

1 **ST. MARYS CITY COUNCIL**
2 **ST. MARYS, GEORGIA**
3

4 At the regular meeting of the St. Marys City Council, held in the St. Marys City Hall, St.
5 Marys, Georgia:

6
7
8
9 Present:

10
11 John F. Morrissey, Mayor
12 Robert L. Nutter, Councilman, Post 1
13 Elaine Powierski, Councilwoman, Post 2
14 Jim Gant, Councilman, Post 3
15 David Reilly, Councilman, Post 4
16 Sam L. Colville, Councilman, Post 5
17 Linda P. Williams, Councilwoman, Post 6
18

19
20 On motion of _____, which carried
21 _____, the following Ordinance amendment was adopted:
22

23 **AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS,**
24 **GEORGIA, CHAPTER 22 BUSINESS, ARTICLE VI – TEMPORARY SALES AND**
25 **SOLICITORS AND STREET VENDORS TO ALTER THE FEE DAILY AND MONTHLY**
26 **FEE SCHEDULE TO A YEARLY FEE; CLARIFYING THE VENDOR ZONE LOCATION;**
27 **PROVIDING FOR THE VENDING OF NON-ALCHOLIC BEVERAGES, WHILE**
28 **RESTRICTING SIGNAGE TO THE VENDING CART OR UMBRELLA; AND**
29 **PROVIDING AN EXEMPTION TO FRANCHISE OPERATORS THAT REGISTER**
30 **INDIVIDUAL SOLICITORS.**
31

32 Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this __ day of
33 _____, 2016 that Section 22 of the Code of Ordinances, City of St. Marys, Georgia
34 is hereby amended to read as follows:
35

36 **ARTICLE VI. - TEMPORARY SALES, SOLICITORS AND STREET VENDORS**
37

38 FOOTNOTE(S):

39 --- (5) ---

40 **Editor's note**— An ordinance adopted Dec. 5, 2011, amended art. VI in its entirety to read as
41 herein set out. Former art. VI, §§ 22-181—22-187, was entitled "Temporary Sales and
42 Solicitors", and derived from: Ord. of Feb. 26, 2007(1).

43 Sec. 22-181. - Intent and purpose.

44 It is the intent of this article to provide for the regulation of temporary sales and solicitors and
45 street vendors within the city. The purpose of this article is to protect, maintain and enhance

46 public health, safety and general welfare by regulating temporary sales and solicitors and street
47 vendors within the City of St. Marys. The citizens of St. Marys are subject to unregulated
48 temporary sales or solicitors and street vendors by sometimes questionable organizations or
49 individuals with illegitimate products or no intent to deliver. It is the purpose of this article to
50 regulate temporary sales and solicitors and street vendors to protect the public health, safety
51 and welfare. Neither is it the intent of this article to infringe free speech rights or require
52 licensing for persons going door-to-door for political campaigns, religious proselytizing, or other
53 free speech reasons.

54 (Ord. of 12-5-11)

55 Sec. 22-182. - Definitions.

56 For the purposes of this article, the following definitions shall apply:

57 *Block* means a parcel of land entirely surrounded by streets or highways, railroad rights-of-way,
58 waterways, or by a combination thereof.

59 *Nonprofit organization* means organizations established for purposes other than generating
60 profit, including schools and community service organizations. Such organizations need not have
61 obtained tax-exempt status from the IRS.

62 *Solicitor* means any person who goes from house to house, from place to place, or from street to
63 street soliciting or taking or attempting to take orders for any goods, wares or merchandise,
64 including books, periodicals, magazines, or personal property of any nature whatsoever for
65 future delivery, or seeking information, money, donations or financial assistance for any
66 purpose whatsoever, or soliciting or taking or attempting to take orders for services to be
67 furnished or performed in the future.

68 *Street vendor* means any person who establishes a location within the area so designated to sell
69 specific items as regulated by this article. This use may be reauthorized on a calendar year to
70 year basis as approved by city council.

71 *Temporary sales* means any person who goes from house to house, from place to place, or from
72 street to street, carrying or transporting goods, wares, or merchandise and offering or exposing
73 the same for sale, or making sales and deliveries to purchasers, or giving or leaving leaflets,
74 pamphlets or other items that promote or advertise the sale of goods or the provision of
75 services for profit.

