



City of Twin Falls
 321 Second Avenue East
 P.O. Box 1907
 Twin Falls, Idaho 83303

Transient Merchant, Vendors, Peddlers, & Solicitors License

(The City Clerk shall issue a permit within ten days after receiving a completed application and payment of the fee.)

This application is New For an Exemption A Renewal License #: _____ Expires: _____

This applicant, being first duly sworn, upon oath deposes and says:

That he/she is the owner, agent, consignee, or employee, whether as a resident of the City of Twin Falls or not, and desires to engage in the TEMPORARY business of selling and delivering goods, wares, merchandise and/or services within the City of Twin Falls, and who in furtherance of such purposes, hires, leases, uses or occupies a public or private place, building, motor vehicle, tent, railroad boxcar, public room in a hotel, lodging house, apartment, shop or any street or other place within the City of Twin Falls, for the exhibition and sale of such goods, wares, merchandise and/or services, either privately or at public auction.

Applicant Name: _____ Phone #: _____

Permanent address of business: _____

Address of business in Twin Falls: _____

Address where business is to be conducted: _____

Length of time business is to be conducted in the City: _____ Idaho State Sales Tax #: _____

Statement of nature, and quantity of the goods, wares, or merchandise to be sold or offered for sale: _____

Statement of nature and character of advertising done or proposed to be done to attract customers: _____

Business Capacity: Individual Partnership Corporation

If a Corporation, under the laws of what State: _____

If a Corporation list the officers of the Corporation:

Name	Address	Title
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_____	_____	_____
_____	_____	_____
_____	_____	_____

Has the applicant or other persons engaging in this business ever been convicted of any crime, misdemeanor or felony? If yes, give the place where the conviction occurred, nature of the crime, date and punishment: No Yes

LISTING OF PEOPLE SELLING UNDER THIS LICENSE (continued)

Name	Social Security #	Date of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Photo(s) are attached _____ Finger Printing _____
Certificate from the Health Department is attached (if required)
Bonding provided (\$500 for applicant and \$500 for each salesperson)
License fee paid (\$25 for applicant and each salesperson). Valid for three (3) months.
Date Paid: _____ Amount: _____
Renewal fee paid (\$25 for applicant and each salesperson). Valid for three (3) months.
Date Paid: _____ Amount: _____

(If a partnership, all partners must sign)

Signature of applicant _____
Name: _____ Birth date: _____
Residence of applicant: _____
Length of residence in Idaho: _____ Social Security #: _____
Signature of applicant _____
Name: _____ Birth date: _____
Residence of applicant: _____
Length of residence in Idaho: _____ Social Security #: _____
Signature of applicant _____
Name: _____ Birth date: _____
Residence of applicant: _____
Length of residence in Idaho: _____ Social Security #: _____

Subscribed and sworn to before me this _____ day of _____, _____.

Signed Notary Public _____

S E A L

Residing at _____

Commission expires _____

State of Idaho,
County of Twin Falls ss.
City of Twin Falls

For City Clerk questions call 208-735-7245

[Click here for the City Code \(Title 3 then Chapter 14\)](#)

Return completed form to: Deputy City Clerk, City of Twin Falls, 103 Main Ave. East, Twin Falls, ID 83301

CITY STAFF USE ONLY:

Approval Police Department:

Signature _____ Date _____

Comments:

Information

This following is provided for informational purposes only. The official ordinance will prevail in any discrepancy with this information.

Definitions:

1. **Peddler:** Any person traveling from house to house or from street to street carrying or transporting goods, wares, merchandise, food or farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place shall sell or offer the same for sale from a vehicle or any other type of conveyance.
2. **Solicitor or Canvasser:** Any person traveling from house to house or from street to street taking orders for sale of goods, merchandise, or personal property of any nature for future delivery, or for services to be furnished or performed in the future, whether he/she is collecting advance payments on such sales or not. Such definitions shall include any person who, for himself, or for another person leases, uses or occupies any building, structure, tent, hotel room, apartment, shop or any other place within the City for the sole purpose of exhibiting samples and taking orders for future delivery.
3. **Transient Merchant, Itinerant Merchant or Itinerant Vendor:** Any person, firm or corporation who engages in a temporary business of selling and delivering goods, wares and merchandise within the City and who leases, uses or occupies any public or private place, building, motor vehicle, tent, public room in a hotel, lodging house, apartment, shop or any street or other place within the City for the exhibition and sale of such goods and merchandise, either privately or at public auction.
4. **Temporary Business:** A business which is expected to be in operation for six months or less within the City. This definition shall not include:
 - (A) Public or private auction for the disposal by an established business of its assets or an individual for items of personal and household use.
 - (B) Any person, partnership or corporation selling or dealing only with retail merchants within the City, and being exclusively wholesale sellers and dealers.
 - (C) Any religious or charitable corporation or organization engaging in any one or more of the above activities for strictly nonprofit purposes.
 - (D) Any arts or crafts shows or fairs where the items for sale are exhibited by the person producing the items; and, the exhibitor was invited by the sponsoring party; the names of participants are accumulated by the sponsoring party to be made available to the City Council or Clerk.
 - (E) Any sales pursuant to court order.
 - (F) The sale of farm or garden products by the persons producing such products.
 - (G) The sale of a newspaper subscription in which the seller is a person engaged in both the delivery and sale of the newspaper.
 - (H) Political groups seeking funds or memberships.
 - (I) Sales of Christmas trees and wreaths.

