

# TRANSIENT MERCHANT PERMIT APPLICATION

Please return the following to the City of Mt. Angel:

- Completed and Signed Application
- Signed Authorization to Conduct Background Investigation for all persons listed in this application.
- Attach copies of information required in Section 5 of Ordinance No. 668. *Missing information will cause delays in the processing of your application.*
  - 1) Copies of any permits, certificates, food handler's license, or registrations required by State, County, or City.
  - 2) Proof of compliance of all applicable building codes.
  - 3) Signed letter of authorization from the property owner, or copy of lease agreement.
- Fee ( See Resolution 817 for fee schedule.)
- Site Plan clearly showing parking spaces, structures, drive lane, power poles, sidewalks; etc.

=====  
Date: \_\_\_\_\_

Location of Business (closest address or cross streets):

\_\_\_\_\_

Applicant Name: \_\_\_\_\_  
Last First M.I.

Business Partners / Proprietors:

\_\_\_\_\_  
Last First Last First

\_\_\_\_\_  
Last First Last First

Business Address: \_\_\_\_\_  
Mailing (PO Box) Apt. / Route #

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

=====  
*Please attach additional pages if necessary for the following questions*

1. Please describe the business, including what is proposed to be sold, dates/hours business will be conducted, and any other information that will help the City in reviewing this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# City of Mt. Angel

5 N. Garfield Street / P.O. Box 960, Mt. Angel, OR 97362  
TELEPHONE: (503) 845-9291 FAX: (503) 845-6261

## AUTHORIZATION TO CONDUCT BACKGROUND CHECK

As an applicant for a transient merchant permit under Ordinance 668, I authorize the City of Mt. Angel to conduct a background check on me.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### CONFIDENTIAL INFORMATION - NOT AVAILABLE FOR PUBLIC INSPECTION

Name: _____			
<i>Last</i>	<i>First</i>	<i>Middle</i>	
Address: _____			
<i>Street / P.O. Box</i>	<i>City</i>	<i>State</i>	<i>Zip code</i>
Daytime Phone: _____		Date of Birth _____	
Driver's License Number: _____		State _____	

*The City of Mt. Angel is an Equal Opportunity Employer and Provider.*

**SECTION 2. PURPOSE.**

This ordinance is enacted to require transient business to obtain a permit from the City prior to commencing business within the city limits. A permit shall be required for all transient businesses either on public or private property.

**SECTION 3. PERMIT REQUIRED.**

It shall be unlawful for any person to operate any transient business without having first obtained a permit from the City and the fee to be paid as established by resolution of the Council. The provisions of this ordinance shall not apply to any person who has an established permanent business, and to whom a permit has previously been issued by the City.

**SECTION 4. DURATION OF PERMIT.**

All transient business permits under this ordinance are annual and shall expire on June 30. The required application and permit fee are due on July 1 of each year for the fiscal year commencing with the date and are delinquent on August 1.

**SECTION 5. PERMIT APPLICATION.**

- I. All transient business permits required under this ordinance or any other ordinance shall be issued by the City Administrator. The application for any permit shall contain the following information:
  - a. The description of the transient business carried on within the city.
  - b. The name of the applicant, with a statement of all persons having an interest in the business, either as proprietors or owners of the business.
  - c. The applicant shall include on the application whether he/she has ever been convicted of a felony, or whether he/she has ever been convicted of a misdemeanor involving a violation of any municipal ordinance regulating taxing any business, or involving moral turpitude.
  - d. The location in which the business is conducted.
  - e. The date of application.
  - f. The amount of money tendered with the application.
  - g. Proof of the applicant's possession of any permits, certificates, or registrations that are required by city, county, state or federal laws to conduct the type of business listed on the application.
  - h. Site plan of the area where the structure will be located. Site plan shall clearly show any parking spaces, which may be impacted, any necessary driving lanes, utility pole locations, nearby buildings, and sidewalks.
  - i. Proof of compliance with all applicable building codes.
  - j. If food or beverages is to be sold, then the applicant shall provide a copy of proof of the applicable food handler's license from Marion County.