76 (Ord. of 12-5-11)

77 Sec. 22-183. - Permit requirement.

78 Without having first registered with the planning department, obtaining a permit and paying the
79 appropriate fee, no temporary sales or solicitor or street vendor may undertake any activity as
80 enumerated in this article. No temporary sales or solicitor shall call at residences, offices or
81 businesses or leave at residences, offices or businesses coupons, cards, circulars, flyers, samples

82 or other written or printed solicitations. The permit shall state the specific dates on which the
83 temporary sales or solicitor is permitted to engage in business as a temporary sales or solicitor.
84 Each temporary sales or solicitor must carry the permit at all times and must produce the permit
85 for inspection on the request of a law enforcement officer or, when calling on a residence, office
86 or business, or on the request of the occupant thereof.

87 (Ord. of 12-5-11)

88 Sec. 22-184. - Application for permit—Temporary sales or solicitor.

- 89 (a) Each person applying for a permit under this article shall complete a registration form
90 giving complete identification, signature, employer name and proposed method of
91 operation in the city, and such other identification or information as may be requested,
92 including any county or state permits or requirements. Each such person shall, in advance,
93 obtain an occupational tax license and pay the city a fee of \$300.00 per year reduced by
94 \$25.00 for any full month already passed at the time of issuance of the permit, as a solicitor
95 or temporary sales. Permits for on-site sale of products will be issued for property located
96 within the C2 commercial district, not including any public property, with written
97 permission from the property owner and the property must have the ability to allow
98 vehicles to exit the street or roadway completely and shall not create a traffic hazard. The
99 code enforcement officer or designated public official shall have the final approval on C2
100 property permitted to be used for on-site temporary sales. Applicants must submit an
101 approval letter from the property owner along with a diagram showing the location of the
102 on-site temporary sales within the approved C2 commercial district. Moving to a location
103 not approved voids the temporary sales permit and the applicant must reapply for a new
104 permit. Failure to have a copy of the permit on-site for inspection voids the permit and the
105 applicant must reapply. Any applicant may submit a current occupational tax license from
106 anywhere else in Georgia as proof of paying an occupational tax but will still be required to
107 pay the daily fee to obtain a city permit to solicit or have temporary sales of products
108 within the City of St. Marys.
- 109 (b) Permits shall be issued on a yearly basis prorated for months to the end of the year
110 detailing the product to be sold and the locations authorized to be utilized.
- 111 (c) Minimum information required to obtain a permit:
- 112 (1) Name, address and telephone number.
 - 113 (2) Copy of picture ID verifying identification.
 - 114 (3) County or state required permits.
 - 115 (4) Current Georgia occupational tax license.
 - 116 (5) Owners permission to use C2 property.
 - 117 (6) Site plan showing location of sales.
 - 118 (7) List of products being sold.
 - 119 (8) Description of vehicle being used with a copy of current vehicle insurance.
 - 120 (9) Proof of applicant's lawful presence in the United States including submission of
121 required affidavit and clearance through SAVE Program.

122 (Ord. of 12-5-11)

123 Sec. 22-185. - Application for permit—Street vendor.

124 (a) Each person applying for a permit under this article shall complete a registration form
125 giving complete identification, signature, employer name and proposed method of
126 operation in the city, and such other identification or information as may be requested,
127 including any county or state permits or requirements. Street vendors shall also obtain in
128 advance an occupational tax license and pay the city fee. Permits for on-site sale of
129 products will be issued for a maximum of six street vendors on any public or private
130 property located within zone 2 of the C-1 commercial district with written permission from
131 the city and/or the property owner. The street vendor must not restrict the ability of
132 vehicles to exit the street or roadway completely and shall not create a traffic hazard.
133 Applicants must submit an approval letter from the property owner or the city along with a
134 diagram showing the requested location of the street vendor within the approved C-1
135 commercial district with any permit application. Moving to a location not approved voids
136 the street vendor permit and the applicant must reapply for a new permit. Failure to have a
137 copy of the permit on-site for inspection voids the permit and the applicant must reapply.

