

PART II - CODE OF ORDINANCES
Chapter 30 - BUSINESSES
ARTICLE IX. - PEDDLERS AND SOLICITORS
DIVISION 1. - GENERALLY

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Sec. 30-431. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Peddler: Any person, whether a resident of this city or not, traveling from house to house, or from street to street, for the purpose of selling or soliciting for sale, goods, wares, merchandise or services; and shall also mean and include any person transacting a temporary business within the city at an established place of business. The word "peddler" shall include the terms "solicitor," "transient or itinerant merchant or vendor," or "transient or itinerant photographer."

(Code 1981, § 21-1)

Cross reference— Definitions generally, § 1-2.

Sec. 30-432. - Exceptions to article provisions.

(a) Persons whose sales are made to regular customers on regularly established routes and who ordinarily deliver products, periodicals or newspapers directly to the dwelling or residence of the customer on a regular schedule, and who do not customarily make sales on the streets or public places of the city, shall not be deemed peddlers within the meaning of this article.

(b) The provisions of this article shall not apply to solicitations, sales or distributions made by charitable organizations, educational organizations, local civic organizations, religious organizations or public service groups.

(c) An educational organization is defined for purposes of this section as an organization sponsored and controlled by an educational institution certified by the state.

(Code 1981, § 21-2; Ord. No. 7-94, § 1, 4-18-1994)

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Sec. 30-433. - Hours of operation.

It shall be unlawful for any peddler to engage in the business of peddling within the city between the hours of 9:00 p.m. and 8:00 a.m. the following morning, or at any time on Sundays, except by specific appointment with or invitation from the prospective customer.

(Code 1981, § 21-4)

Sec. 30-434. - Noise to attract attention.

No peddler shall shout or call out his wares, or use any horn or bell or other noise-making device to call attention to his wares, in a loud or raucous or continuous manner, or to the disturbance or annoyance of the citizens and dwellers within the city.

(Code 1981, § 21-5)

Cross reference— Noise generally, ch. 74.

Sec. 30-435. - Fixed location of vehicle.

Any vehicle used by a peddler must be kept in motion at all times, except when making sales, and such vehicle must be so operated as to cause minimum interference to traffic. No more than two persons shall sell or operate on, or in connection with, any peddler's vehicle.

(Code 1981, § 21-6)

Cross reference— Traffic and vehicles, ch. 122.

Sec. 30-436. - Operation near schools.

No peddler shall operate within a radius of 300 yards of any school during regular school hours.

(Code 1981, § 21-7)

Cross reference— Offenses involving underage persons, § 82-316 et seq.

Sec. 30-437. - Street sales to minors.

No peddler shall make a sale to any person under the age of 15 years on any property nearer the travelled portion of any street than the side of the public sidewalk nearest to the pavement, or, where no public sidewalk exists, nearer than ten feet of the outer edge of such pavement. Where streets are not paved, this section shall be deemed to apply to that portion of the street set aside for, or used by, vehicular traffic.

(Code 1981, § 21-8)

Cross reference— Offenses involving underage persons, § 82-316 et seq.

Sec. 30-438. - Entrance to premises restricted.

It shall be unlawful for any peddler to enter upon any private premises when the same are posted with a sign stating "No Peddlers Allowed" or "No Solicitations Allowed" or other words to such effect.

(Code 1981, § 21-9)

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Sec. 30-439. - 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 deemed guilty of a misdemeanor.

(Code 1981, § 21-10)

Sec. 30-440. - Order requirements.

All orders for future deliveries taken by any peddler shall be in writing and in duplicate, stating fully the terms thereof, together with the amount paid in advance and the balance remaining due on such order. One copy of such order shall be delivered to the purchaser at the time such order is taken.

(Code 1981, § 21-11)

Sec. 30-441. - Issuance of business cards to purchasers.

Each peddler shall have a card issued to each person with whom he does business. Such card shall bear the picture of the peddler or solicitor, his name, address and the place where his business is conducted.

(Code 1981, § 21-12)

Sec. 30-442. - Misrepresentation.

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

(Code 1981, § 21-13)

Secs. 30-443—30-465. - Reserved.