

For Applicant :

Requirements to obtain a business license for itinerant, transient vendors and other sales people:

Must have invitation from a Mountain Brook resident prior to entering City. Proof of invitation will be verified by City prior to license being issued. Will need a letter from resident or phone number and name so that the City may contact the resident and verify the invitation.

Application must be completed ten (10) days prior to business commencing in the City of Mountain Brook.

Valid photo identification off ALL salespersons must be provided

Must obtain approval letter from the City Manager before application will be accepted

Must post a bond in the amount of not less than \$100.00 and no more than \$1000.00. The City shall base the bond on estimated tax due of to become due, as provided by Section 6-38 of the Mountain Brook City Code. (All persons subject to bond as sales are being solicited).

At the time of making the application you must provide the City with written permission from property owners of lessees stating that you have permission to sell or solicit sales from private property or from the front of such property and the dates you will be on said property.

You must comply with all City Ordinances, State laws and/or promulgated rules and regulation. Failure to do so could result in the revocation of the license and forfeiture of the bond as well as serve as sufficient basis for the City to refuse future license renewals.

Provisions of Issuance

I will pay all applicable City taxes no later than seven (7) days from the date my license expires or I will forfeit the cash bond that I have posted.

I hereby give my permission to allow a background and criminal history check to be done.

I am aware of hours of operation for solicitation and sales, and will abide by the hours as set forth in Ordinance number 1781. Failure to adhere to these hours may result in revocation or non-renewal of the license.

I will inform the Mountain Brook Police Department (in person or by phone) of the dates of operation within the City prior to sending out sales people. The Police department number is 879-0486.

I understand that each subsequent use of this license must be approved by the City before business can commence in the City and approval must be received each time license is used.

I hereby certify that all information and statements herein are true and correct

Signature of Applicant

Date

The applicant may have his license renewed for a period of 30 days, upon the payment of an additional license tax of \$100.00.

- (ac) *Schedule AC - Transient, itinerant dealers, vendors and other salespeople who make door-to-door calls.* Each person, firm, corporation, company, association, partnership, agency, or business, who engages or conducts in the city either in one locality or by traveling from place to place (including door-to-door sales and solicitations), a temporary or transient business of selling or soliciting orders for the sale of goods or merchandise or personal services with the intention of continuing in said business in the city for a period of not more than 180 days, each person who advertises by carrying signs or any other form of advertising, and each person who distributes handbills or other forms of advertising materials, and who have no regular place of business in the city shall be required to deposit cash, in an amount as specified in section 26-111 of this Code and to obtain a business license before commencing such business or solicitation. Such license shall be \$150.00 per year.

Per year	\$ 150.00
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- (1) *Application.* At least ten days prior to the holding of any sale or solicitation, every transient, itinerant dealer, vendor, and other sales person, shall furnish a completed license application in such form and containing such information as may be prescribed by the city clerk.
- (2) *Permission.* All transient, itinerant dealers, vendors, and other sales people must have written permission from the appropriate property owners or lessees to sell or solicit sales from private property or from the front of such property and shall provide a copy of such written permission to the city at the time of making application.
- (3) *Verification.* Before issuing a license to an invited transient or itinerant vendor or peddler, as defined in this article, to go in or upon a private residence to solicit or sell goods or services, the finance director or his representative shall have a right to make inquiry as to whom such person intends to solicit or what private home such person intends to sell goods, services, wares or merchandise, or dispose of or peddle or hawk same, and shall have the right to make inquiry of such owner(s) or occupant(s) of such private residence to determine whether such person has been requested or invited for such purpose. If it is determined that no request or invitation has been issued by the owner(s) or occupant(s) of the private residence, then the finance director or his representative authorized to issue business licenses may refuse to issue the business license.
- (4) *Hours of operation.* All transient, itinerant dealers, vendors, and other sales people shall be permitted to sell or solicit sales Monday through Saturday between the hours of 9:00 a.m. and 8:00 p.m. and Sundays between the hours of 12:00 p.m. and 6:00 p.m. except in the case of door-to-door salespersons who may only solicit sales Monday through Friday between the hours of 9:00 a.m. and 4:30 p.m.
- (5) *Display.* All transient or itinerant dealers, merchants, vendors, door-to-door salespersons, etc., having a license to do business in the city shall display same on himself or herself while conducting such business in the city, and failure to do so shall be deemed a violation.
- (6) *Reporting and remitting sales taxes.* All transient, itinerant dealers, vendors, and other sales people shall file with the city a verified report of sales and remit all sales taxes to the city within seven days from the close of business or the termination of their solicitation for each such solicitation event conducted during the license period or otherwise forfeit their bond.
- (7) *Right to deny or revoke business license.* Failure on the part of transient, itinerant dealers, vendors, and other sales people to comply with the provisions of this or other applicable municipal ordinances, state laws, or promulgated rules and regulations shall be considered sufficient cause for the finance director of the city to refuse or withhold the granting of any license or to revoke same, if granted.

