

City of Traverse City

Office of the City Clerk

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4480
tcclerk@traversecitymi.gov



Dear Transient Merchant:

Subject: Application for Transient Merchant License

Thank you for your interest in adding to our community by selling your articles, goods, or food items to our citizens.

Enclosed is a Transient Merchant License Application packet which must be completed in its entirety in order to offer or sell articles to purchasers, or taking orders for sale of goods, prepackaged foodstuffs, or services of any kind. Please familiarize yourself with, and adhere to both the enclosed *Guidelines for Transient Merchants* and the Traverse City Code of Ordinances Chapter 863 Transient Merchants which can be viewed in its entirety at:

https://library.municode.com/mi/traverse_city/codes/code_of_ordinances?nodeId=PTEIGHTBURETACO_TIT_TWOBURE_CH863TRME.

For required documentation, please refer to the enclosed *Checklist for Transient Merchant's License* for the required documentation for submission with your application. Once your application and all required documents have been received, the City Clerk's Office will obtain approvals from the appropriate departments and agencies. If you will be operating in a residential area, a 72-hour processing period is required for the purpose of a background check. Once all departments have approved your request, the City Clerk's Office will issue you a formal ***Transient Merchant License Badge***.

We hope this information is helpful! The City of Traverse City looks forward to working with you to compliment the living experience in Traverse City! Should you have any questions, please feel free to contact anyone in the City Clerk's Office at (231) 922-4480 or contact tcclerk@traversecitymi.gov

Most Sincerely,

Benjamin Marentette, CMC
City Clerk

CITY OF TRAVERSE CITY
APPLICATION FOR TRANSIENT MERCHANT LICENSE
(City Ordinance 865)



Applicant's Full Name: _____

Address: _____

E-mail: _____ Phone: _____

Birth Date: _____ Age*: _____ How long at the above residence: _____

** If you are a minor, please provide your parent or guardian's contact information here:*

E-mail: _____ Phone: _____

Driver's License/State ID # _____ Exp Date: _____

Business Name: _____ Time w/ this business: _____

Business Address: _____

What are you selling? _____

Vending Area: _____ Commercial -and/or- _____ Residential

Vending Method: _____ Walking -or- _____ Cart/Vehicle -or- _____ Fixed Stand

Vending Location: _____

If the location is on private property, do you have permission from the property owner? _____

Will you have a sign? _____ *If yes, please obtain a Sign Permit from the Planning & Zoning Admins.*

Dates: _____ Times: _____

Date of last request for vending: _____ Have you ever had a license revoked? _____

If so, why? _____

Have you or anyone included on this application ever been convicted of a felony under the laws of the state, any other state, or federal law of the United States? _____

The undersigned, declares the following: that he/she wishes to be permitted to perform the operation, service or act stated hereon; that the statements made above are true and correct to the best of his/her knowledge and belief; that he/she will comply with all provisions of the ordinances of the city of Traverse City relative to the operation, service or act for which the license is requested; that he/she agrees to hold the city of Traverse City free and harmless from all liability which may be imposed upon it and to reimburse the city of Traverse City for all expenses of litigation in connection with the defense of claims as such liability and claims may arise because of negligence in the performance of the work or act for which the license was issued.

The undersigned understands that vending is not permitted in City Parks including the water area of the parks, and acknowledges that he/she has received a copy of the rules for vending.

The fee is \$50.00 per month in Residential areas/\$100.00 per week September 15 to May 15 and \$100 per day May 16 to September 14 in Commercial areas.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Date: _____

Signature of Applicant

City of Traverse City
Office of the City Clerk
400 Boardman Avenue, Traverse City, MI 49684
231.922.4480 (Office), 231.922.4485 (Fax)
www.traversecitymi.gov
tcclerk@traversecitymi.gov

CHECKLIST FOR TRANSIENT MERCHANT'S LICENSE

The following is needed before a Transient Merchant Permit will be issued

- _____ 1. Location to be used (See Guidelines for Transient Merchants). If the location is not in C-4 (Central Business District), you must have a site plan approved by the by the Zoning Administrator. If using a sign, you must obtain a sign permit from City Planning and Zoning Administrator. If in the Residential area, there is a 72- hour processing period. Transient Merchants setting up a structure in the C-4 District shall not leave the structure unattended for a period of more than 2 hours; and the structure must be removed between the hours of 12 midnight and 6am.
- _____ 2. A copy of your Michigan Sales Tax License. If you do not have one, please visit the Michigan Treasury Online (MTO) website to register a new business for State Taxes, or to log in to a pre-existing account and obtain a copy of your Sales Tax License.
- _____ 3. A copy of your Driver's License or State ID
- _____ 4. An original and current front-facial color photo. If you do not have one, the City Clerk's Office will photograph you free of charge.
- _____ 5. Fee. Please attach the appropriate fee, based on the type of license you seek:
 - \$50/month - Transient Merchant in Non-DDA Residential Areas
 - \$100/week - All Other Transient Merchants **September 15 through May 15**
 - \$100/day - All Other Transient Merchants **May 16 through September 14**
- _____ 6. Once you have completed steps 1 - 5, please provide the completed application and attachments to:

City Clerk's Office
400 Boardman Avenue
(231) 922-4480
M - Th 8am to 5pm; Fri 8am to 4pm
Closed on major holidays.

