

ORDINANCE NUMBER 59

CITY OF TOWER, MINNESOTA

An ordinance regulating and licensing transient merchants, hawkers, peddlers, and solicitors.

The City of Tower ordains as follows:

Section 1. DEFINITIONS. The following terms are hereby defined as used in this ordinance:

- A. Transient Merchant - Any person selling any merchandise, either as principal or agent, from a building or lot which he occupies as a tenant at will, or under a lease for a shorter term than six months, or from a railroad car, a truck, or a vehicle is a transient merchant.
- B. Hawker and Peddler - Any person selling goods or products from a vehicle, or pack, going about from place to place carrying said goods or products for the purpose of sale and delivery, if the goods or products be edible such person is a hawker; if the goods be non-edible such person is a peddler.
- C. Solicitor - Any person selling goods by sample or taking orders for future delivery and accepting a deposit or advance payment is a solicitor; provided, any person taking orders to be filled by goods delivered to the purchaser from other states in the original package shall not be included.
- D. Person - The term person shall include firms and corporations.

Section 2. LICENSE REQUIRED. No transient merchant, hawker, peddler, or solicitor shall sell or offer for sale any merchandise or attempt to do any business in this City without first having obtained from the City Clerk a license to do so.

Section 3. APPLICATION FOR LICENSE. Application for such license shall be made to the City Clerk, and shall show:

- A. The name of the applicant and of all persons associated with him in his business.
- B. The Type of Business for which the license is desired;
- C. In case of transient merchants, the place where the business is to be carried on;
- D. The Length of time for which the license is desired;
- E. A general description of the things or things to be sold;
- F. The present place of business of the applicant;
- G. The places of residence of the applicant for five years past. Blank applications shall be issued by the Clerk on the payment of one dollar (\$1.00) which amount shall be credited on the license fee if the licensee is granted. Applications shall bear the written approval of the Mayor after an investigation of the moral character of the applicant.

The City Council, at its next regular meeting or as soon thereafter as possible, shall hear the application, and any objections thereto, and shall make an order granting or denying the license.

Section 4. FEES. Fees for licenses under this ordinances shall be as follows:

Solicitors (per day)	\$5.00
Transients Merchants (per day)	\$5.00

Transient Merchants (per month)	\$25.00
Transient Merchants (six months)	\$75.00
Hawkers on foot (per day)	\$1.00
Hawkers with Wagon (per day)	\$2.50
Hawkers on foot (per year)	\$10.00
Hawkers with wagon (per year)	\$25.00
Hawkers with automobile or truck (per day)	\$5.00
Peddlers on foot (per day)	\$2.50
Peddlers with wagon (per day)	\$7.50
Peddlers with automobile or truck (per day)	\$10.00

Section 5. DURATION OF LICENSE. The license year under this ordinance shall be from May 1st to and including April 30th next succeeding any license issued hereunder after May 1st of any year shall terminate on April 30th next succeeding the date of issue of such license.

Section 6. LICENSE NOT TRANSFERRABLE. Licenses issued under this ordinance shall be non-transferable. No refunds shall be made on unused portions of license except upon resolution of the Council. Each person engaged in the business of vending, hawking, peddling, and soliciting must secure a separate license.

Section 7. LICENSE TO BE CARRIED. - All licenses issued under this ordinance shall be carried by the licensee or conspicuously posted in his place of business, and such licensee shall whenever requested show said license to any officer or citizen who demand to see the same.

Section 8. PENALTY. Any person who shall violate any of the provisions of this ordinance, shall upon conviction be fined not more than one hundred dollars (\$100.00) or shall be imprisoned in the county jail for not more than eighty-five (85) days.

Section 9. EXEMPTIONS. This ordinance shall not apply to the following:

- A. Sales under court order.
- B. Bona fide auction sales of goods by local merchant.
- C. Sales at wholesale to a retail dealer.
- D. Sales of Milk and Ice.
- E. Sales of farm products by the person producing them.
- F. Sales by a blind person resident in the State of Minnesota.
- G. Acts of bona fide retail merchants of Tower on their customers for goods held by them in stock in their places of business and the delivery of the same.
- H. Sales by an Honorably discharged ex-soldier or ex-sailor of the United States.
- I. Sales of newspapers by news boys.

Section 10. OLD ORDINANCE REPEALED. All ordinances or parts of ordinances, inconsistent with the provisions of this ordinance are hereby repealed.

Section 11. This ordinance shall take effect and be in force after its passage, approval, and publication.

Introduced by Carl Arvid Anderson and given first reading January 12, 1932.

Passed and given second reading February 9, 1932.

Approved February 9, 1932.

Ayes: Aldermen Stonich, Stack, Weinzierl, and Franson.

Nays: None.

Herman T Olson, Mayor

Carl Howe, City Clerk