



TOWN OF GARNER

ITINERANT MERCHANT, PEDDLER, SOLICITOR, & TRANSIENT VENDOR

PERMIT APPLICATION PROCESS OVERVIEW

Thank you for your interest in obtaining a Town of Garner Itinerant Merchant, Peddler, Solicitor, or Transient Vendor permit to conduct business. If you are not sure what category you fall into, please review the definitions on the back of this overview.

In order to successfully obtain your permit, you need to know the following:

- Each person desiring a permit to engage in business as an itinerant merchant, peddler, solicitor, or transient vendor within the town shall make written application to the Town of Garner Finance Department (located at Town Hall at 900 Seventh Avenue) at least five (5) working days before such person seeks to sell such person's wares.
- The cost of each permit is \$100; each person wishing to work as an itinerant merchant, peddler, solicitor, or transient vendor must have their own permit. A permit is not transferrable.
- You must also obtain a business registration; the cost of the business registration is \$10 if on foot or \$25 if from a vehicle. Your application for your permit will suffice for obtaining your business registration.
- You must have a valid government-issued photo identification card with you when you submit your application for a permit; your application must be submitted in-person at the Finance Department at Town Hall.
- Your application must be free of any fraud, misrepresentation, or any false statement.
- The approval process, to include the review of your application, a background check, and the issuance of the Town of Garner permit will normally take 3-5 business days.
- You will not be eligible for the issuance of a permit if you:
 - Have a conviction of a felony against this State, or conviction of any offense against another state which would have been a felony if committed in this State;
 - Have a conviction for a violation of any federal or State law relating to the use, possession, or sale of alcoholic beverages or narcotic or barbiturate drugs;
 - Have an addiction to or habitual use of alcoholic beverages or narcotic or barbiturate drugs;
 - Have a conviction for a violation of any federal or State law relating to prostitution;
 - Are not a citizen of the United States;
 - Are a habitual violator of traffic laws or ordinances (only applicable if you will be driving);
 - Have a conviction for the criminal possession, sale, or use of a weapon;
 - Have a conviction for a sex offense, indecent exposure, or contributing to the delinquency of a minor;
 - Have a conviction for a crime of fraud;
 - Are a registered sexual offender; or
 - Have failed to satisfy all zoning requirements (if your activities take place on privately owned land).

Any questions about the application process or the requirements for a permit may be directed to the Garner Police Department in person at 912 Seventh Avenue or by phone at (919) 772-8810.

TOWN OF GARNER ORDINANCES

CHAPTER 9

SECTION 9-40. - Itinerant merchants, peddlers, transient vendors and solicitors.

- (1) Itinerant merchant means any merchant, other than a merchant with an established retail store in the city who transports an inventory of goods to a building, vacant lot, or other locations in the city and who, at that location, displays the goods for sale and sells the goods at retail. A merchant who sells goods, other than farm products, in the city for less than six (6) consecutive months is considered an itinerant merchant unless he stopped selling goods in the city because of death or disablement, the insolvency of his business, or destruction of his inventory by fire or other catastrophe.
- (2) Peddler means any person who carries from place to place any goods, wares or merchandise, subscriptions, services and/or discount coupons (hereinafter referred to as "wares"), or without traveling from place to place, selling or offering for sale any goods from any vehicle or device, and offers to sell or barter the same or actually sells or barter the same, except such person who is a wholesale dealer selling only to merchants for resale.
- (3) Person means natural persons, corporations and all business or other entities of any kind.
- (4) Solicitor means any person traveling from place to place taking or offering to take orders for the sale of goods for future delivery or for personal services to be performed in the future, whether or not samples are displayed or money is collected in advance; and using or occupying any building or premises for the sole purpose of taking or offering to take orders for the sale of goods for future delivery or for personal services to be performed in the future, whether or not samples are displayed or money is collected in advance.
- (5) Transient vendor means any person engaging in a temporary business of selling and delivering goods, and for this purpose, using or occupying any building or premises; provided that merely associating a transient business with a permanently established business does not exclude it from this definition.