138 (b) Permits shall be issued on a yearly basis detailing the product to be sold and the locations
139 authorized to be utilized. Permits shall only be approved for a calendar year commencing
140 on January 1 and ending on December 31, but all street vendor permits shall end on
141 December 31 and be reissued on January 1.

142 Council reserves the right to discontinue this street vendor use on December 31 of any year
143 for any reason without any liability to the street vendor for any costs that the street vendor
144 may have incurred during the term of the permit.

145 (c) Minimum information required to obtain a permit:

- 146 (1) Name, address and telephone number.
- 147 (2) Copy of picture ID verifying identification.
- 148 (3) County or state required permits.
- 149 (4) Current Georgia occupational tax license.
- 150 (5) Owner or city permission to use C1 property or the ROW.
- 151 (6) Site plan showing location of sales.
- 152 (7) List of products being sold.
- 153 (8) Description of vehicle being used with a copy of current vehicle insurance.
- 154 (9) Proof of applicant's lawful presence in the United States including submission of
155 required affidavit and clearance through SAVE Program.

156 (Ord. of 12-5-11)

157 Sec. 22-186. - Prohibited acts—Peddler or solicitor.

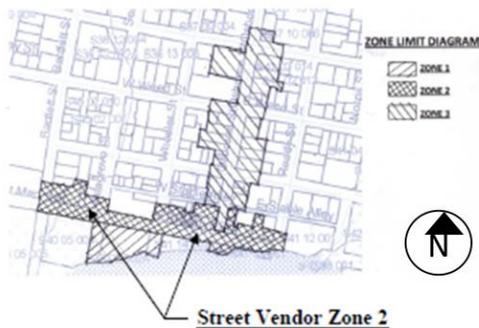
158 It shall be unlawful for any peddler or solicitor to:

- 159 (1) Call at residences, offices or businesses clearly displaying a sign stating "No Solicitors
 160 or Temporary Sales Invited," "No Solicitation," "No Solicitation within a marked
 161 neighborhood", or using similar language.
- 162 (2) Engage in door-to-door soliciting on Sundays or between the hours of 6:00 p.m. and
 163 10:00 a.m. Monday through Saturday.
- 164 (3) Enter any private dwelling without the consent of the owner or occupant, or to remain
 165 there after being requested or directed to leave.
- 166 (4) Fail to register and carry or produce for inspection a permit when required under this
 167 article.
- 168 (5) Make any false or deceptive statement on any registration hereunder.
- 169 (6) Operate more than one temporary sales business at one location.
- 170 (7) Operate more than two temporary sales businesses within a city block.
- 171 (8) Violation of any and all city, county or state ordinances or laws.

172 Upon the first violation of these regulations, the temporary sales or solicitor permit will be
 173 revoked. The owner of the permit will not be permitted to reapply for another permit for a
 174 period of six months. Upon any second or subsequent violation of these regulations, then the
 175 owners permit will be revoked and any reapplication for a permit by the owner will be
 176 permanently denied.

177 (Ord. of 12-5-11)

178 Sec. 22-187. - Requirements for a street vendor.



- 179
- 180 (a) Vendor zone: There would be one zone in the C-1 classification for street vendors known as
 181 Zone 2. Zone 2 is the indicated area on the map of St. Marys Street. Street vendors are not
 182 permitted in zone 1 or 3. Zone 2 permitted locations shall be based on area available
 183 without using existing parking areas. Street vendors in zone 2 shall be limited to a
 184 maximum of six vendors.
- 185 (b) The type of vendor shall be limited to the sale of the following items:
- 186 (1) Tee shirts, caps, and general merchandise.