**Mountain Brook, Alabama, Code of Ordinances >> CODE OF ORDINANCES - PART I GENERAL ORDINANCES >>
 Chapter 26 - LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS >> ARTICLE X. - ITINERANT VENDORS, PEDDLERS, ETC. >>**

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Sec. 26-290. - Itinerant vendors, peddlers defined; declared nuisance; prohibited generally; exception.

Sec. 26-291. - Stopping, standing, etc., on streets and sidewalks restricted.

Sec. 26-292. - Bond and license required.

Sec. 26-290. - Itinerant vendors, peddlers defined; declared nuisance; prohibited generally; exception.

- (a) An itinerant or transient vendor or peddler is defined as anyone, whether or not a resident of the city, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any kind whatsoever for future delivery or for services to be furnished or performed in the future, whether or not such person has, carries or exposes for sale a sample of the subject of such sale or whether such person is collecting advance payments on such sale or not; the word "peddler" as used in this article shall include itinerant or transient vendors, merchants, solicitors, dealers, door-to-door salespersons, or hawkers, but shall not include canvassers or other individuals going in or upon private property for religious, charitable, governmental, educational or political purposes.
- (b) The practice of going in and upon private residences in the city by itinerant or transient vendors, or peddlers who have not been so requested or invited by the owner(s) or occupant(s) of said private residence for purposes of soliciting orders for the sale of goods, wares, merchandise or services and/or disposing of or peddling or hawking same is a nuisance and shall be prohibited. The prohibition shall not extend to those promoting or otherwise engaging in activities associated with or supporting religious, charitable, governmental, educational or political organizations or causes.

(Ord. No. 1809, § 1, 3-22-2010)

Sec. 26-291. - Stopping, standing, etc., on streets and sidewalks restricted.

- (a) It shall be unlawful for any person in charge or control of any vehicle, pushcart or other device in which wares or goods are kept or exposed for sale or from which wares or goods are sold or offered for sale to permit or suffer such vehicle, pushcart or other device to stop or stand upon any street of the city except during such period as a sale of wares or goods therein contained is being negotiated and is in actual progress; provided, that in no event shall any person in charge or control of any such vehicle, pushcart or device suffer or permit the same to be or remain upon any such street at or within 50 feet of any given point thereon for a longer continuous period than ten minutes, or suffer or permit the same to be or remain upon any such street within 600 feet of any given point thereon for a longer continuous period than 30 minutes.
- (b) It shall also be unlawful for any peddler, while engaged in the business of peddling, to stop or stand upon any street or sidewalk of the city except during such period as a sale of wares or goods is being negotiated and is in actual progress; provided, that in no event shall any peddler, while so engaged, be or remain upon any such street or sidewalk at or within 50 feet of any given point thereon for a longer continuous period than ten minutes, or be or remain upon any street or sidewalk within 600 feet of any given point thereon for a longer continuous period than 30 minutes.

(Code 1996, § 9.1-1; Ord. No. 769, §§ 1, 2)

Sec. 26-292. - Bond and license required.

It shall be unlawful for a peddler, hawker, itinerant vendor or solicitor to engage in the business of selling tangible personal property at retail on a public street within the city without complying with the requirement of section 26-111 relating to the posting of bond, and without obtaining and keeping current a business license as required by the then current business license code of the city.

(Code 1996, § 9.1-2; Ord. No. 769, § 3)

State law reference—Licensing of peddlers and itinerant vendors, Code of Ala. 1975, § 40-12-139.

