

12.04 PEDDLERS, CANVASSERS, SOLICITORS AND TRANSIENT MERCHANTS.

(1) DEFINITIONS.

(a) Peddler. A person who goes from place to place within the Village offering for sale property which he carries with him. It includes vendors who distribute their products to regular customers on established routes.

(b) Canvasser or Solicitor. A person who goes from place to place within the Village soliciting orders for the future delivery of property or for services to be performed in the future. It does not include any person who occupies any place within the Village for the purpose of exhibiting samples and taking orders for future delivery.

(c) Transient Merchant. A person who engages, at a fixed location in the Village, in the temporary business of selling property at such location. It does not include a person who does not sell from stock, but exhibits samples for the purpose of securing orders for future delivery only. It includes a person who associates temporarily with any local business or conducts business in the name of a local merchant, dealer or auctioneer.

(2) **LICENSE REQUIRED.** Except as provided by sub. (3) below, no person shall conduct any of the activities enumerated in sub. (1) above without a license therefor, as provided by this section.

(3) **EXEMPTIONS.** No license shall be required hereunder of the following:

(a) Persons selling personal property at wholesale to dealers in such articles.

(b) Newsboys.

(c) Children under 18 years of age who are residents of the Village.

(d) Merchants or their employees delivering goods in the regular course of business.

(e) Farmers or truck gardeners offering to sell the products of the farm or garden occupied and cultivated by them.

(f) A veteran holding a special State license under §440.5l, Wis. Stats., but he shall comply with subs. (7) through (11) below.

(g) Any person soliciting for charitable, religious, patriotic or philanthropic purposes where the proceeds thereof are devoted solely to the purposes of the organization but shall comply with subs. (8), (10) and (11) below.

(h) Sales required by statutes or order of a court.

(i) Bona fide auction sales conducted pursuant to law.

(4) INVESTIGATION FEE. At the time of filing his application, the applicant shall pay to the Village Clerk \$5 to cover the cost of investigation of the facts stated in the application.

(5) INVESTIGATION. The Village Clerk shall cause the applicant and the facts stated in the application to be investigated and shall, within 5 days approve or disapprove the application.

(6) BOND.

(a) When Required. Every applicant who is not a resident of this County or who represents a firm whose principal place of business is located outside of the State shall file with the Village Clerk a surety bond in the amount of \$500, approved by the Village President, conditioned that the applicant will comply with all provisions of the ordinances of the Village and State laws regulating peddlers, canvassers, solicitors and transient merchants, and guaranteeing to any person doing business with the licensee that all money paid as a down payment will be accounted for and applied according to the representations of the licensee; and further guaranteeing that property purchased for future delivery will be delivered according to the representations of the licensee.

(b) Action on Bond. Action on such bond may be brought by any person aggrieved.

(7) EXCESSIVE NOISE PROHIBITED. No person licensed hereunder shall, in hawking his wares, create any noise annoying to a person of ordinary sensibilities.

(8) USE OF STREETS. No licensee shall use the public streets or sidewalks for purposes of sales in such a manner as to impede or inconvenience the public use of the streets or sidewalks.

(9) DISPLAY OF LICENSE. Any person licensed hereunder shall carry his license with him while engaged in licensed activities and shall, upon request, display such license to any officer of the Village or any person with whom he seeks to do business.

(10) HOURS RESTRICTED. No person licensed hereunder shall call at any residence or other place between 9:00 P.M. and 9:00 A.M., except by appointment.

(11) PROHIBITED PRACTICES. No licensee shall:

(a) Call at any place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning.

(b) Remain on the premises after being requested to leave by the owner, occupant or person in authority.

(12) APPEAL. An applicant who is aggrieved by the disapproval of the application may, within 10 days, file an appeal with the Village Board.