- 187 (2) Postcards, arts and crafts.
- 188 (3) Fresh, packaged and prepared foods and snacks.
- 189 (4) Non-alcoholic beverages.
- 190 (5) Sun tan lotion, bug spray, sun glasses, and other outdoor protection products.
- 191 (c) Any license issued under this option shall be for only one calendar year, excluding Official
192 City of St. Marys festival days. Partial year permits shall be prorated by month, with no
193 guaranteed future renewal of any license, or any guarantee of the continuation of this
194 option beyond one calendar year.
- 195 (d) Fees for a vendor license shall be:
- 196 (1) Yearly fee of \$300 per year prorated for any full months already passed at the time of
197 the issuance of the permit.
- 198 (2) Occupation tax license as set forth in section 22-21 et.seq.
- 199 (e) Signage shall be limited to the cart or umbrella only. Push in signs of any type or location
200 are not permitted. There will be no fee charged for signage on the cart or umbrella.
- 201 (f) Vendor shall not provide any seating, tables or other similar equipment.
- 202 (g) Vendor shall provide a visually appropriate container for trash. Vendor shall pick up and
203 remove any trash originating from him or his customers on a daily basis using the vendor's
204 own resources. Vendor shall not use city trash containers for vendor trash. The public, after
205 purchase of any item, is not prohibited from using city trash containers.
- 206 (h) All vendors and their products shall be reviewed annually for adherence to the provisions
207 of this article.
- 208 (Ord. of 12-5-11)
- 209 Sec. 22-188. - Exemptions.
- 210 (a) With the exception of street vendors, any person who, solicits or accepts money,
211 donations, or financial assistance of any kind for any religious, charitable, educational,
212 political, or nonprofit organization or sells merchandise on behalf of such an organization,
213 or who leaves leaflets or flyers or other papers related to such an organization shall be
214 exempt from the requirements of this article.
- 215 (b) Any person who calls upon homes, offices or businesses at the request of, or with the
216 express permission of the occupants is exempt from the requirements of this article.
- 217 (c) Any person who represents a business which has entered into a franchise agreement with
218 the City of St. Marys for providing agreed upon services, and that business has registered
219 under Sec. 22-184 with the City for an annual fee of \$300.00 and where all individuals
220 soliciting information on behalf of the business have registered for a permit by providing
221 the Community Development Department all information required under Sec. 22-184(c)
222 and carry the permit at all times, as required under Sec. 22-183 is exempt from the
223 requirements of this article.
- 224 (Ord. of 12-5-11)

225 Sec. 22-189. - Penalty.

226 Any person who shall violate the provisions of this article shall be punished as provided in
227 section 1-12 and in this article. Each day of operating the prohibited activities under this article
228 shall constitute a separate violation of this article.

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231 This Amendment shall become effective upon passage.
232

233
234 **ST. MARYS CITY COUNCIL**
235 **ST. MARYS, GEORGIA**

236
237
238
239 _____
JOHN F. MORRISSEY, MAYOR

240 ATTEST:

241
242
243 _____
244 DEBORAH WALKER-REED, CITY CLERK
245 CITY OF ST. MARYS, GEORGIA

246
247

248 **EXPLANATION OF CHANGES**

249 **NOTE:** Deletions are ~~stricken through~~, additions are underlined.

250
251 **ARTICLE VI. - TEMPORARY SALES, ~~AND~~ SOLICITORS AND STREET VENDORS**

252
253 FOOTNOTE(S):

254 --- (5) ---

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261 public health, safety and general welfare by regulating temporary sales and solicitors and street
262 vendors within the City of St. Marys. The citizens of St. Marys are subject to unregulated
263 temporary sales or solicitors and street vendors by sometimes questionable organizations or
264 individuals with illegitimate products or no intent to deliver. It is the purpose of this article to
265 regulate temporary sales and solicitors and street vendors to protect the public health, safety
266 and welfare. Neither is it the intent of this article to infringe free speech rights or require
267 licensing for persons going door-to-door for political campaigns, religious proselytizing, or other
268 free speech reasons.

269 (Ord. of 12-5-11)

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273 waterways, or by a combination thereof.

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275 profit, including schools and community service organizations. Such organizations need not have
276 obtained tax-exempt status from the IRS.

277 *Solicitor* means any person who goes from house to house, from place to place, or from street to
278 street soliciting or taking or attempting to take orders for any goods, wares or merchandise,
279 including books, periodicals, magazines, or personal property of any nature whatsoever for
280 future delivery, or seeking information, money, donations or financial assistance for any
281 purpose whatsoever, or soliciting or taking or attempting to take orders for services to be
282 furnished or performed in the future.

283 *Street vendor* means any person who establishes a location within the area so designated to sell
284 specific items as regulated by this article. This use ~~shall~~ may be reauthorized on a calendar year
285 to year basis as approved by city council.