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CITY OF MOUNTAIN BROOK, ALABAMA BUSINESS APPLICATION
The City Does Not Impose a Business License Tax in its Police Jurisdiction

(CONFIDENTIAL)

Complete and Mail/Fax To:
CITY OF MOUNTAIN BROOK PO BOX 130009 MOUNTAIN BROOK, AL 35213 (205) 870-3532 Fax (205) 879-6913

Please provide estimated gross receipts through December 31st so we may properly calculate your gross receipts based business license:
 \$ Flat fee 150⁰⁰

Applicant Complete This Box	
FEIN	_____
ST of ALA TAX #	_____
NAICS (6 Digit)	<u>454392</u>
FORM OF OWNERSHIP (Check One)	
Sole Prop. _____	Partnership _____
Corp. _____	Prof Assoc _____
LLC _____	Other _____

Please Print or Type

SEE REVERSE SIDE FOR INSTRUCTIONS AND FURTHER INFORMATION

Application Type : New Owner Change Name Change Location Change

Legal Business Name : _____

Trade Name: (If different from above) _____

Business Activities: (Brief description- Retail clothing sales, wholesale food sales, rental of industrial equip., computer consulting, etc)

Physical Address: _____
 (Street) (City) (State) (Zip)

Mailing Address: _____
 (Street) (City) (State) (Zip)

Telephone: _____
 (Business) (Fax) (Home Phone)

Name & Phone # for Contact Person _____ ()

Email address for contact: _____

List Following for Owner(s), Partners, or Officers (Attach separate sheet if necessary)

<u>Name</u>	<u>Residence Address</u>	<u>SSN (if not publicly traded co.)</u>	<u>Title</u>
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Date Business Activity Initiated or Proposed in Mountain Brook: _____ **# of Employees in Mtn. Brook** _____

This application has been examined by me and is, to the best of my knowledge, a true and complete representation of the above named entity, and person(s) listed.

Date _____ **Signature** _____ **Title** _____

THIS AREA FOR MUNICIPAL USE ONLY

ACCOUNT ID # _____ **REVIEWED BY:** _____

PHYSICAL LOCATION: CITY POLICE JURISDICTION OUTSIDE CORP LIMITS & PJ

ZONING CLASSIFICATION: _____ **BUILDING APPROVAL: ? YES ? NO ? N/A** **FIRE CODE**

Tax Types: Sales/Seller's Use Consumer Use Rental Lodgings Alcohol
 Occupational Tobacco Gas/Motor Fuel Business License

Tax Filing Frequency: Monthly Quarterly Annual Other _____

Business Type: Retail Wholesale Building Contractor Service Professional
 Manufacturer Rental Other Sch AC

**CITY OF MOUNTAIN BROOK, ALABAMA
SALES, RENTAL/LEASE, LODGING, LIQUOR,
USE AND WINE TAX REPORT**

CUSTOMER/ACCOUNT NO. _____

REPORTING PERIOD _____

MAIL THIS RETURN WITH REMITTANCE TO:
CITY OF MOUNTAIN BROOK
REVENUE DEPARTMENT
P O BOX 130009
MOUNTAIN BROOK, AL 35213

(This return only for the business shown below)

**YOUR ACCOUNT # _____
MUST BE USED ON ALL FILINGS**

Total Amount Enclosed

\$ _____

TYPE OF TAX	(A) GROSS TAXABLE AMOUNT	(B) TOTAL DEDUCTIONS	(C) NET TAXABLE (COLUMN A - COLUMN B)	(D) TAX RATE	(E) GROSS TAX DUE (COLUMN C X COLUMN D)
Sales/Seller's Use:					
Automotive				3%	
Machines				3%	
All Other				3%	
Rental/Lease:					
Automotive				4%	
All Other				4%	
Lodging Tax				3%	
Liquor Tax				4%	
Use Tax:					
Automotive				3%	
Machines				3%	
All Other				3%	
Wine Tax				\$0.07 per liter	

This return must be received or postmarked by the 20th day of the month following the reporting period for which you are filing to be considered a timely return.

Returns filed for Sales/Seller's Use, Rental/Lease and Use taxes will be allowed a 1.5% discount if paid by the due date.

NO DISCOUNTS ALLOWED ON LODGING, LIQUOR AND WINE TAXES.

By signing this report I am certifying that this report, including any accompanying schedules or statements, has been examined by me and is to the best of my knowledge and belief, a true and complete report for the period stated.

Date _____ Title _____

Signature _____

(1) TOTAL TAX DUE (Total of Column E)	
(2) PENALTY 10%	
(3) INTEREST 1% Per MO.	
(4) DISCOUNT 1 1/2% Sales/Seller's Use, Rental/Lease and Use Only	
(5) NET TAX DUE	
(6) LESS CREDITS (attach documentation)	
(7) TOTAL AMOUNT DUE	