



Transient Merchants Instructions

1. Businesses/Individuals who are applying for a Transient Merchant License must fill out the following applications:
 - Business License Application,
 - Background Check Application.

Note: There are additional requirements in ordinance/code below.
2. A Transient Merchant fee is as follows:
\$160.00 (Note: Period is not to exceed 7 days)
3. Businesses/Individuals are subject to all ordinances/codes of the City of Greenville, including, but not limited to, the sections of the ordinance below. **Please read the following sections of the ordinance/code carefully to see what is required to obtain a Peddlers License.**

DIVISION 5 - TRANSIENT MERCHANTS

Sec. 8-376. - Definitions.

Sec. 8-377- License required; term; fee; exceptions.

Sec. 8-378- Application for license.

Sec. 8-379. - Violations.

Secs. 8-380—8-390. - Reserved.

Sec. 8-376. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Transient merchant* means any person who sells or purchases goods, wares, merchandise, or anything of value, and who for himself or as an agent for another, rents, erects, purchases, uses or occupies any room, building or other structure or place, including but not limited to parking lots, shopping centers, sidewalks or any other public area, for the purpose of purchasing, selling or offering for sale anything of value at such location without the intention of establishing a permanent business thereat, and without having acquired a regular city business license.

(Code 1985, § 6-8-61(a))

Cross reference— Definitions generally, § 1-2.

Sec. 8-377. - License required; term; fee; exceptions.

(a) Each transient merchant shall obtain a City transient merchant's business license prior to offering goods, wares, merchandise or anything of value for sale. The fee for the license shall be fixed from time to time by the City Council and is set forth in the fee schedule in appendix A to this Code.

(b) Every permit issued under the provisions of this division shall be limited to seven consecutive days.

(c) The provisions of this section shall not apply to:

(1) Any transient merchant who is sponsored by a present local established business when the owner of the local established business is willing to be responsible for the acts of the transient merchant in the same manner as he would for his own business and includes the gross receipts of such transient merchant in his business license information.

(2) Solicitations, sales or distributions by charitable, educational or religious organizations and other eleemosynary organizations exempt from federal income tax under Internal Revenue Code section 501(c), or persons representing such organizations.

(3) Solicitations, sales or distribution of arts and crafts made by the person displaying them, and solicitations, sales or distribution of arts and crafts, coins, stamps or other similar items collected as a hobby and not as a business for profit, provided such person certifies to and agrees that his tax records may be audited to verify the certification.

(Code 1985, § 6-8-61(b), (c))

Sec. 8-378. - Application for license.

Applicants for a license under this division shall file a written sworn application with the Revenue Administrator showing:

(1) The name of the person having the management or supervision of the applicant's business during the time that it is proposed that it will be carried on in the city, the local address of such person while engaged in such business, the permanent address of such person, and the capacity in which such person will act (that is, whether as proprietor, agent or otherwise), and the name and address of the person for whose account the business will be carried on, if any.

(2) The place in the city where the applicant proposes to carry on business, and the length of time during which it is proposed that the business shall be conducted. The hours of operation shall not include the hours from one-half hour before sunset until 9:00 a.m.

(3) 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 city.

(4) Whether or not the persons having the management or supervision of the applicant's business have been convicted of a crime, misdemeanor or the violation of any municipal ordinance, the nature of such offense and the punishment assessed therefor.

(5) Written permission from the manager, supervisor, owner or other appropriate officer or agent of any place of business or private property on which the transient merchant anticipates doing business. The written permission from such officer or agent shall spell out the times and location of such permitted activity.

(Code 1985, § 6-8-62)

Sec. 8-379. - Violations.

Any violation of the sworn application which the transient merchant fills out shall be a misdemeanor and shall be punishable in the municipal court of the city, and may also result in a revocation of the business license. Violations shall include but not be limited to operating in places other than those stated on the application, operation on private property without written permission from the appropriate party, operation beyond the time limits stated in such written permission, if any permission shall be had, and operation on any public right-of-way.

(Code 1985, § 6-8-63)

Secs. 8-380—8-390. - Reserved.