286 *Temporary sales* means any person who goes from house to house, from place to place, or from
287 street to street, carrying or transporting goods, wares, or merchandise and offering or exposing
288 the same for sale, or making sales and deliveries to purchasers, or giving or leaving leaflets,
289 pamphlets or other items that promote or advertise the sale of goods or the provision of
290 services for profit.

291 (Ord. of 12-5-11)

292 Sec. 22-183. - Permit requirement.

293 Without having first registered with the planning department, obtaining a permit and paying the
294 appropriate fee, no temporary sales or solicitor or street vendor may undertake any activity as
295 enumerated in this article. No temporary sales or solicitor shall call at residences, offices or
296 businesses or leave at residences, offices or businesses coupons, cards, circulars, flyers, samples
297 or other written or printed solicitations. The permit shall state the specific dates on which the
298 temporary sales or solicitor is permitted to engage in business as a temporary sales or solicitor.
299 Each temporary sales or solicitor must carry the permit at all times and must produce the permit
300 for inspection on the request of a law enforcement officer or, when calling on a residence, office
301 or business, or on the request of the occupant thereof.

302 (Ord. of 12-5-11)

303 Sec. 22-184. - Application for permit—Temporary sales or solicitor.

304 (a) Each person applying for a permit under this article shall complete a registration form
305 giving complete identification, signature, employer name and proposed method of
306 operation in the city, and such other identification or information as may be requested,
307 including any county or state permits or requirements. Each such person shall, in advance,
308 obtain an occupational tax license and pay the city a fee of \$300.00 per year reduced by
309 \$25.00 for any full month already passed at the time of issuance of the permit. ~~\$15.00 per~~
310 day for each day the permit authorizes the applicant to engage in business, up to a
311 maximum of \$300.00 per month, as a solicitor or temporary sales. Permits for on-site sale
312 of products will be issued for property located within the C2 commercial district, not
313 including any public property, with written permission from the property owner and the
314 property must have the ability to allow vehicles to exit the street or roadway completely
315 and shall not create a traffic hazard. The code enforcement officer or designated public
316 official shall have the final approval on whether a particular C2 property shall be permitted
317 to be used for on-site temporary sales without creating a traffic hazard. Applicants must
318 submit an approval letter from the property owner along with a diagram showing the
319 location of the on-site temporary sales within the approved C2 commercial district. Moving
320 to a location not approved voids the temporary sales permit and the applicant must
321 reapply for a new permit. Failure to have a copy of the permit on-site for inspection voids
322 the permit and the applicant must reapply. Any applicant may submit a current
323 occupational tax license from anywhere else in Georgia as proof of paying an occupational

324 tax but will still be required to pay the daily fee to obtain a city permit to solicit or have
325 temporary sales of products within the City of St. Marys.

326 (b) Permits shall be issued on a ~~monthly~~ yearly basis prorated for months to the end of the
327 year detailing the product to be sold and the locations authorized to be utilized. ~~Months~~
328 ~~shall be calculated as the actual days within a month started on the first day of the month~~
329 ~~and ending on the last day of the month. A permit obtained on June 20 must be renewed~~
330 ~~on July 1 and so forth. Fee shall be due the first of each month for that month. There shall~~
331 ~~be no prorated daily fees within or between months.~~

332 (c) Minimum information required to obtain a permit:

333 (1) Name, address and telephone number.

334 (2) Copy of picture ID verifying identification.

335 (3) County or state required permits.

336 (4) Current Georgia occupational tax license.

337 (5) Owners permission to use C2 property.

338 (6) Site plan showing location of sales.

339 (7) List of products being sold.

340 (8) Description of vehicle being used with a copy of current vehicle insurance.

341 (9) Proof of applicant's lawful presence in the United States including submission of
342 required affidavit and clearance through SAVE Program.

