



Transient Vendor Merchant License Information

Everyone who wishes to sell food, beverages or merchandise in the City from a vehicle, trailer, tent or temporary structure must have a transient merchant license.

This publication will explain the new regulations:

- What you need to apply for a license
- The requirements you need to meet
- Site plan requirements
- How to set up on the property
- Restrictions on operation
- What to do if you are not allowed to get a license

City staff is available to answer questions as you go through the application process.

Site requirements

You will need to provide a detailed scale drawing of the property you will set up on.

- You must locate on a paved surface
- You must be able to provide three parking spaces—you cannot take away too much required parking from another business
- You cannot locate in the area by the street designated as set back areas
- You cannot locate in drive approaches or fire lanes
- The sales area must not exceed 1000 sq feet in total area and must not be longer than 50 feet on any side
- The sales area must be designated on the site plan and must be set up in the same location every day
- You must provide a restroom within 500 feet of your sales area for people who are working
- If you sell food you must provide a restroom within 500 feet for customers
- The location must be in an area zoned for commercial or industrial use— you cannot be on a property with a house

Staff can assist with the site plan. Site plans will be reviewed to make sure the location and set up meets zoning requirements before your license will be issued.

Three types of license

Three-day license

- The cost for the license is \$50.
- A property cannot be used for a three day license unless there is a break of 10 days between permitted uses.

Thirty-day license

- The cost for the license is \$100 if you are not selling food.
- The cost for the license is \$150 if you are selling food.
- You may renew the license for the same period of time.

Annual license

- The cost for the license is \$500 if you are not selling food.
- The cost for the license is \$550 if you are selling food.
- You may renew the license for the same period of time.

Cash Bond

You must give the City Clerk a cash bond in the amount of \$200.

The bond can be released four months after sales stop if no claim has been made on the bond.

Rules

- You must vacate the property for six hours every day and remove **everything** from the property.
- You can have one sign that is securely anchored and no more than 24 square feet in area.
- All items offered for sale must be anchored and stored so they don't blow around.
- You must display the license issued by the City so it can be seen from the street.

Denial or revocation of your license

Your license can be denied or taken away if you violate City ordinances or give false information on the application.

You will be given notice that you are not being given a license or that the license is being taken away.

You will have the right to appeal the decision to an Administrative Hearing Officer.

A hearing will be held that will allow you to tell the Hearing Officer why you should be given the license
If you do not agree with the Hearing Officer you may appeal to the City Council

How to get a license

Applications are available from the City Clerk

You must apply at least three business days in advance of the license being issued

You will need to provide:

- Your name, age, address and phone number
- The name and address of the business
- Address where the sales will take place
- A description of what is being sold
- The date the sales will start and the hours that sales will take place—designate six hours that the site will be vacated
- A description of the vehicle or other display being used
- A location of other cities you have done business in the last year

What to bring with you:

- A copy of your Iowa sales tax license
- A copy of your food establishment license—if you are selling food
- An explanation of where a restroom is located for use by you or your employees— if you are selling food you will need a restroom within 500 feet available for customers
- A copy of the agreement you have with the property owner to locate on the property
- A sketch of the property showing location of the sale area and required parking spots
- If the location of the sale is within 1000 feet of a street closure event you must get permission from the event holder to sell your product

You don't need a license if you

- Are having a yard sale (twice a year)
- Are selling food from a push cart in allowed areas
- Are selling raw fruits and vegetables
- Are selling natural Christmas trees - during November and December
- Are selling for a charitable organization for a limited time
- Are part of a group with a street closure or special event
- Are selling in a park with the permission of the DM Parks Department

Resources and Contacts

City Clerk's Office

400 Robert D. Ray Drive

283-4209

- They will process the application and issue the transient merchant license

Community Development Department - Developmental Zoning Division

602 Robert D. Ray Drive

283-4200

- They will assist with site plans, review site plans and handle enforcement of violations

Des Moines Police Department

283-4811

- They will assist with enforcement

State of Iowa—food license

281-6538