ State _____

List all licenses to conduct business as a Transient Merchant and/or Itinerant Vendor obtained within the State of Illinois within the last twelve (12) months: _____

Have you ever made a previous application for a Transient Merchant and/or Itinerant Vendor license in the City of Carbondale? Yes No If yes, was that license approved or denied? Approved Denied. Reason for denial: _____

BUSINESS OWNERSHIP INFORMATION	
Name of Owner/President _____	
Mailing Address _____	
City/State/Zip _____	
Phone Number () _____	Date of Birth _____
Drivers License # _____	State of Issuance _____

Please attach the following:

Cash or certified check in the amount of \$100.00

Surety bond issued by an insurance company having authority to do business in Illinois or a cash deposit equal to fifty percent (50%) of the wholesale value of the merchandise to be offered for sale. (Not less than \$1,000 nor more than \$10,000.)

Notarized statement from the property owner authorizing you to sell from his/her property through December 31 of the current year.

Illinois Retailer's Occupation Tax (Sales Tax) Certificate

Complete Inventory of goods to be sold

Jackson County Health Permit (if applicable)

State or Federal Tax Identification Number (FEIN)

The attached Seller Information Form must be completed for the applicant whose signature appears below AND for every person who will be in contact with the public for the purpose of stocking, transporting, delivering and/or selling the goods, wares or merchandise. Additional forms may be obtained from the City Clerk's Office.

Signature of Applicant

Date

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

This application and supporting documents may be sent to the City Clerk's Office, 200 S. Illinois Avenue, P. O. Box 2047, Carbondale IL 62902-2047. (Phone 618/457-3281)

SELLER INFORMATION

The following information must be completed for every person who will be in contact with the public for the purpose of stocking, transporting, delivering and/or selling the goods, wares or merchandise. Any new individuals added after submission of this application must be submitted to the City Clerk's Office within 24 hours.

Name _____

HOME Address _____

City/State/Zip _____

LOCAL Address* _____

*Where you are staying while you are selling in the Carbondale area.

Home phone number _____ Local phone number _____

Driver's License No. _____ State of Issuance _____

Date of birth: _____ Place of birth: _____

Please list home address(es) for the past two years and the length of time you lived at each address:

1. _____ How long? _____
2. _____ How long? _____
3. _____ How long? _____
- 4.. _____ How long? _____

Have you ever been convicted of a criminal offense or ordinance violation (other than a traffic violation) in any jurisdiction? Yes No If yes, please list each individual offense and/or violation, the date and the prosecuting jurisdiction. Attach additional page(s) if necessary:

CERTIFICATION

I, the undersigned, do hereby certify that to the best of my knowledge and belief the above information is true, correct and complete. I understand that failure to correctly and completely answer the above questions will be cause for denial of this license.

Signature of Seller

Date

(Please contact the City Clerk's Office for additional copies of this page.)



CITY OF CARBONDALE, ILLINOIS INFORMATION ON OBTAINING A TRANSIENT MERCHANT - ITINERANT VENDOR LICENSE

Attached is an application for a City of Carbondale Transient Merchant - Itinerant Vendor License. This license may be obtained by filing the attached application with the City Clerk's Office no less than 21 business days in advance of the proposed activity.

It is unlawful for any person, either as a principal or agent, to conduct business as a transient merchant or itinerant vendor in Carbondale without having obtained a license and complying with the requirements of the Retailers' Occupation Tax Act (35ILCS 120/1 et seq.) by obtaining a certificate of registration.

It shall be prima facie evidence in a court of law that a person is a transient merchant or itinerant vendor under the City Code if the person does not transact business from a fixed location or if the person does not own or lease for a term of at least six months, the property from which the business is conducted.

LICENSE APPROVAL: Any license issued pursuant to the Transient Merchant - Itinerant Vendor Code provisions shall expire on December 31 of the year it was issued. The license fee and all pertinent documentation must be submitted before the approval process is initiated. Within two business days of receipt of the application, the City Clerk will send copies of the application to the Police Department (for investigation of criminal history) and the Finance Department (to determine if the applicant has an outstanding debt to the City). These departments must report back to the City Clerk within 10 days. Upon receipt of the information, the City Clerk shall cause the license to be issued within five business days unless it is determined that the license must be denied.

