



Town of Oak Island · Development Services
4600 E Oak Island Dr · Oak Island, NC 28465
910-278-5024

Itinerant Merchant Business License Application

Location of Proposed Itinerant Merchant Operation: _____

Days & Hours of Operation: _____

Business Name: _____

Contact Name: _____

Address: _____

Email: _____ Phone: _____

For Office Use Only

Notes or special conditions: _____

Approval: _____ Date _____

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I acknowledge that I, the applicant, have received a copy (see back of form) and explanation of all the rules and regulations pertaining to this permit.

Signature of applicant

Date

Note: Name and address of the above must be the same as on applicant's driver's license or other legal identification, and a **copy of the ID used must be attached** to this permit

Itinerant merchant means any person, whether as owner, agent, consignee or employee, other than a merchant with an established retail store in the town, who transports an inventory of goods to a building, vacant lot, or other location in the town and who, at that location, displays the goods for sale and sells the goods at retail or offers the goods for sale at retail. The person so engaged shall not be relieved from complying with the provisions of this article merely by reason of associating temporarily with any local dealer, merchant or land owner.

Business License: Sec. 10-34.

(a) *Business license required.* No itinerant merchant, peddler or vendor shall conduct business within the town without first having obtained the appropriate business license from the town and paid associated fees as listed in the Town of Oak Island Fee Schedule, as such may be amended from time to time. Itinerant merchants and vendors located in a specialty market are not required to obtain a business license. The license will allow merchants, vendors and peddlers to retail their merchandise provided that no sales of merchandise shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. Between the hours of 10:00 p.m. and 7:00 a.m., all merchandise offered for sale shall be removed from the lot or such merchandise shall be stored and properly secured within a fully-enclosed structure or vehicle used in conjunction with the operation. Itinerant merchants, vendors and peddlers must renew license annually. Business license for itinerant merchants and vendors shall be valid from March 1 through November 30. The maximum number of licenses to be issued is 12 per year with the restriction that licenses are limited to one per itinerant merchant or vendor.

(b) *Business license required for specialty markets.* Upon approval of a conditional use permit, the specialty market operator shall then obtain a business license. The business license shall be on the specialty market operator's person at all times during the period that sales activity is occurring. The license will allow the merchants to retail their merchandise provided that no sales of merchandise shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. Between the hours of 10:00 p.m. and 7:00 a.m., all merchandise offered for sale shall be removed from the lot or such merchandise shall be stored and properly secured within a fully enclosed structure or vehicle used in conjunction with the operation.

(c) *Location, licensure and property owner approval.* No license shall be issued to any itinerant merchant or vendor to engage in the business of selling and/or delivering their wares and merchandise within the town unless the proposed location is to be sited on property zoned for commercial purposes. The applicant for a license to conduct business as an itinerant merchant or vendor shall provide to the town: (1) proof that any applicable local, state or federal permit or license is held by the applicant, and (2) written authorization from the property owner allowing the use of the property designated as the location as well as the time frame for which such permission is granted. Specialty markets can only be approved in districts as permitted uses under [section 18-116](#), table of uses.

(d) *Compliance with zoning standards.* An itinerant merchant or vendor selling articles of merchandise shall locate only in those areas in which there is sufficient room for the merchant's vehicle and the parking of a minimum of three automobiles for potential customers. When located on the lot of an existing business establishment, parking and circulation room for the principal use shall be maintained as required by the Code and such space for the vehicle and customer space shall be calculated exclusive of such areas required to be reserved for the principal use. No vehicle or merchandise shall be parked, stored or displayed or otherwise situated within ten feet of the front boundary line or ten feet of a corner side boundary line. Itinerant merchant or vendor cannot set up within 500 feet or within the same block of a competing business, merchant or vendor retailing the same goods and merchandise, unless located within a specialty market. Itinerant merchants, vendors, or peddlers are permitted two signs for the purposes of advertising; such signs cannot be greater than 12 square feet in area and must meet setbacks as stated above.

(e) The sale of animals by itinerant merchants, vendors, peddlers and at specialty markets is prohibited.