



MORGAN COUNTY PLANNING AND DEVELOPMENT

150 East Washington Street, Suite 200
P.O. Box 1357
Madison, Georgia 30650
(706)342-4373 Office · (706)343-6455 Fax

Instructions for Applying for a Peddlers and Itinerant Merchants License

1. You must read, understand and comply with all provisions of Chapter 66, Article III – Peddlers and Itinerant Merchants of the Morgan County Code of Ordinances.
2. You must get fingerprinting done at the Morgan County Sheriff's Office, located at 1380 Monticello Highway, Madison, Georgia 30650. Please call (706) 342-1507 to make an appointment. **All appointments must be made seven (7) days in advance.** At the time fingerprinting is done, you will need to bring the following:
 - \$5.00 (**cash only**) paid to the Morgan County Sheriff's Office for the printing fee.
 - \$44.25 **cash or check**; please make check payable to **Morgan County Planning and Development** for processing of the fingerprints.
3. You must complete and sign an **Individual Criminal History Consent Form** at the Sheriff's office.
4. Please complete the **Peddlers and Itinerant Merchants License Application**. The **Georgia Security and Immigration Compliance Act Benefit Affidavit** must be signed and notarized. **Incomplete applications will not be accepted.** Return the application and forms in person to the Morgan County Planning and Development Office after completing the fingerprints and background check.
5. When submitting your application and forms, we will also require a copy of your driver's license or any other form of photo identification listed on the attached Affidavit.
6. The license fee is \$100.00 and is payable to Morgan County in the form of cash or check only. The license is only valid for **one individual** and will expire on December 31st of the year the license was issued.



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Return application & notarized affidavit
Morgan County Planning and Development
150 E. Washington Street, Suite 200, Madison, Georgia 30650

OFFICE USE ONLY
Zoning
License #
Tax Map and Parcel
Amount Paid \$
Payment type
Issued by:
Date
NAICS CODE

Peddlers and Itinerant Merchants License Application

1. APPLICANT NAME:

2. APPLICANT MAILING ADDRESS:

3. APPLICANT PHYSICAL ADDRESS:

4. E-MAIL ADDRESS:

5. TELEPHONE #:

6. DESIRED PLACE OF BUSINESS:

7. PLACE(S) OF BUSINESS FOR PREVIOUS 6 MONTHS:
MUST GIVE PHYSICAL AND MAILING ADDRESS, IF DIFFERENT.

MOST RECENT LOCATION:

ADDRESS:

CITY, STATE, ZIP:

DATES OF SALE:

NATURE OF BUSINESS:

ADDITIONAL LOCATION:

ADDRESS:

CITY, STATE, ZIP:

DATES OF SALE:

NATURE OF BUSINESS:

ADDITIONAL LOCATION:

ADDRESS:

CITY, STATE, ZIP:

DATES OF SALE:

NATURE OF BUSINESS:

8. STATEMENT OF GOODS

DESCRIBE TYPE AND QUALITY OF GOODS:

INVOICE VALUE FOR GOODS:

COUNTRY OF MANUFACTURE:

LOCATION OF GOODS:

9. ADVERTISEMENT

WHAT TYPE OF ADVERTISEMENT HAS BEEN DONE FOR THE BUSINESS? (Copies of any advertisement must accompany this application.)

10. FEDERAL TAX I.D. OR SOCIAL SECURITY#:

11. STATE SALES TAX # (IF APPLICABLE):

12. STATE USE TAX # (IF APPLICABLE):

13. I certify that the all information given is true and correct to the best of my knowledge, and that I have read, understand and will comply with all provisions of Chapter 66, Article III—Peddlers and Itinerant Merchants of the Morgan County Code. I understand that the issuance of a Peddlers and Itinerant Merchant license does not indicate conformity with Morgan County Ordinances and it is my responsibility to conform with all ordinances. Morgan County expressly reserves the right to enforce any and all ordinances, regardless of payment.

