

CHAPTER 112: PEDDLERS, CANVASSERS AND TRANSIENT MERCHANTS

CANVASSER or **SOLICITOR**. An individual, whether a resident of the city or not, traveling either 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, taking or attempting to take orders for 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 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, firm, or corporation, hires, leases, uses, or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop, or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.

PEDDLER. Any person, whether a resident of the city or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car, or other vehicle or conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a **PEDDLER** subject to the provisions of this chapter. The word **PEDDLER** shall include the words **HAWKER** and **HUCKSTER**.

TRANSIENT MERCHANT. Any person, firm, or corporation, whether owner, agent, consignee, or employee, or whether a resident within the city limits, or a resident outside the city limits, that engages in a temporary business of selling and/or delivering goods, wares, or services, or who conducts meetings open to the general public where franchises, distributorships, contracts or business opportunities are offered to participants, or one who sells, offers, or exhibits for sale any goods, wares, or services, franchises, distributorships, contracts, or business opportunities out of trucks, vehicles, vans, or located on street corners, parking lots, lawns, or other devices and locations; the foregoing notwithstanding, however, a transient merchant, for the purposes of this section, shall not include the following: a person, firm, or corporation who shall occupy any of the aforesaid places for the purpose of conducting a permanent business therein or thereon, provided no person, firm, or corporation shall be relieved from the provisions of the chapter by reason of a temporary association with any local dealer, owner, trader, merchant, or auctioneer, or by conducting such temporary transient business in connection with or as a part of, or in the name of any local dealer, owner, trader, merchant, or auctioneer, and shall not include any garage sales by owners of the property thereon or any auction sales on property owned by the resident and involving sale of property of said owner.

PERMIT AND LICENSE REQUIRED.

It shall be unlawful for any solicitor, peddler, canvasser, or transient merchant to engage in such business within the city limits, without first having obtained a permit and license therefor in compliance with the provisions of this chapter.