LICENSE DENIAL: According to the Carbondale City Code, if any of the following factors have been committed, the application for the license *shall* be denied: (a) any material statements made in the application are false; (b) the applicant has been charged with or received a disposition of guilt either through supervision, probation or conviction for any offense involving theft, burglary, fraud, bribery or moral turpitude under the laws of any state within five years of the date of application; (c) the applicant or employer has had a previously-issued license under this or similar article revoked by Carbondale or any other city within the last five years; (d) the applicant or employer has been convicted of violating any provisions of this article within five years of this application; (e) the applicant has not secured a food and/or drink license, if required; or (f) the applicant has outstanding debt with the City. If a license is denied, the license fee is not refundable.

LICENSE REVOCATION: A transient merchant or itinerant vendor license shall be revoked if the licensee has violated any City Code provisions relative to the issuance of a transient merchant or itinerant vendor license, if the applicant has been charged with or received a disposition of guilt either through supervision, probation or conviction for any offense involving theft, burglary, fraud, bribery or moral turpitude under the laws of any state within five years of the date of application; has knowingly furnished false or misleading information or withheld relevant information on this application or in investigation into any such license; has engaged in fraud, misrepresentation or false statements in the course of carrying out his business as a transient merchant or itinerant vendor; has conducted his business in an unlawful manner or in such a manner as to constitute a breach of the peace or as to constitute a menace to the health, safety or general welfare of the public; or no longer has a valid licensee's bond as required. If a license is revoked, the license fee is not refundable.

LICENSE DENIAL AND REVOCATION (CONTINUED) If the license is denied or revoked, the City Clerk shall provide written notification of such denial or revocation to the applicant in person or by first class mail. Appeals are through the City Manager's Office and the decision of the City Manager is final. If a license or permit is denied or revoked, no transient merchant or itinerant vendor license shall be considered by the City for at least six months from the date of denial or revocation.

LICENSE MUST BE CARRIED UPON OR POSTED AT THE PLACE OF BUSINESS AT ALL TIMES. It is the duty of every transient merchant or itinerant vendor to exhibit their license and allow any information contained thereon to be documented when requested to do so by any law enforcement officer, any City official, or at the request of any citizen of this City.

TRANSFER: No license issued may be transferred, sold or assigned to another person or business.

FAILURE TO OBTAIN LICENSE: If a person makes retail sales as a transient merchant or itinerant vendor without having obtained a license pursuant to the City Code, the City may hold the inventory, truck or other personal property of the person until a license is obtained to conduct business as a transient merchant or itinerant vendor. If the property is held by the City for more than sixty days and the person whose property is being held has not obtained a license pursuant to City Code, the City may petition the Circuit Court for an order for the sale of the property being held. If judgment is in favor of the City, proceeds of the sale of the property, less reimbursement to the City for the reasonable expenses of storage and sale of the property, shall be returned to the owner of said property.

EXEMPTIONS FROM *FEE* REQUIREMENTS: (a) Persons selling goods, wares or merchandise which are raised or manufactured by him, including farmers, artisans or other persons wishing to sell farm products, orchard products or articles of their own make or labor, including milk, butter, chickens or other articles of their own make or ingenuity; (b) persons selling vegetables, fruit or perishable farm products which were grown, raised or produced by him at an established City market; (c) any person operating a stand or booth on or adjacent to property owned by him upon which he resides; (d) any person conducting sales of natural tress, wreaths or greenery during a holiday season; (e) any bona fide local charitable or civic organization that conducts sales of goods or merchandise for the purpose for which such charitable or civic organizations exists.

EXEMPTIONS FROM *LICENSE* REQUIREMENTS: (a) Youth organizations (i.e. boy scouts, girl scouts, organizations sponsored by elementary and/or secondary schools); (b) Sales, consumer shows or exhibitions of collectibles conducted or sponsored by governmental, civic, patriotic, fraternal, education, religious or benevolent organizations incorporation as not-for-profit by the State of Illinois; (c) garage and yard sales; (d) concessions at sporting events, concerts and performances which conducted by the person producing the event; (e) trade shows when listed on the sponsor's license application; (f) political solicitations and (g) deliveries of newspapers, fuel, dairy products, etc. to regular customers on established routes.