Signature

Title Date

- COMPLETE APPLICATION MUST BE RETURNED IN PERSON. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
• PHOTO ID PROVIDED MUST MATCH APPLICANT NAME.
• PAYMENT AND AFFIDAVIT MUST ACCOMPANY APPLICATION.

MAKE CHECK PAYABLE TO: MORGAN COUNTY

Thank you for doing business in Morgan County!



Georgia Security and Immigration Compliance Act Applicant Benefit Affidavit

Applicant: _____

Name of Establishment: _____

Establishment Address: _____

By executing this affidavit under oath, as an applicant for an **Peddlers and Itinerant Merchants License**, as referenced in O.C.G.A. § 50-36-1, from the Morgan County Board of Commissioners, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- I am a United States citizen.
- I am a legal permanent resident of the United States.
- I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

This document was executed in Madison, Georgia.

Signature of Applicant

Printed Name of Applicant

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
___ DAY OF _____, 20___

NOTARY PUBLIC
My Commission Expires:

Official Use Only

The secure and verifiable document provided with this affidavit can best be classified as:

- | | | |
|--|--|--|
| <input type="checkbox"/> U.S. Passport | <input type="checkbox"/> U.S. Passport Card | <input type="checkbox"/> U.S. Military ID |
| <input type="checkbox"/> U.S. Driver's License* | <input type="checkbox"/> Tribal ID Card | <input type="checkbox"/> U.S. Permanent Resident Card |
| <input type="checkbox"/> Alien Registration Card | <input type="checkbox"/> Foreign Gov. Passport | <input type="checkbox"/> Employment Authorization Card |
| <input type="checkbox"/> Merchant Mariner Card | <input type="checkbox"/> Free & Secure Trade Card | <input type="checkbox"/> Nexus Card |
| <input type="checkbox"/> SENTRI Card | <input type="checkbox"/> Canadian Driver's License | <input type="checkbox"/> Certificate of Citizenship |
| <input type="checkbox"/> Certificate of Naturalization | <input type="checkbox"/> Matricula Consular ID | <input type="checkbox"/> Copy of Document Attached |

*Note: A driver's license from Alaska, Idaho, Illinois, New Jersey, New Mexico, New York, Rhode Island, Utah and Washington is not a verifiable document. Maryland and Massachusetts are pending.

Verified By: _____

Date: _____



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Private Employer Exemption Affidavit Pursuant To O.C.G.A. § 36-60-6(d)

By executing this affidavit, the undersigned private employer verifies that it is exempt from compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm, or corporation employs ten (10) or fewer employees and is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6.

Signature of Exempt Private Employer

Printed Name of Exempt Private Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 201__ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE _____ DAY OF _____, 201__.

NOTARY PUBLIC

My Commission Expires:

* This affidavit is for submissions made on or after to July 1, 2013.



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.....**NOTICE OF PRIVACY**
ACKNOWLEDGEMENT OF RECEIPT

DATE: _____

I acknowledge that I was provided a copy of the Non-Criminal Justice Applicant's Privacy Rights and Privacy Act Statement.

Print Name

Signature

If completed by an authorized agent, please print and sign your name in the space below:

Name of Authorized Agent (Print)

Authorized Agent Signature

Relationship

Subscribed and Sworn Before Me

SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE ___ DAY OF _____, 20 __

Notary Public
My Commission Expires:

ARTICLE III. - PEDDLERS AND ITINERANT MERCHANTS^[2]

Footnotes:

--- (2) ---

State Law reference— County governing authority may regulate peddling and fix the cost of licensing peddling, O.C.G.A. § 36-5-22.1(a)(9).

Sec. 66-45. - License required.

Each peddler and itinerant merchant, as such terms are defined in section 66-46, who does business within the unincorporated areas of the county shall be required to obtain a license from the planning and development office in the manner specified in this article.

(Code 2000, § 32-201(1))

Sec. 66-46. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Itinerant merchant means any person, firm or corporation, whether as owner, agent, consignee, or employee, whether a resident of this county or not, who engages in a temporary business of selling and delivering goods, wares, and merchandise within the county, and who in furtherance of such purpose hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad boxcar, boat or public room in any hotel, lodginghouse, apartment, or shop within the county for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction.

