



City of Stanwood

10220 270th Street NW
Stanwood, Washington 98292
Phone: (360) 629-2181
Fax: (360) 629-3009

Office Use Only

Date Received _____
Application Fee _____
Proof of Insurance: Yes No
Prop. Owner Perm: Yes No NA
Copy of Drs. License Yes No NA
Food Handler Permit Yes No NA
Approved: Yes No
Approved by _____

TEMPORARY MERCHANT LICENSE APPLICATION

Definition: Temporary merchant or concessionaire includes any person who sells, or offers for no charge, any goods, wares, merchandise, food or anything of value, for a period in excess of one day and no more than 15 days in any one location, except from within a permanent building they own or lease. The provisions of this chapter shall not apply to public officers selling property under authority of law and to persons selling property under court order.

Non-Refundable Application Fee: \$35.00

Application to be submitted at least thirty (30) days prior to the activity for review and processing. *Other fees and deposits may apply.

Include the following with the application:

- A copy of your current valid driver's license
- A copy of your food handler's permit (if handling food).
- Proof of \$500,000 public liability and property damage insurance, which shall include product liability coverage, naming the City as an additional insured
- Site map and address of location

APPLICANT INFORMATION

Applicant's Name: _____

Company/Organization: _____

Mailing Address: _____

Telephone: _____ Cell: _____

Email: _____

***Possible additional fees or deposits depending on type of activity and location:**

Community Development Temporary use Permit: \$25.00
Public Works cleaning or damage deposit (estimated): \$100.00

BUSINESS INFORMATION

If Agent or Employee, Name and address of Employer: _____

Brief Description of Business: _____

Dates and Times of Merchant Activity: _____

Location of Activity: _____

Goods or Services to be Sold or Solicited: _____

Will food products be sold: Yes_____ No_____

If yes, please provide the following:

- Copy of current food handlers permit from the Snohomish County Health District

VEHICLE INFORMATION (If vehicle will be used)

Description of Vehicle (if used): _____

Registered Owner Name and Address: _____

Vehicle License Number: _____

AGREEMENT

Any person seeking a vendor's license as defined in SMC [5.08.010](#) and [5.08.020](#) shall comply with the following requirements:

5.08.070 Site requirements.

(1) Private Property. No person shall conduct business under this chapter on private property without written permission from the property owner.

(2) Site Plans. Any person applying for a license under this chapter to conduct business for more than one day at any one location shall provide a site plan of the business location and such other plans or drawings as the city may require for approval. All site plans must be reviewed and approved by the community development director or designee. (Ord. 1313 § 2, 2012; Ord. 932, 1996. Formerly 5.08.080).

5.08.080 Temporary merchant/vendor general requirements.

Any person seeking a vendor's license as defined in SMC [5.08.010](#) and [5.08.020](#) shall comply with the following requirements:

(1) All advertising shall be on the unit and will not be allowed on the street or sidewalk.

(2) The site must be kept clean and orderly at all times and the vendor must provide a refuse container if their merchandise generates refuse.

(3) The city reserves the right to limit the number of sites allowed in any given area.

(4) If located on a sidewalk, a minimum usable and unimpaired sidewalk clearance of five feet shall be maintained by any street vendor.

(5) If a temporary merchant vendor is located on a street, the operation shall be oriented to the pedestrians on the sidewalk and not the vehicular traffic, if such exposure would interfere with the traffic flow.

(6) Vendors are prohibited in parks unless approved as part of a special event permit.

(7) Vendors are prohibited within the SR-532 right-of-way.

(8) Vendors shall comply with all parking requirements as listed in Chapter [17.105](#) SMC.

(9) Vendors shall comply with all city, county, state and federal regulations regarding food handling.

(10) Temporary merchants and vendors shall comply with all applicable requirements of SMC Title [17](#), Zoning. (Ord. 1313 § 2, 2012; Ord. 932, 1996. Formerly 5.08.090).

This license shall not exceed 15 days in duration. A temporary merchant's license will be issued only twice in a 12-month period, and the two permits shall not be issued consecutively.

Approved vending carts that can be moved daily by hand and are co-located with a store are exempt from this requirement provided the temporary merchant vending cart is approved by the property owner or leaseholder of record and the store has approved restrooms and sanitary facilities that are available to the customers of the vending cart.

Temporary merchants, peddlers, mobile vendors and charitable solicitors shall post a copy of the issued license on the premises of sales, or for mobile sales or solicitors, upon their equipment or upon their person. In addition, each charitable solicitor shall carry proper credentials identifying him/herself and the sponsoring organization. (Ord. 1313 § 2, 2012; Ord. 932, 1996).

Appeals. Any person aggrieved by the denial of an application, or revocation of a license, may appeal the decision to the hearing examiner within 14 days after notice of the action.

(a) Appeals shall be made in writing and shall set forth fully the grounds for the appeal.

(b) Appeals shall be delivered to the city clerk by 5:00 p.m. of the last day of the appeal period.

(c) The city shall give public notice of a public hearing as required by Chapter [1.08](#) SMC. The decision and order of the hearing examiner on such appeal shall be final and conclusive

As a condition precedent to the issuance of a license to conduct business as a temporary merchant, the applicant must obtain and retain a minimum of \$500,000 public liability and property damage insurance, which shall include product liability coverage, naming the city as an additional insured

The applicant shall defend, indemnify and hold harmless the City of Stanwood, its officers, officials, employees and volunteers, while acting within the scope of their duties, from any and all causes of action, demands and claims, including the cost of their defense, arising in favor of the organization, the organization's employees or third parties on account of personal injuries, bodily injuries, death, or damage to property arising out of the acts or omissions of the organization, its employees or representatives, concessionaires of the event or any other person or entity, except only such injury or damage as shall have been occasioned by the sole negligence of the City.

The undersigned agrees to comply with all requirements for temporary merchants per the Stanwood Municipal Code.

Signature of Applicant

Organization/Title

Date

Applications for peddlers, vendors and temporary merchants may be denied based on the following findings:

- (a) The application contains incomplete or false information;
- (b) The applicant for a temporary merchant fails to provide proof of insurance;
- (c) The applicant fails to obtain local, county, state and federal permits as required;
- (d) The activity as proposed cannot reasonably be conducted in a way that promotes and protects the general public welfare or is determined to constitute a menace to the public health, safety or welfare. (Ord. 1313 § 2, 2012; Ord. 932, 1996).