

## TITLE II COMMUNITY PROTECTION

### ARTICLE 13 PEDDLERS

#### ARTICLE I. IN GENERAL.

##### 2-13.1 DEFINITION

The word "peddler" as used in this chapter shall mean any individual, whether a resident of this city or not, traveling by foot, wagon, automobile, motor truck or any other type of conveyance from place to place, from house to house, or from street to street, for the sale of, as well as the selling, offering for sale or taking or attempting to take orders for the sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or not or whether he is collecting advance payments on such sales or not; provided that such definition shall include any person who, for himself, or for another person, hires, leases, uses or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, shop or any other place within this city for the sole purpose of exhibiting samples and taking orders for future delivery. The word "peddler" shall include the terms "canvasser," "solicitor," "transient or itinerant merchant or vendor" or itinerant photographer."

##### 2-13.2 EXCEPTIONS TO CHAPTER

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

- (a) Sales made to dealers or permanent merchants by commercial travelers selling in the usual course of business:
- (b) Sheriffs, constables, bona fide assignees, receivers, or trustees in bankruptcy or other public officers selling goods, wares and merchandise according to law.
- (c) Bona fide residents of the state selling fruits, vegetables, dressed meats, fowl or farm products which were produced on land within the state owned or controlled by such vendor.
- (d) Solicitations, sales or distributions made by non-profit charitable, educational or religious organizations which have their principal place of activity within this city.

##### 2-13-3 REFUSING TO LEAVE.

Any peddler who enters upon premises owned, leased or rented by another and refuses to leave such premises after having been notified by the



owner or occupant of such premises, or his agent, to leave the same and not return to such premises, shall be guilty of a misdemeanor.

#### 2-13-4 MISREPRESENTATION

It shall be unlawful for any peddler to make false or fraudulent statements concerning the quality of his goods, wares, merchandise or services for the purpose of inducing another to purchase the same.

#### 2-13-5 HOURS OF OPERATION.

It shall be unlawful for any peddler to engage in the business of peddling within the city between the hours of one-half hour before sunset and 9:00 a.m. the following morning, or at any time on Sunday except by specific appointment with or invitation from the prospective customer.

#### 2-13-6 PERMIT REQUIRED.

It shall be unlawful for any person to engage in business as a peddler within this city without first obtaining a permit to do so.

#### 2-13-7 PERMIT APPLICATION.

Applicants for a permit under this article shall file with the clerk a sworn application in writing, in duplicate, on a form to be furnished by the clerk, which shall give the following information:

- (a) The name and a description of the applicant;
- (b) The permanent home address and full local address of the applicant;
- (c) A brief description of the nature of the business and the goods to be sold;
- (d) If employed, the name and address of the employer, together with credentials establishing the exact relationship;
- (e) The length of time for which the right to do business is desired;
- (f) The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time the application is filed and the proposed method of delivery;

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