

Temporary Merchant License Required

The Town of Union now requires a license for the temporary sale of goods within the part-Town. The Fee for the license is \$100.00.

Activities that are exempt from the requirement for a license include:

- a. Any sales conducted pursuant to statute or by order of any court.
- b. Any person selling personal property at wholesale to dealers in such articles.
- c. Temporary sales conducted on sponsoring organizations property.
- d. Any licensed real estate brokers or insurance salesmen.
- e. Any honorable discharged member of the Armed Forces of the United States who has procured a license under Article 4 of the General Business Law of the State of New York, but no such person shall engage in any of the occupations specified in this chapter without first having been issued a license by the Town Clerk.
- f. Any charitable organization, as defined herein, or its agents or employees or veterans licensed pursuant to General Business Law § 32 et al, if the event is held on the organizations property or if the charity or non-profit organization receives at least 75% of the gross profits earned from the event, exhibited by a signed statement in writing from an authorized representative of the charity or non-profit organization submitted to the Town.
- g. Any person soliciting at the express invitation of the person solicited or serving an established customer.
- h. Any person conducting a business or activity performing a service pursuant to a license issued by the United States Government, the State of New York or by any business service or activity licensed under any other law, regulation or ordinance of the Town of Union.
- i. Any political parties and candidates for public office.

Issuance of licenses; performance regulations; display of licenses.

- a. All applicants proposing to sell food items shall be required to obtain a food-handlers license from the Broome County Health Department.
- b. Locations shall be restricted to established off-street parking areas. Said location shall be designed to provide parking spaces for a minimum of five vehicles. Both active and inactive off-street parking may be utilized if the above criteria is met.
- c. Not more than one temporary merchant per lot will be permitted. A minimum distance of 1,000 feet shall be maintained between locations for temporary merchants.
- d. Temporary merchants shall be prohibited from conducting business on a municipal property.
- e. The area to be occupied by a single temporary merchant, including stand, tent, wagon, truck, sign and trash receptacle, shall not exceed 600 square feet.
- f. The temporary merchant shall provide for and maintain trash receptacles and be responsible for trash removal at the end of each day.
- g. The temporary merchant shall not sell or transfer the assigned space.
- h. One free standing sign per temporary merchant may be permitted. Signs must be constructed of a durable material and maintained in a presentable condition. Flashing lights or lighting is prohibited. No sign shall be placed within 15 feet of a property line or within an established sign triangle for interior lanes or access driveways. All freestanding signs must be removed and properly secured during non-operating hours of the temporary merchant. Maximum sign face shall not exceed four square feet and shall not exceed four feet in height.
- i. A transient business permit, as defined herein, shall be limited to a single location; the location must be approved by the Building Department.
- j. Upon receipt of the application and of the license fee, and if reasonable satisfied with the applicant's qualifications, the Town Clerk shall issue a license to the applicant specifying the particular business authorized as set forth in the definitions herein, and the location where in may be conducted, subject to the approval of the Building Department, if the permit is for a temporary business permit. This license shall be nontransferable and shall be in the continuous possession of the licensee

while engaged in the business license. The license shall be produced upon the demand of any Town Official, prospective buyer, police officer or sheriff. Any holder of such license who permits it to be used by any other person and any person who uses such license granted to any other person shall be guilty of a violation of this chapter.

Applications are available at the Town Clerk's Office or online at www.townofunion.com