If you are planning to obtain a license for anyone working with you, you must supply all information as required by this Checklist for each person.

Refunds shall be approved for process upon request of licensee for any whole days or whole months remaining of licensed period. No partial day or partial month refunds shall be approved. Fees may only be refunded if the license is canceled **in person** with the City Clerk's Office at least the day before cancellation is sought. Refunds shall be paid by check and will take approximately two (2) weeks to process.

GUIDELINES FOR TRANSIENT MERCHANTS

Proof of License:

When this office receives a completed application, with all attachments required, this office will then issue a City of Traverse City Identification Badge. The Identification Badge shall be worn at all times while selling merchandise. This badge alone serves as proof of License.

Vending of any kind is **not permitted** in City Parks including the parking lot or water area of the Park. Vending is not allowed in or on the water adjacent to public beaches. This is considered part of the parks to be used for recreational purposes.

No Transient Merchant shall conduct any vending during a City Commission-authorized event, such as Friday Night Live, Art Fairs or the National Cherry Festival, unless authorization is obtained from the agency sponsoring such City Commission-authorized event.

A Michigan Sales Tax License is required for all Transient Merchants, exceptions permitted only by the Michigan Department of Treasury.

The Department of Agriculture approval is required for any sale of fresh meat or frozen foods not intended for immediate consumption.

Duties:

1. Transient Merchants must:

- A. Immediately and peacefully depart from premises when requested.
- B. Identify him/herself and the name of the organization they represent.
- C. Reveal all information contained on the application.

2. Transient Merchants must not:

- A. Vend upon a premise in defiance of a posted notice stating "No Solicitors or Transient Merchants", "No Transient Merchants" or "No Solicitors."
- B. Approach drivers of motor vehicles.
- C. Approach customers in stores without store manager permission.
- D. Touch people physically while making sales.
- E. Solicit on public property within an area equal to one Traverse City block from a city-authorized event, including street fairs, public festivals, and farmer's markets, except with the permission of the event sponsor.

Residential Area:

- 1. No vending prior to 9:00am or after 9:00pm or sunset whichever is earlier on any weekday or Saturday; or at any time on a Sunday, New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day.

2. No Transient Merchant license shall be issued until a processing period of seventy-two hours has elapsed for proper investigation by the Traverse City Police Chief.

Walking Transient Merchants:

1. Must carry goods upon his/her person in commercial areas, as no pushcarts are allowed.
2. Are permitted on City sidewalks except in City parks and beaches. Shall keep moving - stopping only to make sales - shall not draw crowds.
3. EACH Transient Merchant shall complete an application and pay the fee.
4. Shall have the identification badge displayed in the front torso area.

Transient Merchants working from Fixed Stands:

1. Activity cannot be done on any City property which includes City sidewalks and streets. Stands cannot be set up in residential areas. Stands situated on corners must be set back far enough to meet "Clear Vision Area" requirements. A site plan must be approved by the Zoning Administrator and attached if not in C-4 (Central Business District). Transient Merchants setting up a structure in the C-4 District shall not leave the structure unattended for a period of more than 2 hours; and the structure must be removed between the hours of 12 midnight and 6am.
2. The owner is required to fill out one (1) application per stand and pay fee per stand.
3. The badge shall be displayed on a conspicuous place on the exterior front of the stand visible by customers. (Individuals working at the stand need not have an identification badge.)
4. The owner shall have a sign permit issued by the City Planning and Zoning Administrator if a sign is used to advertise merchandise offered for sale from a fixed location.

Pushcarts, Pedal Carts or Motor Vehicles:

1. Pushcarts are allowed on residential sidewalks only. Pedal carts are allowed on residential sidewalks only and on all City streets in accordance with the Michigan Vehicle Code.
2. Motor Vehicle Transient Merchants are permitted on all City streets. Shall keep moving - stopping at the curb only to make sales - shall not draw crowds – customers must not be in the roadway - must not obstruct other traffic. Motor vehicles as defined by the Michigan Vehicle Code means any licensed motor vehicle such as a truck, car, motorcycle, moped.
3. Any Transient Merchant using a motor vehicle or pedal cart in a street, when stopped, shall place the vehicle parallel to and within twelve inches of the curb and shall depart from such place as soon as the sale has been completed.