

CHAPTER 856
Peddlers and Solicitors

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CROSS REFERENCES

Hawkers, peddlers and transient merchants generally - see M.C.L.A. Secs.
445.371 et seq.

Licensing in generally - see B.R. & T. Ch. 804

Transient merchants - see B.R. & T. Ch. 872

856.01 DEFINITIONS.

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

- (1) "Peddler" means any person who travels by foot, motor vehicle or any other type of conveyance, from place to place; or stands in one place on public property, except when in front of the person's established business location, selling or offering for sale goods or services.
- (2) "Solicitor" means any person traveling either by foot, motor vehicle or any other type of conveyance from place to place seeking to obtain orders for the purchase of goods or services for future delivery or performance.

(b) Neither the word "solicitor" nor "peddler" shall include any person who shall be engaged exclusively in wholesale sales to retail merchants.

(Ord. 2008-12. Passed 10-14-08.)

856.02 REGISTRATION REQUIRED.

It is unlawful for any person, either as a principal or agent, to conduct himself as a solicitor or peddler, as defined in this chapter, in the City, without first having registered in the manner herein provided.

(Ord. 2008-12. Passed 10-14-08.)

856.03 EXEMPTIONS FROM REGISTRATION.

(a) Persons soliciting or peddling as the duly authorized representative or agent of any church, charitable, educational or fraternal organization, or of any political group seeking funds or membership shall be exempt from the registration requirements of this chapter.

(b) Every honorably discharged member of the armed forces of the United States who served at least 180 days of active duty service in the armed forces or has a service connected disability as

a result of that service and is a resident of this State has the right to sell his or her own goods within this City at no registration cost if the proceeds from the sale of goods are to be used for the direct personal benefit or gain of that former member by procuring a license for that purpose issued as provided in Public Act No. 359 of 1921 (MCL 35.441 et seq.)

(c) Farmers or trunk gardeners selling or offering for sale any products grown, raised or produced by them, the sale of which is not otherwise prohibited or regulated shall be exempt from the registration requirements of this chapter.

(Ord. 2008-12. Passed 10-14-08.)

856.04 REGISTRATION PROCEDURE.

(a) Generally. Any person desiring to conduct himself as a solicitor or peddler, as defined in this chapter, shall first file with the City Clerk a written registration stating the registrant's name, date of birth, residence address, business address, mailing address, operator's or chauffeur's license number, the make, model, registration license number of any vehicle which is going to be used by the applicant while conducting himself as a solicitor or peddler as well as a brief description of the type of goods or services which he intends to sell or offer for sale or for which he intends to seek to obtain orders for future delivery or performance.

(b) Acceptance by City Clerk. The completed registration shall then be submitted to the City Clerk or his designee who, upon verifying the accuracy of the information submitted, shall accept the registration.

(c) Notification in Event of Conflicts. In the event that the City Clerk or his designee is not able to verify the accuracy of the information submitted, he shall notify the applicant for registration, in writing, that the registration is not acceptable and shall state the reasons therefore.

(Ord. 2008-12. Passed 10-14-08.)

856.05 PROHIBITED ACTS.

The following conduct, in addition to any other conduct prohibited herein, shall be punishable as a violation of this chapter as provided in Section 856.99.

- (a) Entering a private residence under pretenses of entering for purposes other than soliciting or peddling;
- (b) Remaining in a private residence or on the premises thereof after the owner or occupant thereof has requested the solicitor or peddler to leave;
- (c) Going in and upon the premises of a private residence by such solicitor or peddler to solicit or peddle when the owner or occupant thereof has displayed a "No Soliciting" or "No Peddling" sign on such premises;
- (d) Soliciting or peddling at a private residence prior to 10:00 a.m. and after 9:00 p.m.;
- (e) Stopping or remaining in any one place upon any street, alley or public place longer than is necessary to make a sale to a customer wishing to buy;
- (f) Shouting or crying out goods or merchandise, blowing any horns, ringing any bell or using any other similar device to attract the attention of the public.

(Ord. 2008-12. Passed 10-14-08.)

856.99 PENALTY.

A person who violates a provision of this chapter is guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00), or imprisonment for not more than ninety days, or both, together with costs of prosecution.

(Ord. 2008-12. Passed 10-14-08.)

