

**20.650 TRANSIENT MERCHANTS Ord. No. 83 Effective: June 22, 1977**

An Ordinance to license and regulate the business of Transient Merchants within the Village of Mackinaw City and to provide penalties for the violation thereof.

THE VILLAGE OF MACKINAW CITY ORDAINS:

20.651 License required.

Sec. 1. No person, either as principal or agent, shall engage in business as a Transient Merchant within the Village of Mackinaw City without having first obtaining a license or licenses in the manner hereinafter provided.

(ord. no. 83 eff. June 22, 1977)

20.652 Definitions.

Sec. 2. The term "Transient Merchant" as used in this ordinance shall mean any person, firm or corporation engaging temporarily in the retail sale of goods, wares, or merchandise, including dealers in prepared foods, at any place within the Village of Mackinaw City and who, for the purpose of conducting such business occupies any lot, building, room or structure of any kind. For the purposes of this ordinance, each person, firm, or corporation engaged in the retail sale of goods, wares, or merchandise, including dealers in prepared foods, in the Village shall be considered as engaging temporarily in the retail sale thereof, until the personal property, or inventory, or both, used for the retail sale by such person, firm or corporation has been assessed for taxes in the Village and Village taxes actually paid thereon. This term shall not be construed to apply to any person selling goods, wares, or merchandise other than prepared foods, produced or manufactured by the individual offering the same for sale or to any person handling vegetables, fruits, or perishable farm products at any established Village market.

(ord. no. 83 eff. June 22, 1977)

20.653 Fees.

Sec. 3. Such licenses may be issued, at the option of the applicant, for daily, weekly, monthly, quarterly, or yearly periods and the fees therefor shall be as follows:

For each day . . . \$ 25.00

For each week . . . \$ 55.00

For each month . . . \$ 75.00

For each quarterly period . . . \$175.00

For each six months to one year . . . \$250.00

If and when the property of said Transient Merchant is placed on the tax rolls and tax actually paid, the difference between the Transient Merchant's fee paid and the tax actually paid shall be refunded.

(ord. no. 83 eff. June 22, 1977; amend. adopt. March 5, 1998)

20.654 Expiration date.

Sec. 4. Each license shall indicate on its face the date of the expiration thereof and shall be placed in a conspicuous place on the premises constituting the place of business of the license. Each room, structure, or building shall constitute a separate unit and shall be treated and subject to licensure as such under the terms of this ordinance.

(ord. no. 83 eff. June 22, 1977)

20.655 Applications.

Sec. 5. Application for licenses required under the provisions of this ordinance shall be made in writing to the Village Clerk at least seven (7) days before the date of issuance thereof. In such application the applicant shall state his age, place of residence, place of

business, period for which the license is desired, and any other information required by the Village Clerk for the purpose of determining whether or not the business is lawful and legitimate. The Chief of Police is directed to investigate any such applicant and business to determine if the applicant is of good character and the business is legitimate. Upon the filing of such application and the payment of the fees as herein provided, and the completion of the investigation by the Chief of Police with a recommendation for approval from him, the Village Clerk shall, after the expiration of seven (7) days, issue a license to the applicant permitting him to engage in such business as is covered by the application.

(ord. no. 83 eff. June 22, 1977)

#### 20.656 Revocation.

Sec. 6. Any license required and issued in accordance with the provisions of this ordinance may be suspended or revoked, or the renewal thereof refused, by the Village Clerk for good cause. Any licensee whose license has been suspended or revoked, or the renewal thereof refused, shall have the right to a hearing before the Village Council, provided a written request therefor is filed with the Village President by such licensee within five (5) days after receipt of notice of such suspension or revocation of any license or refusal of renewal thereof. The action taken by the Council shall be final.

(ord. no. 83 eff. June 22, 1977)

#### 20.657 Good cause.

Sec. 7. The term "good cause", as used in this ordinance, shall include the doing of any act or permitting to exist any condition in connection with any premises, business, or privilege for which a license has been granted under the provisions of this ordinance, which act or condition is contrary to the health, morals, safety, or welfare of the public, is unlawful, irregular, or fraudulent in nature; is unauthorized or beyond the scope of the license or permit granted, or is, either expressly or implied, forbidden by the provisions of this ordinance.

(ord. no. 83 eff. June 22, 1977)

#### 20.658 Penalties.

Sec. 8. Any violation of this ordinance shall be a civil infraction punishable by a fine of not more than five hundred dollars (\$500.00).

(ord. no. 83 eff. June 22, 1977; amend. adopt. March 5, 1998)

#### 20.659 Repealer.

Sec. 9. All ordinances or parts of ordinances of the Village of Mackinaw City, inconsistent with the provisions of this ordinance are hereby repealed. Ordinance No. 42 as amended is specifically repealed.

(ord. no. 83 eff. June 22, 1977)

#### 20.660 Effective date.

Sec. 10. This ordinance shall take effect twenty (20) days after this date.

(ord. no. 83 eff. June 22, 1977)

Adopted: June 2, 1977