Requirements and Additional Information:

1. The person, partnership or corporation engaged in the above described activities shall not be relieved from complying with these provisions merely by associating temporarily with a local dealer, trader, merchant or auctioneer.
2. Anyone wishing to engage in any activity described above, and not specifically excluded, may petition the City Council and upon good cause shown, the City Council may grant an exemption.
3. Any person or business intending to conduct business continuously for at least one year in the City, or having conducted business in the City continuously for the previous year, that can provide proof by way of a written lease, contract or other proof satisfactory to the City Clerk, shall be exempt.
4. When the applicant proposes to peddle any food or product for human consumption, a certification by the South Central Health District shall be required prior to issuance of a license.
5. A two inch by two inch (2" x 2") photograph is required, showing the head and shoulders in a clear and distinguishable manner of the applicant and any person selling, delivering, conveying, carrying, transporting goods, wares, merchandise, food or like merchandise of the applicant or offering to perform services in the present or future for the applicant.
6. Upon receipt of the application, the Chief of Police shall begin an investigation of the applicant's business responsibility and or moral character.
7. The license fee for the applicant and any salesperson shall be twenty five dollars (\$25.00) each, payable in advance and is valid for three (3) months. The license can be renewed no more than once every three (3) months. Each renewal shall cost fifteen dollars (\$15.00) and be valid for three (3) days.
8. Before any license shall be issued each applicant shall file with the City Clerk a surety bond or a cashier's check in the amount of five hundred dollars (\$500.00) for the applicant and each employee or agent acting on their behalf. The bond is to be used to hold the City harmless from liabilities or expenses arising by virtue of granting the license to the applicant and to assure that no dirt, paper, litter or other debris will be permitted to remain upon the streets or upon any private property. Every bond shall be executed by the applicant as a principal and provide at least one surety upon which service of process may be made in the State of Idaho. The bond shall be approved by the City Attorney. Based upon written justification and letters of reference from local citizens, local business firms, local companies or local corporations, or being licensed for one year, the above bonding requirements may be waived when specifically approved by the City Council. Action on the surety bond or cashier's check may be brought directly by any person damaged by a licensee's violation of any provision of this Chapter. After expiration of a license, the City Clerk shall, upon application of the licensee, return the bond or cashier's check within six (6) months after receipt of application for return, unless the City Clerk has been notified of any claim or cause of action upon the bond or cashier's check, or that any of the provisions of this Chapter have not been complied with.
9. No property owner shall sublet, lease, sublease or otherwise permit his property to be used by an itinerant merchant or itinerant vendor unless specifically excluded from application of these provisions or unless the itinerant vendor or itinerant merchant has obtained a license as provided.
10. No licensee shall:
 - (A) Make physical contact with the person being solicited unless that person's permission is obtained;
 - (B) Misrepresent the purpose of the solicitation;
 - (C) Misrepresent the affiliation of those engaged in the solicitation;
 - (D) Continue efforts to solicit from an individual once that individual informs the solicitor that he does not wish to give anything to, or to buy anything from, that solicitor;
 - (E) Represent the issuance of any license as an endorsement or recommendation of the solicitation;
 - (F) Enter upon any premises when the same is posted with a sign stating "No Peddlers Allowed" or other words to that effect;
 - (G) Knowingly make any false statement on an application for a license;
 - (H) Fraud, misrepresentation or false statement made in the course of carrying on the business.
11. If the applicant is denied a license by the decision of the City Clerk, the applicant may appeal to the City Council within seven (7) days of notice of the decision of the City Clerk. The applicant must, in writing, appeal to the City Council and set forth the reasons why the applicant should not be denied a license. The City Council shall set the time and place for a hearing. The order of the City Council shall be final.
12. The permits and licenses issued pursuant to this Chapter may be revoked by the Mayor, after notice and hearing, for any of the following causes:
 - (A) Any fraud, misrepresentation or false statement contained in the application for license;
 - (B) Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or merchandise;
 - (C) Any violation of this Chapter;
 - (D) Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or
 - (E) Conducting the business licensed under this Chapter in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.

