

TITLE: AN ORDINANCE AMENDING TITLE 5 OF THE FALLON CITY CODE TO ESTABLISH REGULATIONS FOR TEMPORARY MERCHANT LICENSES

WHEREAS, the Fallon City Council desires to provide for the issuance of business licenses to temporary merchants within Title 5 (Business Licenses and Regulation) of the Fallon City Code; and

WHEREAS, the City Council finds that establishing a clear and uniform process within the Fallon City Code governing temporary merchant licensing and operations will promote consistent business licensing procedures and protect the public health, safety, and welfare within the City of Fallon;

NOW, THEREFORE, the City Council of the City of Fallon, Nevada does ordain:

SECTION 1: ADDITIONS TO TITLE 5

Chapter 5.70 – TEMPORARY MERCHANTS

5.70.010 – Definitions.

Temporary merchant means any person, business, or organization that engages in the sale, offer for sale, or solicitation of goods, wares, merchandise, or services from a fixed location for a period of not more than seven (7) consecutive days, typically in connection with a fair, festival, market, or similar event.

Temporary merchant does not include:

- A. Any contractor or subcontractor performing services requiring licensure under state or local law;
- B. Any person licensed as a peddler, solicitor, or street vendor under other provisions of this title;
- C. Any business operating from a permanent, fixed place of business within the city.

5.70.020 – License Required.

- A. Temporary merchants shall obtain a temporary merchant license from the city, in accordance with the procedures set forth for business licenses in Chapter 5.04, prior to engaging in any activity regulated by this chapter.

- B. The city may coordinate licensing or registration with event organizers and may allow group or event-based permitting.

5.70.030 – Fees.

- A. For-profit temporary merchants shall pay a temporary merchant license fee in the amount of fifty dollars (\$50.00) prior to issuance of the license.
- B. Nonprofit or charitable temporary merchants shall not be required to pay a license or registration fee under this chapter.
- C. All fees shall be paid at the time of application unless otherwise authorized by the city.

5.70.040 – Location and Operational Standards.

It is unlawful for any temporary merchant to operate in violation of the following requirements:

- A. No activity shall be conducted within fifteen (15) feet of any building entrance, exit, or driveway in a commercial or industrial zone.
- B. No activity shall be conducted within thirty (30) feet of any licensed gaming establishment or gaming device, unless expressly authorized.
- C. Temporary merchant operations shall not:
 - 1. Obstruct or impede pedestrian or vehicular traffic;
 - 2. Block or interfere with access to sidewalks, streets, or rights-of-way;
 - 3. Create unsafe or hazardous conditions;
 - 4. Violate any applicable zoning, fire, health, or safety regulations.

5.70.050 – Compliance with Other Laws.

All temporary merchants shall comply with all applicable federal, state, and local laws, including but not limited to health permits, sales tax requirements, and fire safety regulations.

5.70.060 – Enforcement and Penalties.

Any violation of this chapter shall constitute a misdemeanor. Each and every day upon which a violation of this chapter shall occur shall be deemed a separate and distinct

violation thereof. The city may revoke or suspend a temporary merchant license for noncompliance.

SECTION 2: SEVERABILITY

If any section, subsection, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective on the day after its passage and publication as provided by law.

PROPOSED by COUNCIL MEMBER _____.

PASSED AND ADOPTED this ___ day of _____, 2026, by the City Council of the City of Fallon, Nevada.

Those voting aye: _____

Those voting nay: _____

Those abstaining: _____

APPROVED:

Mayor, City of Fallon

ATTEST:

City Clerk