

APPLICATION FOR EXEMPTION FROM TEMPORARY BUSINESS LICENSE

Pursuant to Section 5-278 of the Bartlesville Municipal Code
City of Bartlesville, 401 S. Johnstone Avenue, Bartlesville, Oklahoma 74003
918-338-4240

PLEASE TYPE OR PRINT CLEARLY AND COMPLETE ALL SECTIONS. AN INCOMPLETE APPLICATION WILL NOT BE PROCESSED.

| | | | |
|--|--------------|--------------------------|-----|
| Business Name (DBA) | | | |
| Corporation Name (if different from above) | | Federal ID Number or SSN | |
| Business Address | City | State | Zip |
| Mailing Address (if different from above) | City | State | Zip |
| Business Phone: | | Cell Phone: | |
| Contact Number Where Applicant Can Be Reached While in the City of Bartlesville: | | | |
| Applicant Drivers License Number | | | |
| Starting Date: | Ending Date: | Total Number of Days | |
| Location: | | | |

Exemption Claimed For (Please Check One): PROOF OF EXEMPTION MUST BE SUBMITTED WITH THIS APPLICATION.

- Vendor participating in a special event which is temporary in nature and sponsored by a non-profit or religious corporation or organization
- Solicitation on behalf of a candidate for elective public office or a measure to be placed on the ballot or which has been placed on the ballot in the next election
- Solicitation on behalf of a governmental entity or non-profit or religious corporation or organization
- Yard sales, garage sales or estate sales regulated by Sections 5-490 and 5-491 of the Bartlesville Municipal Code
- Children selling drinks, such as lemonade, at their homes
- Needy or disabled ex-servicemen residing in this state who have complied with the provisions of 72 O.S. 1 through 6

**THIS SECTION MUST BE COMPLETED.
THIS INFORMATION IS CONFIDENTIAL TO THE EXTENT ALLOWED BY LAW.**

Provide complete and accurate description and purpose of proposed business operation or activity to be conducted within the City limits of Bartlesville, include locations, dates and times of solicitation, business or other:

I declare under penalty of perjury that the information and statements contained herein are true and correct to the best of my knowledge and belief. I am aware that any violation of the Bartlesville City Code will terminate my exemption and right to conduct temporary business within the City of Bartlesville.

Date

Signature of Owner, Trustee or Officer

Title

Witnessed by City Official:

Printed Name and Title of City Official

Applicable Regulations Pertaining to all Temporary Business Licenses (including those who are exempt from the fee)

Sec. 5-276. - Definitions.

- (a) "Non-profit" means conducting business on behalf of a non-profit corporation as demonstrated by the corporation's certification of tax-exempt status. If a certificate has not yet been issued, the city clerk or designee may accept an application for a certificate of tax-exempt status as proof of the non-profit nature of the organization, so long as the certificate is provided within a reasonable time.
- (b) "Temporary Business" means any one or more of the following activities, and shall include soliciting, peddling, and hawking:
 - (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs and services of any kind, character, or description whatever, for any kind of consideration whatever;
 - (2) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication;
 - (3) Seeking to obtain gifts or contributions of money, clothing, or any other valuable thing;
 - (4) Engaging in a temporary business of selling or delivering amusements or goods, within the City, and who, in furtherance of such purposes, leases, uses, or occupies any tent, temporary structure, stand, vehicle, or outdoor location on private property which is properly zoned for such commercial use, for the exhibition and sale of such goods or amusements, including but not limited to the sale of a seasonal or special event nature; or
 - (5) Traveling by foot, wagon, motor vehicle, pushcart or any other method of transportation from house to house or street to street selling or offering to sell services, food, beverages, goods or merchandise, distributing goods or information, or soliciting funds or other forms of assistance.
- (c) "Stand" means any table, bench, booth, rack, handcart, pushcart, or any other fixture or device which is not required to be licensed and registered by the Department of Motor Vehicles, used for the display, storage, or transportation of articles offered for sale by a peddler or solicitor.
- (d) "Temporary Structure" means any tent, membrane structure, and other structures, including any mobile structure, erected for a period of less than one hundred-eighty (180) days. *(Ord. 3037, § 2, 6-5-00)*

Sec. 5-280. – Limitations and Conditions on Operation.

- (a) No person shall conduct any temporary business activity on any street within the City to the occupant of any vehicle unless otherwise approved by the provisions of this Code.
- (b) No person shall conduct any temporary business activity on any public street, sidewalk, alleyway, right-of-way or any publicly-owned property unless otherwise approved by the provisions of this Code.
- (c) No person(s) shall engage or attempt to engage in business activities any resident of the City who has posted a notice upon his real property, business or residence, including but not limited to apartments, condominiums, mobile homes, and detached residences, to the effect that such business activity is unwanted, uninvited or limited to certain hours so posted.
- (d) All temporary business activities, whether conducted on foot or from a vehicle, shall be conducted in strict accordance with all traffic and parking laws.
- (e) Engaging in business activities in residentially zoned areas shall be permitted only during daylight hours.
- (f) No person shall operate or cause to be operated any sound truck, sound amplifying equipment, loud speaker, public address system, radio, music, or similar device in conjunction with a temporary business license which produces a loud and raucous noise to attract the attention of the public or the occupant(s) of any residence.
- (g) No person shall peddle or solicit the sale of fresh meat or fish of any kind which has not been inspected and a permit for same issued by the County Health Department. Such County Health Department permit shall be provided to the City of Bartlesville prior to the issuance of a license.
- (h) All trash and debris accumulation caused by a licensee's activities shall be collected and deposited in a proper trash container. *(Ord. 3037, § 2, 6-5-00)*

Sec. 5-281. - Appeal.

Any person, organization, or corporation whose application for a temporary business license has been denied by the city clerk or designee may appeal to the city council by giving written notice of intent to appeal. The city council shall at the next regular meeting hear the appeal and may affirm or reverse the action of the city clerk or designee. *(Ord. 3037, § 2, 6-5-00)*