US Department of Justice
Federal Bureau of Investigation
Criminal Justice Information Services Division



PRIVACY STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of information requested by this form is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include numerous Federal statutes, hundreds of State statutes pursuant to Pub.L. 92-544, Presidential executive orders, regulations and/or orders of the Attorney General of the United States, or other authorized authorities. Examples include, but are not limited to: 5 U.S.C. 9101; Pub.L. 94-29; Pub.L. 101-604; and Executive Orders 10450 and 12968. Providing the requested information is voluntary; however, failure to furnish the information may affect timely completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, security, licensing, and adoption, may be predicated on fingerprint based checks. Your fingerprints and other information contained on (and along with) this form may be submitted to the requesting agency, the agency conducting the application investigation, and/or FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be pertinent to the application. During the processing of this application, and for as long hereafter as may be relevant to the activity for which this application is being submitted, the FBI may disclose any potentially pertinent information to the requesting agency and/or to the agency conducting the investigation. The FBI may also retain the submitted information in the FBI's permanent collection of fingerprints and related information, where it will be subject to comparisons against other submissions received by the FBI. Depending on the nature of your application, the requesting agency and/or the agency conducting the application investigation may also retain the fingerprints and other submitted information for other authorized purposes of such agency(ies).

Routine Uses: The fingerprints and information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(b)) and all applicable routine uses as may be published at any time in the Federal Register, including the routine uses for the FBI Fingerprint Identification Records System (Justice/FBI-009) and the FBI's Blanket Routine Uses (Justice/FBI-BRU). Routine uses include, but are not limited to, disclosures to: appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities for application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks; and as otherwise authorized by law, treaty, executive order, regulation, or other lawful authority. If other agencies are involved in processing this application, they may have additional routine uses.

Additional Information: The requesting agency and/or the agency conducting the application investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).



Idaho State Police

Bureau of Criminal Identification



NONCRIMINAL JUSTICE APPLICANT PRIVACY STATEMENT

As an applicant who is the subject of a national fingerprint-based criminal history record check for a non-criminal justice purpose you have certain rights which are discussed below.

This serves as notification from the Twin Falls Police Dept. that your fingerprints will be used to check the criminal history records of the State of Idaho and the FBI and that those records will be used solely for the purpose requested and may not be disseminated outside the receiving department, related agency or other authorized entity. The collection of applicant fingerprints in Idaho is authorized by Idaho Code §67-3008.

- If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- Procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record, or decline to do so, before being denied the job, license, or other benefit based on information in the criminal history record.
- Disclosure of your Social Security number is voluntary and is solicited pursuant to the Federal Privacy Act and Idaho Code §67-3012 to aid the processing of an interstate background check request for noncriminal justice purposes allowed by federal statute, federal executive order or a state statute that has been approved by the attorney general.

The fingerprints and information reported from this request may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(h)). Routine uses include, but are not limited to, disclosures to appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities or application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks. Depending on the nature of your application, other authorities may include numerous Federal or State statutes pursuant to Public Law 92-544 or other authorized authorities.

According to Idaho state law and if agency policy permits, you may be provided a copy of your FBI criminal history record for review and possible challenge upon submission of a written request. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/about-us/cjis/background-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same website address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30-16.34)

If a change, correction or update needs to be made to an Idaho criminal history record, that process information is available on the Idaho State Police website.

http://www.isp.idaho.gov/identification/crime_history/FrequentlyAskedQuestions-CriminalRepository.html.

Your signature below acknowledges this agency has informed you of your privacy rights for fingerprint-based background check requests used by the agency for non-criminal justice purposes.

I do do not want a copy of the Privacy Act Statement.

Signature of Applicant

Date

CITY OF TWIN FALLS



TRANSIENT VENDOR LICENSE DENIAL

LETTER OF APPEAL

As the Transient Vendor License applicant/licensee, you have the right to appeal a denial of your license to the City Council. Your request must be made in writing to the Chief of Police within sixty (60) days of notice of the denial. The Chief of Police, or his/her designee, shall submit a staff report requesting the appeal be placed upon the City Council Agenda, and shall notify you of the date and time the appeal is to be heard (Ord. 2924, 12-17-2007, eff. 1-1-2008). During the appeal, you must set forth the reasons why you should not be denied a Transient Vendor License. You also have the right to a copy of your criminal history information gathered during the Transient Vendor License Application process upon your request to the investigating agency.

As the Transient Vendor License applicant/licensee, I have affixed my signature and printed name below, and have set forth below the reason(s) I should not be denied a Transient Vendor License. I submit this letter as a written appeal of the Chief of Police, or his/her designee's decision to the City Council. I also submit this letter as a written request to the investigating agency to provide me with a copy of my criminal history information gathered during the Transient Vendor License application process.

Reason(s) I should not be denied a Transient Vendor License: _____

Transient Vendor Applicant/Licensee Signature

Date

Transient Vendor License Applicant/Licensee Printed Name