- k. Any other information necessary to enable the city to review the application and to determine the appropriate fee as established by resolution of the council.
  - l. If on private property, a signed letter of authorization from the property owner, or copy of lease agreement.
  - m. Manner in which public water will be provided.
  - n. Provisions or arrangements for bathroom facilities for employees.
  - o. Consistent with the underlying zone designation.
2. The City Administrator shall refer each application to the appropriate departments for review. Review of the application shall be based on consideration of all available evidence as to whether the proposed transient business will meet the requirements of the city charter and ordinances. The permit may not be granted if:
- a. The activity to be permitted would not comply with city ordinances or state or federal laws.
  - b. The permitted activity would endanger property or the public's health or safety. Sale of illegal items, firearms, or other concealed weapons is not authorized by this ordinance.
  - c. The applicant's violation of law or ordinance represents a reasonable doubt about the applicant's ability to perform the permitted activity without endangering property or the public's health or safety.
  - d. The applicant fails to supply the information required, or submits misleading or false information, or submitted misleading or false information on a previous application.
3. Upon a favorable recommendation from each department, the City Administrator shall issue the permit. If it is determined that the application is denied, the City Administrator shall notify the applicant of the denial and the reasons for denial.

#### **SECTION 6. DELINQUENT PERMIT FEES.**

In the event that any person required to obtain a permit fails to obtain the permit or pay the required fee before it becomes delinquent, the City Administrator shall collect the fee payment with a penalty of ten percent (10%) of the fee payment for each calendar month, or fraction of a month, that the fee payment is delinquent.

#### **SECTION 7. FEE AMOUNTS**

Nothing contained in this ordinance may be construed as vesting any right in a permit or a contract obligation on the part of the City as to the amount of the fee. Other taxes or fees and the fees provided by council resolution may be increased, decreased, or created by the City. Any Transient business may be reclassified at any time and other fees or taxes may be levied. No person who has received a permit and has paid the fee required under this ordinance shall be entitled to any refund.

RESOLUTION NO. 817

**A RESOLUTION ESTABLISHING PERMIT FEES FOR TRANSIENT BUSINESSES OPERATING WITHIN THE CITY LIMITS**

WHEREAS, the Mt. Angel City Council has determined with the adoption of Ordinance No.668 that transient businesses located within the City limits of Mt. Angel shall be permitted by the City of Mt. Angel prior to their operation; and,

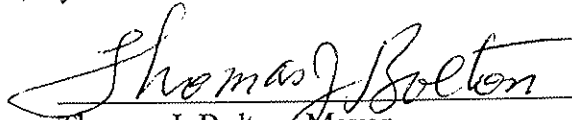
**NOW, THEREFORE, BE IT RESOLVED,** that the following fees related to the following transient businesses shall apply:

Transient Business permit fees:

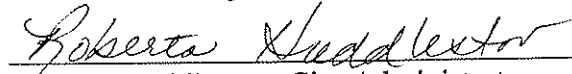
1. One time event – one day only:
  - a. Nonprofit group.....free
  - b. For profit business.....\$30 + \$10 for each booth, or structure after the first one if permit holder serves as an umbrella permittee
  
2. One weekend event – limited to four (4) consecutive days:
  - a. Nonprofit group.....free
  - b. For profit business.....\$50 + \$10 for each booth, or structure after the first one if permit holder serves as an umbrella permittee
  
3. Temporary use more than one weekend but less than 30 consecutive days per calendar year:
  - a. Nonprofit group.....free
  - b. For profit business.....\$75
  
4. Temporary use more than 30 consecutive days per calendar year:
  - a. Nonprofit group.....free
  - b. For profit business.....\$100

Passed by the City Council this 6<sup>th</sup> day of MARCH, 2000. Ayes 6 – Nays 0.

APPROVED BY THE MAYOR this day of March 15<sup>th</sup>, 2000.

  
\_\_\_\_\_  
Thomas J. Bolton, Mayor

ATTESTED BY:

  
\_\_\_\_\_  
Roberta Huddleston, City Administrator

Filed in the office of City Recorder this day of 16 OF MARCH, 2000.