343 (Ord. of 12-5-11)

344 Sec. 22-185. - Application for permit—Street vendor.

345 (a) Each person applying for a permit under this article shall complete a registration form
346 giving complete identification, signature, employer name and proposed method of
347 operation in the city, and such other identification or information as may be requested,
348 including any county or state permits or requirements. Street vendors shall also obtain in
349 advance an occupational tax license and pay the city fee ~~per month or for any part of a~~
350 ~~month as listed below.~~ Permits for on-site sale of products will be issued for a maximum of
351 ~~three~~ six street vendors on any public or private property located within zone 2 of the C-1
352 commercial district with written permission from the city and/or the property owner. The
353 street vendor must not restrict the ability of vehicles to exit the street or roadway
354 completely and shall not create a traffic hazard. Applicants must submit an approval letter
355 from the property owner or the city along with a diagram showing the requested location
356 of the street vendor within the approved C-1 commercial district with any permit
357 application. Moving to a location not approved voids the street vendor permit and the
358 applicant must reapply for a new permit. Failure to have a copy of the permit on-site for
359 inspection voids the permit and the applicant must reapply.

360 (b) Permits shall be issued on a ~~monthly~~ yearly basis detailing the product to be sold and the
361 locations authorized to be utilized. Permits shall only be approved for a calendar year
362 commencing on January 1 and ending on December 31. Partial year permits shall be

363 prorated by month, but all street vendor permits shall end on December 31 and be reissued
364 on January 1.

365 Council reserves the right to discontinue this street vendor use on December 31 of any year
366 for any reason without any liability to the street vendor for any costs that the street vendor
367 may have incurred during the term of the permit.

368 (c) Minimum information required to obtain a permit:

369 (1) Name, address and telephone number.

370 (2) Copy of picture ID verifying identification.

371 (3) County or state required permits.

372 (4) Current Georgia occupational tax license.

373 (5) Owner or city permission to use C1 property or the ROW.

374 (6) Site plan showing location of sales.

375 (7) List of products being sold.

376 (8) Description of vehicle being used with a copy of current vehicle insurance.

377 (9) Proof of applicant's lawful presence in the United States including submission of
378 required affidavit and clearance through SAVE Program.

379 (Ord. of 12-5-11)

380 Sec. 22-186. - Prohibited acts—Peddler or solicitor.

381 It shall be unlawful for any peddler or solicitor to:

382 (1) Call at residences, offices or businesses clearly displaying a sign stating "No Solicitors
383 or Temporary Sales Invited," "No Solicitation," "No Solicitation within a marked
384 neighborhood", or using similar language.

385 (2) Engage in door-to-door soliciting on Sundays or between the hours of 6:00 p.m. and
386 10:00 a.m. Monday through Saturday.

387 (3) Enter any private dwelling without the consent of the owner or occupant, or to remain
388 there after being requested or directed to leave.

389 (4) Fail to register and carry or produce for inspection a permit when required under this
390 article.

391 (5) Make any false or deceptive statement on any registration hereunder.

392 (6) Operate more than one temporary sales business at one location.

393 (7) Operate more than two temporary sales businesses within a city block.

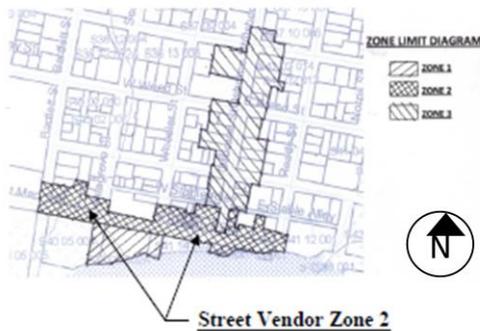
394 (8) Violation of any and all city, county or state ordinances or laws.

395 ~~If any prohibited act is violated, upon~~ Upon the first offense violation of these regulations, the
396 temporary sales or solicitor permit will be revoked. The owner of the permit will not be

397 permitted to reapply for another permit for a period of six months. Upon any ~~prohibited act~~
398 ~~being violated~~, a second or subsequent ~~time~~ violation of these regulations, then the owners
399 permit will be revoked and any reapplication for a permit by the owner will be permanently
400 denied.

