

- (39) *Itinerant merchant*: An individual who does not have a permanent business location in Fayette County and who sells items of merchandise by means other than peddling.

**Sec. 15-8. - Itinerant merchants license required.**

- (1) Effective May 19, 1983, all itinerant merchants shall be required to secure the license established in section 13-13 by making application for the same to the division of revenue. As a part of the application process, the applicant must specify in writing the exact location where the business is to be conducted, present a valid certificate of occupancy from the division of building inspection for that location, and furnish a duly executed statement of permission to use that location from the property owner or his authorized agent.
- (2) Further, before the division of revenue shall issue an itinerant merchant license, the itinerant merchant must file or have on file with the commissioner of finance an approved indemnity bond in the amount of five hundred dollars (\$500.00) issued by a surety company authorized to transact business within the commonwealth, or post a cash bond in that amount. The term of the bond shall be for one (1) year or until an approved occupational license tax return is filed with the division of revenue, whichever is later. An itinerant merchant shall forfeit his bond to the urban county government if he fails to comply with chapter 13 or 15 of the Code of Ordinances. Only one (1) bond shall be required for each itinerant merchant per year, regardless of the number of locations for which licensed to do business.
- (3) Upon approval of an application for an itinerant merchant license and payment of the applicable fee, the division of revenue shall issue a certificate of licensure specifying the name of the licensee and the exact location at which he is licensed to do business. The itinerant merchant license shall not be transferable; and, accordingly, no licensed individual shall sell his business to an unlicensed individual. Said license shall only be valid for the location for which it was issued, and the certificate of licensure shall be posted in a prominent place at that location at all times.
- (4) Notwithstanding the provisions of section 13-5, if a licensed itinerant merchant desires during the license period to change the location at which he is licensed to do business, he must secure a new certificate of licensure from the division of revenue. Prior to issuing said certificate, the division shall require the itinerant merchant to specify his new location, present a new certificate of occupancy and a new statement of permission, remit a nonrefundable fifteen dollars (\$15.00) administrative fee, and return the previous certificate of licensure. In any case where the previous certificate of licensure is not returned, the itinerant shall be treated as a new applicant and, accordingly, be required to pay the full applicable license fee.

*(Ord. No. 70-83, § 4, 5-5-83; Ord. No. 102-85, § 10, 5-30-85)*