

City of Arkansas City, KS
TRANSIENT MERCHANT/VENDING PERMIT APPLICATION

Applicant's Name: _____

TYPE PERMIT DESIRED:

Residence Address: _____

Transient Merchant

Mailing Address: _____

Vendor

Telephone (permanent): _____

Telephone (local) _____

Date of Birth: _____

Drivers License Number: _____

State of Issue: _____

Kansas Sales Tax Number: _____ (Attach copy of certificate to application)

Kansas Dept. Of Health License Number: _____

Describe nature of business and goods sold: _____

Describe location(s) proposed for sale of goods: _____

Indicate Hours of Operations: _____

(Please identify each days hours of operation - Monday through Sunday)

Indicate number of locations and/or vehicles: _____

Attach a certificate of product liability insurance; **OR** Sign the attached agreement indemnifying the City of Arkansas City.

Attach a letter of permission from the property owner.

Period of time for which the permit is to be effective:

FEE
(Each location/Vehicle)

Please list desired dates

One (1) Day	_____	\$ 30.00
One (1) Month	_____	\$ 50.00
Bi-Annual	_____	\$125.00
Annual	_____/_____	\$250.00

I have read and understand Municipal Code Chapter 18 Article VII Section 18-220 and 18-221 regarding vendors and transient merchants and will comply with all provisions thereof, and with other provisions of the Municipal Code of the City of Arkansas City, Kansas, as may be applicable.

(Signature)

Date Permit Fee Received: _____

Amount of Permit Fee: _____

Permit Receipt Number: _____

(Date)

(City Clerk)

(Date)

AGREEMENT

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This Agreement made and entered into effective this _____ day of _____, 20__, by and between _____, a vendor, duly licensed to sell upon public property, pursuant to Chapter 18, Article VII Section 18-220 and 18-221 of the Arkansas City Municipal Code, herein referred to as "Vendor", and the CITY OF ARKANSAS CITY, a municipal corporation of the State of Kansas, herein sometimes referred to as "The City."

WHEREAS, Vendor has applied for a license to sell, display, or attempt to sell, goods or merchandise of monetary value upon public property as owned, maintained, or supervised by the City of Arkansas City, and as an expressed condition and in consideration for the granting of such permission and/or permit, undertakes to indemnify the City from any and all liability, loss or damage The City may suffer as a result of claims, demands, costs, or judgments arising against The City and arising from the Vendor's efforts in selling upon public property. This Agreement shall remain in full force and effect for a period of two continuous years from the time in which the permit, as issued by The City, expires.

IN WITNESS WHEREOF, the parties have executed this Agreement at Arkansas City, Cowley County, Kansas effective the day and year first above written.

VENDOR

THE CITY OF ARKANSAS CITY, KANSAS

By: _____

ARTICLE VII. - TRANSIENT MERCHANTS

Sec. 18-220. - Definitions.

Sec. 18-221. - License; exclusions.

Sec. 18-220. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Transient merchant means:

- (1) Any person selling any thing, commodity, or service from a room or store building within the city but who occupies the room or building as a tenant at will, and who has not executed a lease on the building for six months or more; or
- (2) Any person selling any thing, commodity, or service from a truck, cart, wagon, shack, shed, or other temporary structure or location within the city, and located on property other than their own property, place or residence.

Vendor means any person, firm, partnership, association, or corporation engaged in selling or soliciting edible products from a wagon vehicle or pack.

(Prior Code(1), § 14-105; Prior Code(2), § 5.48.010; Ord. No. 3083, § 1, 1979; Ord. No. 3402, § 1, 1987; Ord. No. 3898, § 1, 2001)

Sec. 18-221. - License; exclusions.

- (a) Every vendor and transient merchant must have a license from the city, by completing the city application for same, and submitting it to the city clerk along with the license fee and any deposit established by the board of city commissioners.
- (b) The license shall take effect upon the date of issuance and shall remain in effect for the period of time as specified thereon and shall not be transferable or assignable or refundable, except as specifically authorized herein. All vendors and/or transient merchants are required to have their applicable license conspicuously displayed and shall present such license for inspection when requested to do so by anyone.
- (c) Exclusions.
 - (1) No fee shall be required of any producer, grower, or agent or employee of such grower, engaged in the sale of agricultural, farm, garden or aquacultural products grown by such growers residing within this state. A signed affidavit may be required from the applicant-vendor verifying the applicability of this exclusion of the fee.
 - (2) Except as otherwise specifically required within this article, no fee or license shall be required for any nonprofit organization duly recognized as such under the Internal Revenue Code except as required by the organizer of an organized event as provided in [section 18-222](#)
 - (3) No transient merchant or vendor license shall be required for sales commonly referred to as garage sales, yard sales, rummage sales, etc., at which persons or organizations offer for sale used, surplus or unneeded personal or household property which is regulated in article V, division 3 of this chapter.

(Prior Code(2), § 5.48.011(A)—(C)(1), (2), (4); Ord. No. 3083, § 1, 1979; Ord. No. 3314, § 1, 1986; Ord. No. 3402, § 2, 1987; Ord. No. 3786, § 1, 1998; Ord. No. 4044, § 1, 2005; Ord. No. 4049, § 8, 2005; Ord. No. 4168, § 1, 2008; Ord. No. 4260, § 1, 2010; Ord. No. 4271, § 1, 2011)