Peddler includes any person, whether a resident of this county or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden produce, farm products or provisions who offers and exposes the same for sale, or who, without traveling from place to place, sells or offers the same for sale from a wagon, automotive vehicle, railroad car or other vehicle or conveyance.

(Code 2000, § 32-201(2))

Sec. 66-47. - Exemptions.

This section shall not be applicable to traveling salesmen or nonresident merchants as provided in O.C.G.A. title 43 ch. 46, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to bona fide charitable, religious or philanthropic organizations.

(Code 2000, § 32-201(3))

Sec. 66-48. - Application.

Application for a license under this section shall be made as provided in chapter 18, article III, titled "Towing Services," section 18-63, titled "Application for a license," except that such application shall contain the following additional information:

- (1) The fingerprints of the person or persons having the management or supervision of the applicant's business;
- (2) The place or places in the county where it is proposed to carry on the applicant's business, and the length of time during which it is proposed that said business shall be conducted;
- (3) The place or places, other than the permanent place of business of the applicant, where the applicant within the six months before the date of said application conducted a transient business, stating the nature thereof and giving the post office and street address of any building or office in which such business was conducted;
- (4) A statement of the nature, character, and quality of the goods, wares, or merchandise to be sold or offered for sale by the applicant in the county; the invoice value and quality of such goods, wares, and merchandise; where the goods or property to be sold are manufactured or produced; and where such goods or products are located at the time said application is filed;
- (5) A brief statement of the nature and character of the advertising done or proposed to be done in order to attract customers, and copies of all said advertising whether by handbills, circulars, newspaper advertising, or otherwise, shall be attached to said application as exhibits thereto; and
- (6) Whether or not the person or persons having the management or supervision of the applicant's business have been convicted of a crime, misdemeanor, or the violation of any ordinance, the nature of such offense, and the punishment assessed therefor.

(Code 2000, § 32-201(4))

Sec. 66-49. - Service of process.

Before any license is issued to an applicant under this article, the applicant must file with the planning and development office either the name and permanent address of the applicant's agent for service of process or an instrument nominating and appointing the planning and development office, in the absence of another agent, as the applicant's true and lawful agent with full power and authority to acknowledge service of notice of process for and on behalf of the applicant in respect to any matters connected with or arising out of the business transacted under the license. The applicant must consent and agree that service of any notice or process may be made upon said agent, planning and development office, and when so made will be taken and held to be as valid as if personally served upon the applicant according to the law of this or any other state, and must waive all claim or right of error by reason of such acknowledgement of service or manner of service. Immediately upon service of process upon the planning and development office, the planning and development office must send to the licensee at his or her last known address by registered or certified mail a copy of the process.

(Code 2000, § 32-201(5))

Sec. 66-50. - Fee established.

The business license fee for each peddler or itinerant merchant doing business in the county shall be set by a resolution of the county commission from time to time, and made available for public examination in the office of the county clerk. The fee shall be due on the first day of any year or on the day any sale is made.

(Code 2000, § 32-201(6))

Sec. 66-51. - Duty to exhibit.

All persons obtaining a license under the provisions of this article shall be required to exhibit such license at the request of any citizen.

(Code 2000, § 32-201(7))

Sec. 66-52. - Loud noises and speaking devices.

No licensee under this article, nor anyone in his or her behalf, shall shout, make any outcry, blow a horn, ring a bell, or use any other sound device including any loudspeaking radio or amplifying system upon any of the streets, alleys, parks, or other public places of the county or upon any private premises in the county where sound of sufficient volume is emitted or produced therefrom capable of being plainly heard upon the streets, avenues, alleys, parks, or other public places for the purpose of attracting attention to any goods, wares, or merchandise which such licensee proposes to sell.

(Code 2000, § 32-201(8))

Secs. 66-53—66-69. - Reserved.