BACKGROUND INVESTIGATION FORM

Date of application: _____

BUSINESS INFORMATION

Business Name: _____ Type of Business: _____

Business Address: _____ City: _____ State: _____ Zip: _____

Business Phone: _____ Cell: _____ Fax: _____ Email: _____

BUSINESS OWNER(s): (A separate investigation form is required for each owner. See reverse)

Name: _____ Address: _____ Zip: _____

Birthdate: ____ / ____ / ____ SSN#: ____ - ____ - ____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Have you ever had a license or permit revoked, denied or suspended? Yes or No If yes, list the jurisdiction, date, and reason: _____

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes or No If yes, explain: _____

Are there any charges (misdemeanor or felony) against you that are still pending? Yes or No If yes, list jurisdiction, date, and reason: _____

Has applicant (Owner) previously owned or operated a business? Yes or No If yes, names of business and location: _____

Provide a brief statement of applicant's background and employment history for the past five years: _____

BUSINESS INFORMATION:

Manager:

Name: _____ Address: _____ Zip: _____

Birthdate: ____ / ____ / ____ SSN#: ____ - ____ - ____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Building Leased From:

Name: _____ Address: _____ Zip: _____

Home Phone: _____ Cell: _____ Email: _____

Planned Business Hours: Days open for business: _____ Hours of operation: _____

Does this business have an ABL License? Yes If yes, License Number: _____ No If no, does this business plan to apply for an ABL License? _____

Does this business have any coin-operated amusement machines? Yes No If yes, do you own or lease? _____

Leased from: _____ Type of machines: _____ Number of machines: _____

BUSINESS INFORMATION

Business Name: _____ Type of Business: _____

BUSINESS OWNER #2:

Name: _____ Address: _____ Zip: _____

Birthdate: ____ / ____ / ____ SSN#: ____ - ____ - ____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Have you ever had a license or permit revoked, denied or suspended? Yes or No If yes, list the jurisdiction, date, and reason: _____

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes or No If yes, explain: _____

Are there any charges (misdemeanor or felony) against you that are still pending? Yes or No If yes, list jurisdiction, date, and reason: _____

Has applicant (Owner) previously owned or operated a business? Yes or No If yes, names of business and location: _____

Provide a brief statement of applicant's background and employment history for the past five years: _____

BUSINESS OWNER #3:

Name: _____ Address: _____ Zip: _____

Birthdate: ____ / ____ / ____ SSN#: ____ - ____ - ____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Have you ever had a license or permit revoked, denied or suspended? Yes or No If yes, list the jurisdiction, date, and reason: _____

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes or No If yes, explain: _____

Are there any charges (misdemeanor or felony) against you that are still pending? Yes or No If yes, list jurisdiction, date, and reason: _____

Has applicant (Owner) previously owned or operated a business? Yes or No If yes, names of business and location: _____

Provide a brief statement of applicant's background and employment history for the past five years: _____

******* I HEREBY ATTEST THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. I UNDERSTAND THAT FALSIFYING THIS APPLICATION IS GROUNDS FOR DENIAL OR REVOCATION OF MY LICENSE(S).**

Print name: _____ Signature (owner/applicant): _____

A police background check will be required for the following new businesses: **Amusement Centers, Bingo Operators, Detective Agencies, Escort Services, Sexually Oriented Businesses, Kindergarten/Nursery/Day Cares, Pawn Shops, Precious Metal Dealers, Restaurant Owners, Transient Merchants/Peddlers/Mobile Vendors, Day Cares** and others as the Revenue Administrator deems necessary.

- Sec. 8-42. - Police background checks required for certain businesses.

A police background check will be required for the following new businesses prior to issuance of a business license. Background checks may include owners, partners, managers, operators and employees as designated below. In addition to the standard background check, fingerprints, photographs and other information may be required as specified below.

