

ORDINANCE NO. 367

CITY OF CRAIG

REPEALING CRAIG MUNICIPAL CODE CHAPTER 5.08
ENTITLED "PEDDLERS AND HAWKERS" AND ENACTING
A NEW CHAPTER 5.08 ENTITLED "ITINERANT MERCHANTS"

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CRAIG, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption.

Section 4. Repeal. Chapter 5.08 entitled "Peddlers and Hawkers" is hereby repealed.

Section 5. Enact. A new Chapter, 5.08 entitled "Itinerant Merchants", is hereby enacted. Said new chapter shall read as attached.

ADOPTED 9-9-93

Dennis Watson
MAYOR DENNIS WATSON

ATTEST Helena Gray
HELEN GRAY - CITY CLERK



5.08.010 Itinerant Merchant Defined. Itinerant Merchant is defined for the purpose of this chapter as any or all persons temporarily engaging in the sale of any goods, wares, merchandise, services, stocks and bonds or other articles within the City, peddled from house to house, sold upon the streets or other public places; or from any room, building, structure, lot or premises temporarily leased or rented for the purpose of carrying on such business, whether a resident of the City or not who has no fixed place of business in the City. The person, firm or corporation so engaged shall not be relieved from complying with the provision of this ordinance merely by reason of associating temporarily with any local dealer, trader, merchant, or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant, or auctioneer. As used in this chapter "temporary" means for a period contemplated to be less than 120 days per year.

5.08.020 License and Sales Tax Deposit required. I t i s unlawful for any person to engage in the business of Itinerant Merchant in the City of Craig unless he has a current business license from the State of Alaska to do so and until that person applies and receives an Itinerant Merchant License from the City of Craig and has paid a Sales Tax Deposit. License is to be carried on the person of the licensee at all times while he is actually engaged in the activity for which the license is granted. Such license shall be shown to anyone requesting to see the license while conducting business.

5.08.030 License application. Any person desiring to engage in the business of Itinerant Merchant within the City, shall make application to the City. The license shall cost \$25 per month. Such application shall include:

1. The name and address of the person(s) intending to conduct business;
2. The name and address of the firm, corporation or partnership which the person(s) intending to conduct business represents, if applicable;
3. The kind of goods to be sold and a reasonable estimate of the total retail value of the goods available for sales;
4. The length of time that the person will be doing business in Craig;
5. Copy of State of Alaska Business License;
6. The place where such business is to be conducted;
7. Review by the City Clerk, Planning Department, Public Works Department and Police Department, if applicable;
8. Deposit for sales tax as required in Section 5.08.040.

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5.08.040 Sales Tax Deposit. The license application shall be accompanied by the Sales Tax Deposit of \$400 or four percent of the actual retail value of the goods available to be sold, whichever is greater. The required deposit shall be in cash or a cashier's check or bond. Within 30 days of completion of business in the City the Itinerant Merchant shall file a sales tax return with the City and pay sales tax due. The Sales Tax Deposit will be returned upon payment of sales tax. Failure to file sales tax return within the prescribed period may result in forfeiture of deposit.

5.08.050 Staff Review. The Itinerant Merchant is only allowed to do business where permission has been granted by the property owner. Depending upon location and type of business there may need to be staff review of the application in accordance with 5.08.030 (7). The City Clerk's office will inform the Police Department of Itinerant Merchants currently licensed to do business within the City.

5.08.060 Appeal to the Council. If any person(s) has been denied an Itinerant Merchant License they have the right to appeal to the city council through the City Administrator at the next regularly scheduled council meeting after denial. The applicant shall be entitled to a hearing before the council at which the council must either ratify or disapprove the action of the denial.

5.08.070 Exceptions. The provisions of this chapter shall not apply to:

- (a) Local nonprofit organizations making casual sales or raising funds; or
- (b) The sale of personal goods or wares at such functions as garage sales or flea markets; or
- (c) Fund raising activities of non-profit organization or groups which have filed with the State of Alaska under the provision of AS 10.20; or
- (d) Commercial travelers who regularly take orders for goods in the usual course of business where orders are taken from residents of the state regularly engaged in wholesale or retail business and where no payment prior to delivering of such goods is required; or
- (e) The sale of fish or other seafood products.

5.08.080 Penalty. Any person(s) violating any of the provisions of this chapter shall be guilty of a misdemeanor and will be punished as provided for misdemeanors in 1.16.020.

CITY OF CRAIG

ITINERANT MERCHANT LICENSE APPLICATION

Date of Application _____

Applicants Name _____

Applicants Address _____

Business Name _____

Business Address _____

Kind of Goods Being Sold _____

Reasonable Estimate of the Total Retail Value of the Goods

Available for Sale _____

Length of Time You Plan on Doing Business In Craig _____

_____ License Fee \$25 Per Month

Copy of State of Alaska Business License attached _____

Sales Tax Deposit Required _____
(\$400 or four percent of the Actual Retail Value of Goods Available to
be Sold, whichever is Greater)

Place Where Business is to be Conducted _____

Signature of Property Owner Giving Permission to do Business on
their Property for Dates Mentioned Above _____

Depending upon Location and Type of Business this Application may, at
the direction of the City Clerk, need to be Reviewed and Approved by
the Following Departments. Their Signature of Approval Below with
Comments on Back of Page or Attached.

City Clerk _____

City Planner _____

Public Works Director _____

Police Department _____

You are expected to carry the license on you while conducting business
and to Show it to Anyone Requesting to See the License While you are
Conducting Business.

CITY OF CRAIG
ITINERANT MERCHANT LICENSE

(Applicant's Name) REPRESENTING _____
(Company Name)

HAS BEEN ISSUED A LICENSE TO CONDUCT BUSINESS IN THE CITY OF CRAIG

AT _____ (LOCATION) FOR UP TO ONE MONTH
(Location)

EXPIRATION DATE _____

APPROVED BY _____ DATE _____
(City Clerk)

This license must be carried by Itinerant Merchant at all times while engaged in business and to present it to anyone requesting to see it while doing business.