

City of Junction City

Temporary or Itinerant Business License Application Packet

A Temporary or Itinerant Business License is required for the following:

Any individual, business, or non-profit group who sells products or services within the City and who does not have an address within the City limits of Junction City. Permanent businesses within the City limits are not required to obtain a Temporary or Itinerant Business License.

- ❖ **Temporary Business License Fee** - \$45.00 per month – Selling temporarily from a site within the City. Must have written permission from property owner.
- ❖ **Itinerant Business License Fee** - \$50.00 per month – Door to door sales.

This packet includes:

- Business License Application Form
- Copy of JCMC Chapter 5.35, Itinerant and Temporary Merchants

What to do, if you would like to apply for a Temporary or Itinerant Business License:

1. Please read JCMC Chapter 5.35.
2. Submit a **completed** application form and application fee of \$25.00 to City Recorder or designee.
3. Per JCMC Chapter 5.35.070, a background check will be done, as well as review for other criteria requirements.
4. You will be notified by phone of license approval. Processing generally takes from 4 to 7 days.
5. Upon successful approval and payment of the remainder of the permit fee (\$20.00 for a Temporary License and \$25.00 for an Itinerant License), a license will be issued to you.
6. The license is good for 30 days and renewals can be made through the City Recorder at City Hall

For additional information, please contact City Recorder Kitty Vodrup at 541-998-2153

CITY OF JUNCTION CITY
680 Greenwood
PO Box 250
Junction City OR 97448
Phone: 541-998-2153
Fax: 541-998-3140



CITY OF JUNCTION CITY BUSINESS LICENSE APPLICATION

Type of License: ___ Temporary (Sales from a temporary location within City)
 ___ Itinerant (Door to door sales)

Dates that Business is to be conducted: From: _____ To: _____

ANY FALSE OR MISLEADING INFORMATION OR THE OMISSION OF ANY REQUESTED INFORMATION IN THIS APPLICATION ARE CAUSE FOR DENIAL OF THE APPLICATION. LICENSES WHICH HAVE ALREADY BEEN GRANTED WILL BE TEMPORARILY REVOKED OR SUSPENDED.

Applicant	
Applicant's True Name:	
Address:	
City/State/Zip:	Date of Birth:
Social Security Number:	
Drivers License Number:	
Home/Cell Phone:	Work Phone:
<i>I give my consent for the City of Junction City Police Department to perform a criminal background check, per JCMC 5.35</i>	
Signature:	Date:

Business Information	
Business Name:	
Address:	
City/State/Zip:	Business Phone:
Business Owner:	
Describe Type of Business:	
Describe Products and/or Services to be offered:	
Location of last place of temporary or itinerant business:	
Any known consumer complaints:	
Bonds or Licenses (please list):	

Other Employee Information (For those selling within City)	
Employee:	Social Security Number:

Location of Temporary Business and Owner Permission	
Property Address:	
City/State/Zip:	
Property Owner's Name:	Phone Number:
<p>IMPORTANT: YOU MUST HAVE THE WRITTEN PERMISSION OF THE PROPERTY OWNER, ALLOWING THE USE OF PROPERTY FOR TEMPORARY BUSINESS. PLEASE ATTACH TO THIS APPLICATION FORM.</p>	

Business License Fees				
Type	License Term	Application Fee (Non-Refundable)	Balance Upon Approval	Monthly Renewal Fee
Temporary	30 Days	\$25.00	\$20.00	\$45.00
Itinerant	30 Days	\$25.00	\$25.00	\$50.00

FOR OFFICE USE ONLY			
Date Paid:	Receipt No. _____	Approved:	Review Date:
	<input type="checkbox"/> Cash <input type="checkbox"/> Check	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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Chapter 5.35**ITINERANT AND TEMPORARY MERCHANTS**

Sections:

- 5.35.010 Purpose.
- 5.35.020 Definitions.
- 5.35.030 Itinerant businesses – Findings.
- 5.35.040 Business license required.
- 5.35.050 Business license fees.
- 5.35.060 Business license application and conditions.
- 5.35.070 Review of application.
- 5.35.080 Basis for denial.
- 5.35.090 Conditions of a business license.
- 5.35.100 Use of revenues from business licenses.
- 5.35.110 Notice of revocation of license.
- 5.35.120 Appeal of notice of revocation.
- 5.35.130 Insurance representatives.
- 5.35.140 Penalties.

5.35.010 Purpose.

This chapter is intended to provide a safe, profitable, and peaceful method for certain businesses to conduct any trade, profession, pursuit or occupation for gain within the city limits. It is necessary for the businesses regulated by this chapter to help pay for the city's police and fire protection, street maintenance, street lighting and other services. It is also necessary for the city to protect the consumer against the sale of inferior products or services provided by the businesses to be regulated herein. [Ord. 881 § 1, 1985.]