401 (Ord. of 12-5-11)

402 Sec. 22-187. - Requirements for a street vendor.



403

404 (a) Vendor zone: There would be one zone in the C-1 classification for street vendors known as
405 Zone 2. ~~This zone uses the same zone designation as for the alcohol ordinance.~~ Zone 2 is
406 the indicated area on the map north side of St. Marys Street. Street vendors are not
407 permitted in zone 1 or 3. Zone 2 permitted locations shall be based on area available
408 without using existing parking areas. Street vendors in zone 2 shall be limited to a
409 maximum of ~~three~~ six vendors. ~~There shall be no vendors located on the south side of St.~~
410 ~~Marys Street that would block the view to the St. Marys River.~~

411 ~~(b) Street vendor equipment shall be reviewed by the historic preservation commission at a~~
412 ~~regularly scheduled meeting. No permit shall be issued without a valid HPC certificate of~~
413 ~~appropriateness.~~

414 ~~(be)~~ The type of vendor shall be limited to the sale of the following items:

415 (1) Tee shirts, ~~and caps, with St. Marys/Cumberland/Camden/Kingsland/Woodbine~~
416 ~~themes. No "general" type Tee shirts and general merchandise.~~

417 (2) Postcards, ~~of local attractions~~ arts and crafts.

418 (3) ~~Hot dogs/hot sausages with condiments. No fried foods.~~ Fresh, packaged and prepared
419 foods and snacks.

420 (4) ~~Packaged ice cream/yogurt products.~~ Non-alcoholic beverages.

421 ~~(5) Prepackaged candy and snacks.~~

422 (5) Sun tan lotion, bug spray, sun glasses, and other outdoor protection products.

423 ~~(cd)~~ Any license issued under this option shall be for only one calendar year, excluding Official
424 City of St. Marys festival days. Partial year permits shall be prorated by month, with no
425 guaranteed future renewal of any license, or any guarantee of the continuation of this

426 option beyond one calendar year. ~~No license issued shall extend beyond December 31,~~
427 ~~2012.~~

428 (d~~e~~) Fees for a vendor license shall be:

429 ~~(1) Application fee of \$50.00 (nonrefundable).~~

430 ~~(21) Yearly license fee of \$300 per month year prorated for any full months already passed~~
431 ~~at the time of the issuance of the permit to the end of the year.~~

432 ~~(32) Occupation tax license as set forth in section 22-26 21 et.seq.~~

433 (e~~f~~) Signage shall be limited to the cart or umbrella only. Push in signs of any type or location
434 are not permitted. There will be no fee charged for signage on the cart or umbrella.

435 (f~~g~~) Vendor shall not provide any seating, tables or other similar equipment.

436 (g~~h~~) Vendor shall provide a visually appropriate container for trash. Vendor shall pick up and
437 remove any trash originating from him or his customers on a daily basis using the vendor's
438 own resources. Vendor shall not use city trash containers for vendor trash. The public, after
439 purchase of any item, is not prohibited from using city trash containers.

440 (h) All vendors and their products shall be reviewed annually for adherence to the provisions
441 of this article.

442 (Ord. of 12-5-11)

443 Sec. 22-188. - Exemptions.

444 (a) With the exception of street vendors, any person who, ~~without compensation,~~ solicits or
445 accepts money, donations, or financial assistance of any kind for any religious, charitable,
446 educational, political, or nonprofit organization or sells merchandise ~~for a fee~~ on behalf of
447 such an organization, or who leaves leaflets or flyers or other papers related to such an
448 organization shall be exempt from the ~~registration and permit~~ requirements of this article.
449 ~~Such persons shall remain subject to the prohibitions set forth in subsections 22-186(1)~~
450 ~~through (3).~~

451 (b) Any person who calls upon homes, offices or businesses at the request of, or with the
452 express permission of the occupants is exempt from the requirements of this article.

453 (c) Any person who represents a business which has entered into a franchise agreement with
454 the City of St. Marys for providing agreed upon services, and that business has registered
455 under Sec. 22-184 with the City for an annual fee of \$300.00 and where all individuals
456 soliciting information on behalf of the business have registered for a permit by providing
457 the Community Development Department all information required under Sec. 22-184(c)
458 and carry the permit at all times, as required under Sec. 22-183 is exempt from the
459 requirements of this article.

460 (Ord. of 12-5-11)

461 Sec. 22-189. - Penalty.

462 Any person who shall violate the provisions of this article shall be punished as provided in
463 section 1-12 and in this article. Each day of operating the prohibited activities under this article
464 shall constitute a separate violation of this article.

465 (Ord. of 12-5-11)

466 Secs. 22-190—22-210. - Reserved.