



City of
SUMMERSET
A GREAT PLACE TO CALL HOME

TEMPORARY VENDOR LICENSE APPLICATION

Documents required: SD Sales Tax License, Company Insurance, Driver's License and SD Department of Health License (if applicable). Once we have all required documents (highlighted above), we will be able to work on your application for a temporary vendor's license.

Name _____ Date _____

Email _____ Phone # _____

South Dakota Sales Tax # _____ Driver's License # _____

South Dakota Department of Health License # _____

Local Address of Applicant _____

Permanent Address of Applicant _____

Permanent Address of Business/Person that the Applicant Represents (if applicable):

Last five (5) Cities/Towns the Applicant has Worked Before Coming to Summerset:

Type of Business You Wish to Engage in Within our City Limits _____

Local Site of Your Business (name, address, phone number) _____

Dates Your Business Will be in Operation Within our City Limits _____

Signature _____ Date _____

I understand and agree to abide by all local, state and federal laws at all times.

Permit Fee: \$500 for 12 day period / \$100 for 2 day period

FOR OFFICE USE ONLY

Permit Fee Amt _____ Date Paid _____ Payment Type: Cash Check Credit Card

Duration of Permit _____ Permit Number _____

Signature of Property Owner Whose Property You Will be Conducting Your Business:

Signature _____ Date _____

By signing this document, you, the property owner, agree to the City of Summerset's ordinances involving owners of commercially zoned private property who allow vendors on their property.

Printed Name _____

Printed Business Name _____

COMMERCIAL PRIVATE PROPERTY

§ 111.55 LICENSING REQUIRED.

(A) All owners of commercially zoned private property who allow vendors to sell goods on their property shall be required to first obtain a license.

(B) The fee for a commercially zoned private property owner license shall be referred to in the fee schedule adopted by resolution. The Board of Commissioners may revise the fees as set forth herein from time to time by resolution.

(C) Each license issued under this subchapter shall be renewed on or before December 31 of each year.

(Ord. 5, passed 9-7-2007)

§ 111.56 DEFINITIONS.

For the purpose of this subchapter, the following definitions apply unless the context clearly indicates or requires a different meaning.

PRIVATE OWNER LICENSE. A permit issued by the city for commercial property owners inside the corporate limits. Each license issued under this subchapter shall be renewed on or before December 31 of each year.

VENDOR. A person, firm, corporation, partnership, or association or agent thereof who sells retail goods outside the confines of a permanent structure on another's commercially zoned private property, including vendors located on any convention center parking lot.

VENDOR LICENSE. A permit issued by the Community Development Specialist for vendors operating on licensed commercially zoned private property, including vendors located on any convention center parking lot.

(Ord. 5, passed 9-7-2007)

§ 111.57 PROCEDURES FOR REVOCATION OF BUSINESS LICENSE.

(A) Notwithstanding the specific provisions applicable to particular licenses or permits in this title, the Board of Commissioners may revoke any license or permit issued under this title after it has been issued, when any one or more of the following grounds are found to exist:

- (1) Illegal issuance of the permit or license;
- (2) Issuance of the permit or license without authority or power;
- (3) Issuance under an unauthorized ordinance or under an ordinance illegally adopted;
- (4) Issuance in violation of an ordinance;
- (5) When the business license or permit was procured by fraud or false representation of facts;
- (6) When issued through mistake or inadvertence; and/or
- (7) When the license or permit application contains false or misleading statements, evasions or suppression of material facts.

(B) Other grounds for revocation in addition to those stated in division (A) of this section are as follows:

- (1) Substantial violations of the terms and conditions on which a license or permit is issued;

(2) Violation of ordinances or laws authorizing or regulating the license or permit or regulating the business activity or purpose for which the license or permit is issued;

(3) Infractions or offenses under such an ordinance or law;

(4) Wrongful behavior of a substantial character and of a public concern in relation to the licensed activity; and

(5) When reasonably necessary in the interests of protection of the public health, safety, peace or welfare .

(C) Before any such license or permit shall be canceled or revoked, the holder of such license or permit shall be given two weeks' notice of a hearing to be held by the Board of Commissioners at which time the holder of such license or permit must show cause why such license or permit should not be revoked. The notice to be given to the holder of such license or permit must state the grounds and the reasons for the forfeiture, cancellation and/or revocation, and must also state the date on which the hearing is set. Provided, however, the City Administrator may immediately revoke the license or permit of any business or activity for any of the grounds set forth in division (A) of this section, when any such license or permit has been issued for a period of less than 72 hours, and any such determination by the City Administrator shall be deemed conclusive unless the holder of the license or permit appeals to the Board of Commissioners within five calendar days of the notice of revocation. Pending any such appeal to the Board of Commissioners, the license or permit shall remain revoked.

(Ord. 5, passed 9-7-2007)

§ 111.58 TEMPORARY FOOD SERVICE STRUCTURES.

All temporary food service structures shall have asphalt, concrete, wood, or a similar material for flooring and shall display inspection certificate from the county's Environmental Health Department.

(Ord. 5, passed 9-7-2007)

§ 111.59 LOCATION OF TEMPORARY MERCHANTS.

(A) Temporary shall only be located on private property zoned C-1, C-2, and CC. Temporary merchant's licenses shall not be issued on public property except for designated community events. If a designated community event held exclusively on public property, temporary merchant fees may be waived for merchants participating in community events. Any designated or undesignated event that proposes to restrict, in any manner, public access to public property shall not be approved and temporary merchants permits shall not be issued.

(B) Upon approval of the Board of Commissioners, vehicular access to public streets may be restricted to accommodate the needs of a designated community event.

(Ord. 5, passed 9-7-2007)

§ 111.60 SETBACKS.

All temporary structures that follow existing zoning ordinances regarding setbacks in C-1, C-2, and CC zoning and such setback area may be used for off-street parking.

(Ord. 5, passed 9-7-2007)

§ 111.61 ISSUING AUTHORITY.

All permits for temporary structures shall be issued by the Board of Commissioners.

(Ord. 5, passed 9-7-2007)

§ 111.62 SITE AND SIGN PLAN.

The city may require the applicant to file a site and/or sign plan drawn to scale showing the location and size of all structures and signs upon the lot, including the location of off-street parking.

(Ord. 5, passed 9-7-2007)

§ 111.63 COMPLIANCE WITH CODES.

Temporary structures need not apply with the Uniform Building Code, Uniform Fire Code, or Electrical or Plumbing Codes as adopted by the Board of Commissioners.

(Ord. 5, passed 9-7-2007)