5.35.020 Definitions.

"Business entity" means any individual, firm, company, corporation, association or partnership conducting any trade, profession, occupation or pursuit within the city limits except temporary businesses that provide services to a permanent business or residence when solicited by a permanent business or homeowner or renter.

"Itinerant business" means any individual, firm, company, corporation, association or partnership and all and every kind of calling carried on within the city involving the sale or solicitation for sale of products or services from temporary sites or structures, or by any person, firm or corporation, who for himself or as an agent for another goes from place to place within the city either selling or offering for sale for future delivery at retail to individual purchasers, who are not dealers in the article sold, any goods, wares or merchandise; or selling or offering to sell any books, pamphlets, tracts or other literature, either for present or future delivery; or selling or offering to sell any pictures, picture frames or taking orders for any photographic or artistic work; or taking subscriptions for any newspapers, magazines or other periodicals; or taking orders for the performance of any work and labor upon any article of personal property; or actually doing and performing any work and labor upon any article of personal property; or, in general, any person, firm or corporation who shall, for himself or as agent for another, go about from place to place within the city, engaged in the occupation of canvassing or as a means of livelihood; provided, that this chapter shall not apply to or include any insurance company, agent or representative duly authorized or licensed as such under the Oregon Insurance Code conducting any transaction otherwise lawful under the authority of license granted under the Oregon Insurance Code.

"Permanent business" means professions, trades, occupations, shops, stores and all and every other kind of calling carried on at a building that has a Junction City address.

"Temporary business" means professions, trades, occupations, shops, stores and all other kinds of calling carried on for a period of 30 continuous days or less within the city, but does not have a Junction City address. [Ord. 917 § 1, 1988; Ord. 881 § 2, 1985.]

5.35.030 Itinerant businesses – Findings.

The city council finds that individuals, firms, companies, corporations, associations or partnerships engaging in itinerant businesses:

- A. Require greatly increased police supervision and other protection;
- B. Often create or constitute a nuisance and danger to the city and its citizens;
- C. Do not pay ad valorem property taxes used to fund municipal services;
- D. May sell or offer for sale inferior products and services detrimental to the city and its citizens;
- E. Are not available to answer complaints made to local and state consumer protection agencies;
- F. Receive the benefits of police and fire protection, make use of public streets and sidewalks, street lights and other municipal services. [Ord. 881 § 3, 1985.]

5.35.040 Business license required.

It shall be a violation of this chapter for any temporary or itinerant business entity to conduct, engage in, carry on, or practice any trade, profession, occupation or pursuit within the city of Junction City without first securing a license from the city recorder's office and paying the license fee therefor as prescribed herein, except those businesses exempted under JCMC 5.35.020. [Ord. 917 § 2, 1988; Ord. 881 § 4, 1985.]

5.35.050 Business license fees.

All temporary businesses within the city shall pay the following fees prior to conducting any trade, profession, occupation or pursuit. An application fee for each application shall be collected at the time of receipt of an application. The application fee shall be subtracted from the total business license fee. All fees are nonrefundable.

Type of Business	Application Fee	Business Permit Fee
A. Temporary Business	\$25.00	\$45.00 Per Month
B. Itinerant Business	\$25.00	\$50.00 Per Month

[Ord. 923 § 1, 1988; Ord. 917 § 3, 1988; Ord. 881 § 5, 1985.]

5.35.060 Business license application and conditions.

Every individual, firm, company, corporation, association or partnership engaged in or about to engage in any temporary or itinerant business within the city shall in advance of beginning business make application for a business license. The application for the appropriate business category shall include the following information:

- A. Temporary Business.
 1. The applicant's true name, temporary business address, and telephone number, if available for temporary business location.
 2. A description of the type of business operation the applicant will conduct.
 3. The names and Social Security numbers of each employee employed at the temporary business location within the city.
 4. A description of the goods, wares, merchandise or services the applicant will offer for sale.
 5. The location from which the applicant will operate the temporary business.
 6. Written permission from the person responsible for the care and custody of the property from/on which the temporary business will operate.
 7. The true name and address of a person for whom the applicant is acting as agent. If the applicant is acting as agent of a corporation, then provide:
 - a. The address of the registered office of the corporation in Oregon; and
 - b. The name and address of the registered agent of the corporation in Oregon.

8. Address of the location of the last place of business.
9. Known consumer complaints made to local or state consumer protection agencies.
10. Proof of compliance with all relevant state or federal bonding requirements.