- (a) Amusement centers. Background check on owners, partners and managers.
- (b) Bingo operators. Background check on owners, partners and managers.
- (c) Detective agencies. Background check on owners, partners, managers and all other employees.
- (d) Escort services. Background check, photographs and fingerprints on owners, partners, managers and all other employees.
- (e) Sexually oriented businesses. Background check on owners, partners, managers and all other employees.
- (f) Kindergarten, nursery and day cares. Background check on owners, partners, managers and all other employees.
- (g) Pawn shops. Background check on owners, partners, managers and all other employees.
- (h) Precious metal dealers. Background check on owners, partners, managers and all other employees.
- (i) Restaurant, nightclubs, taverns, bars and related clubs. Background check on owners, partners and managers.
- (j) Transient merchants/peddlers/mobile vendors. Background check on owners, partners, managers and all other employees.
- (k) Others. Others as set out elsewhere in this Code, or as deemed necessary by the revenue administrator.

(Ord. No. 2012-96, Exh. A, 11-26-12)



Office Use Only: Year _____ License # _____
Entered By _____ C/O # _____

- **New Businesses** must obtain a business license prior to beginning operation.
- **Business Licenses Expire December 31st Each Year.**
- **RENEWAL BUSINESS LICENSES** Must Be Paid in Full **On or Before the Last Day of February** to Avoid Penalties.
- **Resident Business Only:** 2% Early Discount if Paid by 01/31

Business License Application

Application for current year only.

- Application Type New Renewal Ownership Change Location Change Out of Business (closing date) _____
- In-City Physical Location, Suite # _____
- City Business Category _____
- In-City Original Business Start Date (Required) _____
- DBA Name _____
- FEIN or S.S. Number (Required) _____
- Corporate Name _____
- Ownership Type Corp. Indiv. Partnership LLC LLP
- Billing Address, Suite # City, State ZIP _____
- Phone _____
- Email of Responsible Contact Person for Business License _____
- # of Employees _____
- Specify business activity or NAICS Code (Required) _____
- Minority Status (Info Purposes Only) Aleut East Indian Asian Eskimo African American M/F Hispanic Caucasian Female | Native American
- Commercial Property(s) including locations & tax map # _____
- Credit Card (optional) Visa MasterCard Discover Am Ex Card # _____ CV _____ Expiration Date: _____

17. Computation of Fees (use the chart on the right to estimate fees):

A. New Business Have you ever owned a business in the City of Greenville before?

No Yes – If yes, name and location: _____

- Estimated total gross sales/revenue/contracts for the balance of the year.
- Calculate and enter fee based on Line 1.

B. First Time Renewals (For businesses renewing for the first year only.)

- Total actual gross receipts/revenues/contracts for preceding year.
- Allowable ordinance deductions.
- Total gross receipts from previous year (B.1. minus B.2.).
- Estimated gross contracts/jobs from previous year.
- First year adjustment (B.3. minus B.4.).
- Adjust gross contracts/jobs (B.3. plus B.5.).
- Calculate and enter fee based on B.6.

All businesses must pay the base fee amount.

C. Existing Businesses

- Total actual gross receipts/revenue/contracts for prior year ending Dec. 31, 20 ____.
- Allowable ordinance deductions. (Proof of deduction required for approval.)
- Total gross receipts (C.1. minus C.2.).
- Calculate business license fee based on gross receipts in C.3.

D. Penalties due for late filing or Resident Business 2% Discount for early filing by 01/31. **** See Penalties in Instructions on back.

E. Total Fees.

Business Gross Revenues		Estimated License Fees	
A.1.		A.2.	
B.1.		If B6 is negative, you must pay the base fee amount	
B.2.			
B.3.			
B.4.			
B.5.			
B.6.			B.7.
C.1.			C.4.
C.2.			
C.3.			
Early Discount	Penalties	% D.	
Form Entry Date:		E.	

Fees subject to verification

To calculate license fees go to <http://www.greenvillesc.gov/347/Business-Calculator>.

- Does this business have an Alcohol Beverage and Licensing (ABL) License? No Yes – If yes, license number. _____
Consumption: Off-premise On-Premise Expiration Date _____ Hours of Operation _____
Does this business plan to apply for an ABL license during the coming year? No Yes
- Does this business have any coin-operated amusement machines? No Yes
- Do you own or lease machines? Own Lease – If lease, from whom. _____
Number of Machines _____ Number of stickers _____ Type of Machines _____
- Name of owners and/or officers and titles _____

This is to certify that the above is a true statement of the business done or transacted at or through the above location. The report corresponds with the books and records of the business and with the report of same filed, or to be filed, for the corresponding period with the S.C. Department of Revenue or Insurance commissioner and with the Collector of Internal Revenue of the United States and that the exact amount returned as TOTAL GROSS REVENUES from this business or profession as reported herein are true and correct and that I am familiar with the City ordinance providing for penalties and revocation of this license for making false or fraudulent statements in this applications. The books of this business are available for inspection by authorized agents of the City. The issuance of a business license is condition upon strict compliance with the ordinance of the City of Greenville and failure to so comply may result in revocation in addition to other remedies.

