



CITY OF MARIANNA OCCUPATIONAL LICENSE/ ITINERANT MERCHANT & SOLICITATION PERMIT

EFFECTIVE WITH ORDINANCE 906 ADOPTED AUGUST 5, 2003

ITINERANT MERCHANTS – Vendors of merchandise for sale, lease or rental at a fixed location (business or private establishment) within the City of Marianna.

Exemptions:

1. Garage and yard sales on residential property.
2. Sales operations at City approved fairs, carnivals, bazaars or like expositions or attractions of a duration of less than seven (7) days sponsored exclusively by not for profit charitable, philanthropic, civic, political, educational or religious organizations.
3. Holiday seasonal sales in any business or industrial district sponsored exclusively by not for profit charitable, philanthropic, civic, political, educational or religious organizations.
4. Religious institution/organization sales operated exclusively for religious purposes, conducted by members voluntarily or if the solicitations are in the form of collections or contributions at the regular assemblies or services of any established church or religious society.
5. Those sellers of agricultural, horticultural, floricultural, tropical piscicultural or tropical fish farm products grown or produced by the seller within the State of Florida.

General Information:

1. If you are selling from someone else's property, you will need to provide a copy of the deed for the property and a letter of authorization from the owner giving you permission to setup and conduct business.
2. You must be fingerprinted at the City Police Station for a criminal investigation and Florida Department of Law Enforcement investigation.
3. The Itinerant Merchant permit is \$250.00 + background investigation processing fees (State = \$23 and Federal = \$43). Total fees = \$316. Permit is effective for a period of 180 days from date of issuance.
4. Each person conducting sales must obtain the permit separately.
5. Once approved, the permit must be carried on your person during hours of operation.
6. Once permitted, itinerant merchants may operate only between the hours of 10:00 a.m. to 4:00 p.m.
7. Permits are not transferable.

SOLICITORS — Solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having been requested or invited by the owners, going in and upon private residences or businesses within the City of Marianna for the purpose of selling, leasing or renting consumer goods, wares, merchandise or services. Also includes any transaction in which the seller or a person acting for the seller engages in a personal solicitation of the sale, lease or rental at a place other than at the seller's fixed location/business where goods or services are offered or exhibited for sale, lease or rental, and the buyer's agreement or offer to purchase is given to the seller and the sale, lease or rental is consummated at a place other than the seller's fixed business establishment.

Exemptions:

1. Bona fide agents, business representatives or salesmen making calls or soliciting orders at the usual place of business of a customer regarding products or services for the use in connection with the customer's business. (For example: a tire distributor selling to Firestone.)
2. Solicitors, salesmen, or agents making a call or business visit upon express invitation, oral or written, of an inhabitant of the premises or his agent.
3. Telephone solicitors, salesmen or agents making calls which involve transactions that are unsolicited by the consumer and consummated by telephone and without other contract between the buyer and the seller or its representative prior to delivery of the goods or performance of services.
4. Solicitors, salesmen or agents conducting a sale, lease or rental of consumer goods or services by sample, catalog or brochure for future delivery.
5. Minors or students conducting sales associated with school or youth civic organizations.
6. Minors conducting sales under the supervision of an adult supervisor who holds a valid solicitation permit. However, minors excluded from this requirement must carry personal identification, which includes their full name, date of birth, residence address, employer and the name and permit number of their adult supervisor.
7. Those sellers or their representatives that have either an itinerant merchant permit or an occupational license.
8. Those sellers of agricultural, horticultural, floricultural, tropical piscicultural or tropical fish farm products grown or produced by the seller within the State of Florida.

General Information:

1. You must be fingerprinted at the City Police Station for a criminal investigation and Florida Department of Law Enforcement investigation.
2. The Solicitors permit is \$50.00 + background investigation processing fees (State = \$23 and Federal = \$43). Total fees = \$116. Permit is effective for a period of six months from date of issuance.
3. Once approved, the permit must be carried on your person during hours of operation.
4. Solicitation is limited between the hours of 10:00 a.m. to 4:00 p.m., Monday through Saturday.
5. Each solicitor must obtain a separate permit.
6. Permits are not transferable.

Prohibitions:

It is unlawful for any itinerant merchant, solicitor, agent or peddler to:

1. Distribute handbills or similar materials by throwing or placing in or upon any automobile or vehicle in the City.
2. Shout or use any sound device, including any loudspeaking radio or sound amplifying system upon any of the streets, alleys, parks or other public place of the City of Marianna, or upon any private premises in the City where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places for the purposes of attracting attention to any goods, wares or merchandise.
3. Sell or offer to sell from vehicles while on any public right-of-way, including sidewalks.
4. Conduct solicitation among vehicles in traffic.
5. Conduct solicitation within 1,000 feet of a property line of a school, publicly owned park or recreational facility.
6. Erect any signage in violation of the City Sign Ordinance.
7. Cause or permit accumulation of trash, garbage or debris without proper disposal.
8. Beg or solicit gifts or money or exhibit your person for the purpose of obtaining gifts of money.
9. Enter the premises of a private residence or commercial property for the purpose of selling or soliciting orders when a "No Solicitation" sign or similar sign is posted.
10. Contact, disturb or annoy, directly or by means, tools or equipment any person for the purpose of promoting or selling any real or personal property or any service, except those specifically allowed under permit.
11. Conduct solicitation in areas designated either physically or in a development order issued by the City for parking.
12. Conduct solicitation in any manner which constitutes a danger to the public health, safety or welfare.
13. Remain upon any property after the owner or occupant requests departure.
14. Approach side, back or rear doors on property.
15. Distribute or cause to be distributed any paper, handbill, circular, dodger or other advertising material on any property without consent of the owner or lessee or on any public right-of-way or public space without consent of the City of Marianna.
16. Obstruct, impede or interfere with the free flow of pedestrian or vehicular traffic.
17. Take polls, sale or distribute and request information from motorists upon the public right-of-way.
18. Operate on City owned property.
19. Operate within 100 feet of a street or roadway intersection.
20. Operate within 5 feet of a public sidewalk.
21. Have any exclusive right to any location in any public right-of-way or public place, nor shall any be permitted a stationary location.
22. Operate in such a way as would restrict or interfere with the ingress and egress of an abutting property owner or tenant.
23. Create or become a public nuisance.
24. Increase traffic congestion.
25. Delay or constitute a hazard to traffic, life or property.
26. Create an obstruction to adequate access for fire, police or sanitation vehicles.
27. No person shall obstruct the free, convenient and normal use of any public street, highway or road by impeding, hindering, stifling, retarding or restraining traffic or passage thereon, by standing or approaching motor vehicles. A police officer or code enforcement officer exercised in good faith shall be deemed conclusive as to whether the activity constitutes a traffic or pedestrian impediment or hazard or access obstruction. A person shall move his location at least 200 feet from the last location and shall not return for at least 24 hours.

28. Engage in illegal activities.