B. Itinerant Business.

1. All of the above information required for a temporary business; and
2. Past criminal conviction(s) involving unlawful trade practices as defined in ORS 646.608, fraud or crimes involving moral turpitude. [Ord. 881 § 6, 1985.]

5.35.070 Review of application.

An application review shall include the following steps, upon receipt of a completed application by the city recorder:

- A. A background check on the applicant's criminal record by the police department.
- B. A check of the records of the Attorney General's office for conviction(s) of unlawful trade practices.
- C. A check of consumer complaints filed with consumer protection organizations.
- D. Approval with respect to provisions of JCMC Title 17.
- E. Approval with respect to use of streets, sidewalks, and traffic flow.
- F. Approval with respect to the proposed use of a structure.
- G. Approval with respect to county, state, or federal regulations governing health and safety.
- H. Approval with respect to potential fire dangers.

A completed application will take no longer than five working days to process through all city offices. [Ord. 881 § 7, 1985.]

5.35.080 Basis for denial.

An application for a business permit shall not be granted if one or more of the following conditions exists:

- A. False or misleading information is supplied on the application.
- B. The applicant has been convicted of a crime involving unlawful trade practices as defined by ORS 646.608, fraud or moral turpitude, within the past two years.
- C. The applicant has been subject to an unlawful trade practices suit or investigation under ORS Chapter 646 which resulted in civil penalties assessed against him/her.
- D. The applicant has been convicted of a violation of this chapter within the past two years.
- E. The applicant fails to provide written proof of permission to operate from a specific location, signed by the owner or person having care and custody of the building or property.
- F. The applicant's proposed business violates other local, county, state, or federal laws.
- G. The applicant has failed to comply with other conditions imposed by this chapter. [Ord. 881 § 8, 1985.]

5.35.090 Conditions of a business license.

Temporary and itinerant businesses shall be subject to the following conditions:

- A. The licensee shall display the license during all hours of business operation and solicitation or canvassing within the city.
- B. The license is not transferable.
- C. The conduct of the applicant's business operations shall conform with statements made in the application and with any special conditions of operation imposed upon the license.
- D. The licensee shall not advertise, specifically or in substance, any sale conducted under the permit to be a "closeout sale," "adjuster's sale," "creditor's sale," "assignee's sale," "adjustment sale," "quitting business sale," "removal sale," "liquidation sale," or "fire sale" without first having so stated in the application and provided proof that the above titles accurately describe the merchandise or reason of sale.
- E. Customers shall not obstruct traffic along any sidewalk or street. The minimum setback between any display, table, sign, or customer service area shall be 16 feet from the face of each curb abutting a street. [Ord. 881 § 9, 1985.]

5.35.100 Use of revenues from business licenses.

The city council may allocate revenues generated by this chapter for any administrative cost or public improvement from which the licensees are benefited. [Ord. 881 § 10, 1985.]

5.35.110 Notice of revocation of license.

A business license shall be revoked if:

- A. The licensee has violated any of the provisions of this chapter; or
- B. The licensee has made untruthful statements on the application; or
- C. The licensee has violated any of the special conditions applied to the approval of the application.

The chief of police shall give written notice to the licensee that a license has been revoked and list the reason(s) for revocation. The revocation notice shall contain a statement that licensee will be given the opportunity to appeal the action. No new license will be issued for two years to the individual, firm, company, corporation, association or partnership who was the licensee for a revoked license. Fees paid for a license are nonrefundable. [Ord. 881 § 11, 1985.]

5.35.120 Appeal of notice of revocation.

A written notice of appeal must be filed with the city recorder's office within five days of receipt of a notice of revocation of a business license. The appeal will be scheduled as an agenda item at the next regularly scheduled meeting of the city council. The appellant will be given notice of the date, time, and place that the appeal will be heard and will be given the opportunity to offer oral or written testimony. A copy of the city council's decision shall be mailed to the appellant by certified mail. [Ord. 881 § 12, 1985.]

5.35.130 Insurance representatives.

Insurance company agents and representatives who go from house to house within the city, either selling or offering for sale policies of insurance, shall, upon demand of an occupant of the house or of a law enforcement officer, exhibit a certified copy of the agent's or representative's Oregon license to sell insurance. [Ord. 881 § 13, 1985.]

5.35.140 Penalties.

Any person, firm, company, corporation, association or partnership engaged in a temporary or itinerant business which has been found guilty of violating the provisions of this chapter shall pay a fine. The maximum fine shall be \$200.00. A separate penalty shall be assessed for each day such person, firm, company, corporation, association or partnership is found guilty of violating provisions of this chapter. [Ord. 881 § 15, 1985.]