



VILLAGE OF JOHNSON CITY

60 Lester Avenue, Johnson City, NY 13790 • 607-798-7861 • www.villageofjc.com

Application for a Transient Retail Business License

Name: _____

Home Address: _____

Home Telephone #: _____ Cell#: _____ Work #: _____

Business Name if applicable: _____

Business Address: _____

Business Telephone #: _____ Cell#: _____ Work #: _____

Purpose of Sale (ex. bankrupt stock, fire damaged goods, etc.): _____

Date Sale is to Begin: _____

Estimated Period of Time of Sale (days, weeks, months): _____

Nature of Merchandise to be Sold: _____

Estimated Value of Merchandise: Retail \$ _____ Wholesale or Cost \$ _____

The undersigned, being duly sworn, deposes and says that he/she is the owner/applicant or authorized agent of the owner/applicant and that everything contained in this application is an accurate statement and representation of the proposal.

Sworn to this _____ day of _____, 20____

Signature

VILLAGE USE ONLY

Date Received: _____ Fee: \$300.00 Receipt #: _____

Cash Deposit/Bond Amount: _____ Date: _____ Receipt #: _____

Proof of Workman's Compensation Insurance: _____ Proof of NYS Disability Insurance: _____

Location/Use in Compliance with Zoning: Yes _____ No _____ Notes: _____

Date Referred to Police: _____ Police Approval: Yes _____ No _____

Police Reviewer – Signature & Title: _____

Mayor's Approval: Yes _____ No _____ Mayor's Signature: _____

Approval by Village Clerk: Yes _____ No _____ Date of Issuance: _____ Expiration Date: _____

Chapter 196, PEDDLING AND SOLICITING

ARTICLE I, General Provisions

§ 196-1. Purpose.

The Board of Trustees, as a matter of legislative determination, does hereby determine that the business, occupation or activity of vendor, hawker, peddler, salesman, canvasser and solicitor for the sale or purchase of goods, wares and merchandise in the public streets and places and from door to door in the village should be regulated in the public interest, convenience, necessity, and enforcement of laws, the regulations of traffic, the prevention of congestion of travel and for the protection and preservation of the safety, health and general welfare and property of the inhabitants of the village and to protect such inhabitants against the unlawful activities or operations of persons of criminal habits or tendencies representing themselves as engaged in such business or occupation, and that such persons shall be registered and required to furnish such information as shall be necessary or desirable for purposes of identification and to pay reasonable license fees.

§ 196-2. Certain persons exempt from licensing provisions.

Vendors of newspapers, milk, bakery goods, cheese, eggs, soft drinks, potato chips, beer, ice cream, cream and poultry and farmers and growers of farm and garden produce and regularly established retailers in the Village and the duly appointed agents, servants and employees of such persons shall not be required to apply for and obtain a license or pay a fee under the provisions of this Article.

§ 196-3. License required.

It shall be unlawful for any person to engage in the business, occupation or activity, hereinafter collectively referred to as "vending" or "to vend," of vendor, hawker, peddler, salesman, canvasser or solicitor of goods, wares and merchandise as buyer or seller, hereinafter called "vendor" or "vendors," in the public streets and places and from door to door in the Village without first applying for and securing a license, hereinafter called a "vendor's license," as provided in this Article.

ARTICLE II, Transient Retail Business

§ 196-22. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

TRANSIENT RETAIL BUSINESS -- A retail business conducted in a store, hotel, house, building or structure for the sale of retail goods, wares or merchandise, except food products, and which is intended to be conducted for a temporary period of time and not permanently. If the place in which a business is conducted is rented or leased for a period of six (6) months or less, such fact shall be presumptive evidence that the business named or carried on therein is a transient business.

§ 196-23. Application to do business within Village; contents.

Any person desiring to conduct a transient retail business in the Village shall present to the Village Clerk a verified application stating:

- A. The name and permanent address of the person desiring to conduct such business.
- B. The place where and the time during which said business is to be conducted.
- C. The name and local address of the person to be in immediate charge of said business.
- D. The character of the merchandise to be dealt in.
- E. The estimated amount of gross sales which may be made.

§ 196-24. Permit.

- A. Required; contents. Before any person shall commence a transient retail business in the Village, said person shall obtain a permit from the Village Clerk stating where such business is to be conducted and the date of the expiration of the term.
- B. Renewal. Permits issued hereunder may be renewed from time to time.

§ 196-25. Bond required.

Before any person shall commence a transient retail business in the Village, such person shall file with the Village Clerk a cash deposit or bond in an amount of not less than five hundred dollars (\$500.) and not more than one thousand dollars (\$1,000.), the amount to be fixed in proportion to the estimated amount of business to be done under the permit required by § 196-24, conditioned that such person will make a full and complete report of the gross amount of sales made in such transient business in the village and shall file such reports as may be requested with the Village Clerk and will faithfully comply with the General Municipal Law in relation to taxation of transient merchants and with the provisions of this Article and will pay the amount of tax therein levied when the same shall become due and payable, said bond to be approved by the Village Attorney as to form and by the Mayor as to sufficiency.

§ 196-26. Imposition of tax.

Pursuant to the provisions of the General Municipal Law, as amended, a tax shall be levied upon all persons now conducting or who may hereafter conduct a transient retail business in the Village. Such tax shall be based upon the gross amount of sales and shall be computed at the same rate as other property is taxed for the year in the Village. If at the time such tax becomes due and payable the tax rate for the current year of the Village has not been fixed, the same shall be estimated by the Assessors thereof, and such rate as estimated shall be taxed.

§ 196-27. Filing of reports.

- A. Stock on hand. Any person receiving a permit under the provisions of this Article shall, before the beginning of a transient retail business, file with the Village Clerk a verified report of the stock on hand and the aggregate value thereof with which it is intended to conduct said business.
- B. Added stock. As further stock is received, such person shall within two (2) days after the receipt thereof file a verified report with the Village Clerk of such added stock and of the aggregate value thereof.
- C. Daily statement. Any person granted a permit under this Article shall file with the Village Clerk a verified statement of each day's sales not later than 12:00 noon of the following day and the amount for which the same was sold.
- D. Final report. At the completion of said transient business, a verified report setting forth the total amount of stock sold and the total amount for which it was sold shall be filed with the Village Clerk.