

**TITLE 4**

**BUSINESS REGULATIONS AND LICENSING**

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#### **Chapters:**

- 4.05 Transient merchants**
- 4.09 Show boat fee**
- 4.13 Liquor license**

## Chapter 4.05

### TRANSIENT MERCHANTS

#### Sections:

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**4.05.010 Transient merchant defined.** The words "transient merchant", when used in this ordinance, shall include all persons, firms, and corporations, both as principals and agents, who engage in, do, or transact any temporary or transient business within the corporate limits of the Town, by offering for sale or selling goods, wares, or merchandise, and those who, for the purpose of carrying on such business, shall hire, lease, or occupy any permanent or mobile building, structure or real estate for the exhibition by means of samples, catalogs, photographs, and price lists for the sale of such goods, wares, or merchandise.

The term "transient merchant", as used in this ordinance, shall not include:

- (1) Any person, individual, copartner, or corporation which grows the goods, wares, or merchandise that is sold or offered for sale.
- (2) An auctioneer who is licensed by the State of Indiana.
- (3) A person who has resided in Perry County, Indiana, for more than six (6) months continuously immediately preceding the commission of any of the acts previously described in this section.
- (4) Any person engaged in sanctioned activity of any school located in Perry County.
- (5) Any person engaged in an activity sanctioned by a duly organized church, charitable, civic or community improvement group having a location in Perry County. (Ord. 6-5-96, S1, June 12, 1996)

**4.05.020 License required.** It shall be unlawful for any transient merchant to sell or offer to sell any goods, wares, or merchandise within the corporate limits of the Town, without

having first obtained a license to do so. (Ord. 6-5-96, S2, June 12, 1996) (Ord. unnumbered, May 2, 1924) (Ord. 48, S1, Aug. 5, 1887)

**4.05.030 Obtaining a license.** Each transient merchant shall apply to the Clerk-Treasurer of the Town, for a license and shall furnish the following information:

- (1) The person's full name;
- (2) The person's permanent address and telephone number;
- (3) The person's local address and telephone number;
- (4) A description of the goods, wares or merchandise to be sold;
- (5) The name, address and telephone number of the employer of the person making such application;
- (6) The name, address and telephone number of the immediate supervisor of the person making such application. (Ord. 6-5-96, S3, June 12, 1996)

**4.05.040 Surety bond.** At the time of the filing of the application, the applicant shall also file and deposit with the Clerk-Treasurer a bond with sureties to be approved by the Clerk-Treasurer in the penal sum of one Thousand Dollars (\$1,000.00), to be payable to the Town, and being for the protection of the public and conditioned upon the faithful performance of the applicant's obligations to the Town. (Ord. 6-5-96, S4, June 12, 1996)

**4.05.050 License fees.** The applicant shall pay to the Clerk-Treasurer the following license fees:

- (1) One day . . . \$25.00 for each representative.
- (2) One week . . . \$100.00 for each representative.
- (3) One month . . . \$400.00 for each representative.

No license shall be issued for longer than one month and no license shall be transferred from one person to another. For purposes, of this ordinance, a day shall be considered to be one calendar day, a week shall be considered to be seven continuous calendar days, and a month shall be considered to be thirty (30) continuous calendar days. (Ord. 6-5-96, S5, June 12, 1996) (Ord. unnumbered, May 2, 1924) (Ord. 48, S2, 3, 4, Aug. 5, 1887) (Ord. 10, S1, July 7, 1875) (Peddler's Ord., Nov. 1, 1872)

**4.05.060 Clerk-Treasurer to sign and place the Town's seal upon license.** Upon the fulfillment of the requirements for issuance of a license, the Clerk-Treasurer shall issue over his (her) signature and Town's Seal, a license which shall contain the information required by Section 4.05.030. (Ord. 6-5-96, S6, June 12, 1996)

**4.05.070 Display of license.** The applicant shall carry the license on the applicant's person and shall display the license when requested to do so and shall surrender the license upon departure from the Town or upon expiration, which ever occurs first. (Ord. 6-5-96, S7, June 12, 1996)

**4.05.080 Releasing surety bond.** The surety bond required by this ordinance shall remain in force for a period of three (3) months after the applicant's departure from the Town and, provided that all conditions of the surety bond have been faithfully performed, shall then be released by the Clerk-Treasurer. (Ord. 6-5-96, S8, June 12, 1996)

**4.05.090 Penalty for violation.** Any person who acts as a transient merchant within the corporate limits of the Town, without having first obtained a license to do so, or who violates any other provision of this ordinance shall be adjudged to have committed an act constituting a violation of a Class A Infraction and a judgement may be entered against the person committing such violation in a sum of not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each violation. Each day in which a violation occurs shall be deemed to constitute a separate offense. (Ord. 6-5-96, S9, June 12, 1996) (Ord. unnumbered, May 2, 1924) (Ord. 48, S5 & 6, Aug. 5, 1887)

## Chapter 4.09

### SHOW BOAT FEE

#### Sections:

#### 4.09.010 Fee

**4.09.010 Fee.** Be it ordained by the Board that the show boats are to pay \$5.00 for one exhibition of any performance, one night to take effect at once. (Ord. unnumbered, May 3, 1929)

## Chapter 4.13

### LIQUOR LICENSE

#### Sections:

- 4.13.010 License required**
- 4.13.020 License fee**
- 4.13.030 Penalty for violation**

**4.13.010 License required.** Be it ordained by the Board of Trustees of the Town of Troy, that hereafter it shall be unlawful for any person or persons directly or indirectly to sell any spirituous, vinous, malt or other intoxicating liquors, in a less quantity than a quart at a time to be drank on their premises within the corporation limits of the Town of Troy, State of Indiana or within the limits adjoining said Town as fixed by the of the State of Indiana, until he or they, have been granted a license so to do, by the Board of Commissioners of Perry County, State of Indiana, and have paid to the Treasurer of the Town of Troy, the amount of the license required by this Ordinance. (Ord. 94, S1, Mar. 17, 1911) (Ord. 53, S1, June 5, 1891)

**4.13.020 License fee.** The license required for the sale of spirituous, vinous, malt or other intoxicating liquors within the Town of Troy, or within the jurisdiction of said Board of Trustees of the Town of Troy, Indiana with the privilege of selling said liquors in a less quantity than a quart at a time. An the privilege of suffering same to be drank on their premises shall be Two hundred and fifty (\$250.00) dollars per year, which license shall bear the same date and expire on the same date, and be subject to the same orders as the license that have been ranted to said applicant by the Board of County Commissioners. That in transferring, assigning, revoking or otherwise changing the ownership of said license or moving same from and place to another within said Town, the orders entered by the Board of County Commissioners in defense thereto shall prevail. (Ord. 94, S2, Mar. 17, 1911) (Ord. 79, S2, Aug. 5, 1904) (Ord. 53, S2, June 5, 1891)

**4.13.030 Penalty for violation.** That any person or persons violating the provisions of this Ordinance shall be fined in any sum not exceeding the sum of Two hundred and fifty dollars. (Ord. 94, S3, Mar. 17, 1911) (Ord. 53, S4, June 5, 1891)