Name of Preparer (Print) _____ Daytime Phone Number _____

Applicant Name (Print) _____ Applicant Signature _____

INSTRUCTIONS FOR FILING A NEW, FIRST TIME RENEWAL AND EXISTING BUSINESS LICENSE APPLICATION

PERSON REQUIRED TO FILE AN APPLICATION:

- Every person engaged in, or intending to engage in, any business, in whole or in part, in the City of Greenville (except the professions of public school teachers and ministers of the gospel), shall file with the City Business License Office an application, under oath, for a license to engage in such business.
- For further information and additional applications, please call the City Business License Office at (864) 467-4505
- **Email address for responsible contact person for business license issues. #11 (NEW)**

RENEWAL INFORMATION:

- Please verify and correct, as necessary, all pre-printed information shown. Complete all other blank items, in full, to avoid delays in processing.
- **If you are no longer in business, please indicate in writing and return this application.**
- **You can find your NAICS code on your tax returns. #13 (NEW)**

DUE DATES, PENALTIES AND 2% EARLY DISCOUNT FOR RESIDENT BUSINESSES:

- **NEW** business applications, with payment in full, must be filed at the City of Greenville Business License Office **prior to opening or beginning operation** in the City. A penalty is charged for applications filed after the starting date. The penalty is dependent on when the application is filed.
- **RENEWAL** business applications, with payment in full, must be filed with the City of Greenville Business License Office and post marked, by the U.S. Postal Service, **on or before the last day of February of each year**. A penalty will be assessed as of March 1st for each additional month, or portion thereof that the tax remains unpaid.
- **RESIDENT BUSINESSES 2% EARLY DISCOUNT.** For resident businesses only, if the business files their business license renewal application on or before the last day of January each year, they will be eligible for a 2% early filing discount off of their business license tax. **(NEW)**

COMPLETION OF THE APPLICATION:

- Please **complete in full. Do not leave any items blank.**
- **Print clearly or type all information.**
- **This application will not be processed unless all requested information is provided.**

IMPORTANT NOTES TO REMEMBER:

A resident business located **within** the City limits must report all gross revenues, whether derived from within or outside the City limits. The reported gross revenue must correspond with the records of the business and with the returns filed for the corresponding year with the South Carolina Department of Revenue and the Collector of Internal Revenue of the United States.

Allowable Ordinance Deductions: Deductions from your gross revenues are allowed if you are a resident business that a business license has been paid to another municipality. The deduction is limited to the gross revenues that were reported on that license. **Satisfactory proof of this deduction must be attached to this application before the deduction will be allowed.** A business may deduct sales, use, or excise taxes if these amounts are included in the total gross revenues amount reported.

A non-resident business located **outside** the City must report all gross revenues earned **within** the City limits only.

New Business Penalties

10% if not filed prior to beginning operation in the City.
10% additional for each month thereafter, until paid.
Maximum annual penalty is 50%.
penalty is 50%.

Renewal Penalties

10% if filed or postmarked on March 1st.
10% additional for each month thereafter, until paid
Maximum annual

All penalties are a percentage of, and are added to, the license tax.

For resident businesses only that are in "good standing" with the City Code, there will be a 2% discount allowed to be deducted off the calculated **renewal business license tax** remitted. **(NEW)**

Businesses that fail to purchase the license after formal notification shall be subject to a Uniform Summons.

Note: All appropriate state licensing is required prior to obtaining a City business license.

A SIGNATURE MUST BE PLACED ON THE BOTTOM OF THE BUSINESS LICENSE APPLICATION, ALONG WITH THE SIGNEE'S TITLE OR CAPACITY WITH THE BUSINESS.