

CHAPTER 122

TRANSIENT MERCHANTS

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122.01 DEFINITION. A transient merchant is one who does not have a building or other permanent structure within the City from which to instigate or engage business operations, or one who opens and exposes for sale any merchandise in any booth, stall, room or fixed place on either public or private ground within the City, with the intention of engaging in business for a period of less than one year.

122.02 LICENSE REQUIRED. Any person desiring to engage in the business as a transient merchant in the City must first procure from the Mayor a license permitting business activity. Such licenses are issued for a period of not less than one day or more than one year.

122.03 LICENSE FEE. Transient merchants shall pay a license fee fixed by the Mayor, the amount thereof to be not less than five dollars (\$5.00) or more than fifty dollars (\$50.00) per day.

122.04 BOND REQUIRED. Before a license under this chapter is issued to a transient merchant, an applicant shall provide to the Mayor evidence that the applicant has filed a bond with the Secretary of State in accordance with Chapter 9C of the Code of Iowa.

122.05 EXCEPTIONS. This chapter does not apply to the following:

1. Judicial sales or other sales required by law;
2. Permanent merchants residing within the City who may establish a booth, place or room for vending of merchandise temporarily;
3. Refreshment stands and booths upon any celebration or fairgrounds duly authorized by the Council.

122.06 AGENTS OR EMPLOYEES. Any agent or employee in charge of any portion of a transient merchant's stock or business shall be treated as the proprietor for the purposes of this chapter.

122.07 SIDEWALK SALE AND STACKING. Whoever places, stacks or leaves goods and merchandise on the sidewalks in the City is committing a violation of this chapter and acting unlawfully, except that it is not unlawful to place or stack goods and merchandise on the sidewalk when the same are being unloaded from trucks or other vehicles and removed from the sidewalks within thirty (30) minutes after the time they are unloaded. This section does not apply to days or special events upon which the Council allows sidewalk sales.

122.08 PENALTY. Any person who violates any section of this chapter is liable to the penalties established in Section 1.10 of this Code of Ordinances.

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