

CHAPTER 115: PEDDLERS AND SOLICITORS

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§ 115.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLING. A person engaged in selling of personal property or personal services by going about from place to place, highway to street parking, or house to house to sell the same and who carries with him or her such property for delivery at the time of sale or performs such service at the time of contract for such service or immediately thereafter is a peddler.

SOLICITING. A person engaged in going from place to place, highway or street parking, or house to house to solicit orders for, or to offer to sell, personal property for future delivery or the performance of personal services at some time in the future, is a solicitor.
(Prior Code, § 5.20.010)

§ 115.02 LICENSE REQUIRED.

No person shall deal as a peddler or solicitor, as defined, without having first procured a license in the manner provided herein.
(Prior Code, § 5.20.020) Penalty, see § 10.99

§ 115.03 LICENSE APPLICATION.

Any peddler or solicitor, before selling or offering for sale or taking any orders or soliciting any orders for the sale or future delivery of personal property or for the performance of personal services within the provisions of this chapter, shall first make application for a license to transact business as a peddler or solicitor, as the case may be, to the Finance Officer.
(Prior Code, § 5.20.030) (Ord. 1051, passed 4-16-2018)

§ 115.04 APPLICATION CONTENTS.

The forms shall require the applicant to furnish the following information:

- (A) Name of applicant;

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- (B) Permanent address of applicant;
- (C) Whether he or she transacts business for himself or herself or someone else;
- (D) If for someone else, the name and address of the person, firm or corporation he or she represents;
- (E) The nature and character of the property or personal service to be sold;
- (F) Whether he or she sells or delivers the property directly to the purchaser or whether he or she solicits or takes orders for it by carrying samples or catalogs;
- (G) Whether he or she performs the personal service directly for the purchaser or whether he or she solicits or takes orders for it to be performed at some time in the future, whether by the applicant or by some other person, firm or corporation;
- (H) Manner in which he or she intends to travel and a complete description of the vehicle used for traveling;
- (I) Copies of contracts and agreements he or she intends to make with the customers;
- (J) The area or areas of the city in which he or she intends to operate; and
- (K) Such other information as the Finance Officer recently requires.
(Prior Code, § 5.20.040) (Ord. 1051, passed 4-16-2018)

§ 115.05 APPLICATION APPROVAL AND PERMIT ISSUANCE.

Upon completion, execution and filing of the application forms and the payment of the fee hereinafter provided, the Finance Officer shall approve the application and issue a permit to the applicant for the activities described in the application.
(Prior Code, § 5.20.050) (Ord. 1051, passed 4-16-2018)

§ 115.06 PERMIT FEE.

The fee for a peddler's or solicitor's permit shall be set by resolution of the City Commission.
(Prior Code, § 5.20.060)

§ 115.07 EXCEPTIONS.

The provisions of this section shall not apply to the following:

- (A) Solicitations, sales or distributions made by charitable, educational or religious organizations, which have registered, with the city;
- (B) Traveling salespersons doing business exclusively with retail merchants, manufacturers or public officials; and
- (C) Members of professions licensed by the state.
(Prior Code, § 5.20.070)

§ 115.08 TRANSFER OF PERMIT.

No two or more persons shall deal on the same permit as partners, agents or otherwise, nor shall such permit be

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assignable from the person to whom it was originally issued to any other person, firm or corporation.
(Prior Code, § 5.20.080)

§ 115.09 EXECUTION OF ORDER BY SOLICITOR.

Every solicitor shall execute, sign his or her own name, and deliver to the person giving an order for the future delivery of property or for the performance of personal services in the future an exact copy thereof, and no such order shall be binding on the party giving the same, unless all the terms thereof, as made by such solicitor, shall be set forth therein.

(Prior Code, § 5.20.090)

§ 115.10 SOLICITOR TO LEAVE PROPERTY UPON REQUEST.

No peddler or solicitor shall remain upon the property of any customer or prospective customer who has requested the peddler or solicitor to leave such property.

(Prior Code, § 5.20.100)