

# City of Valley City

## Emergency Order 2020-01

Effective March 26, 2020

Pursuant to the COVID-19 emergency declaration dated March 17, 2020 (ratified and extended by the Board of City Commissioners on March 18, 2020), and the authority set forth in Valley City Municipal Code § 19-01-03, Dave Carlsrud, Mayor of the City of Valley City, North Dakota, in order to promote social distancing, discourage unnecessary travel, and limit exposure of Valley City residents to COVID-19, hereby orders as follows:

[¶1] The operation of a transient business, and all transient merchant activity, is prohibited for 30 days.

[¶2] All transient merchant licenses issued by the City of Valley City are suspended for 30 days.

[¶3] No transient merchant licenses or other transient business licenses will be issued for 30 days.

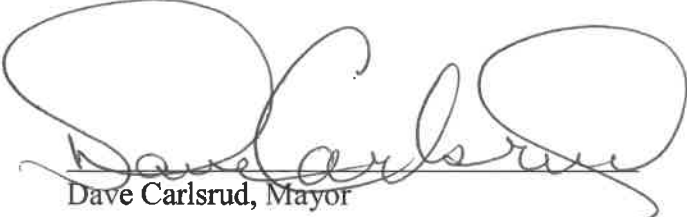
[¶4] The definition of “transient merchant” is set forth in V.C.M.C. § 8-05-02(2) and means any person, individual, co-partnership, or corporation, either as principal or agent, who engages in, does, or transacts any temporary or transient business in the City of Valley City who does not intend to become or does not become a permanent merchant of the City of Valley City. The term "transient merchant" shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business.

[¶5] For purposes of this Order, “transient business” means any temporary vendor, market, wagon, food truck, kiosk, display table, or other similar activity, that offers goods for sale to the public, and which is not currently licensed by the City or in possession of a certificate of occupancy for the location where the temporary business is being operated.

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances should not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

This Order is effective upon its issuance and will continue for 30 days unless modified, suspended, or revoked by further order.

Date: 3/25/2020

  
Dave Carlsrud, Mayor