



Taking the lead in Washington County.

Peddlers, Solicitors, Transient Merchants Permit Application

(Fee - \$100.00 for 30 days / \$15.00 for each additional worker permit (same company))

NEW APPLICATION NEEDED FOR EACH PERSON.

1. Applicant Information:

Name (First, Middle, Last): _____

Previous Names Used: _____ Email: _____

Date of Birth: ____/____/____ Place of Birth: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Driver's License Number: _____ State: ____ Expiration Date: _____

Present Address: _____
House Number City State Zip Code

Permanent Address (Where you can be contacted at least seven (7) days after leaving the City):

House Number City State Zip Code

Telephone Numbers: _____
Home Business Cellular

Vehicle(s) Used: _____
Registration Plate Number & State Make Model Year Color

Registration Plate Number & State Make Model Year Color

2. Business/Company Information

Business Name: _____ Business Phone: _____

Manager's Name: _____ Manager's E-mail: _____

Business Address: _____
Street Number City State Zip Code

Temporary Business Location: _____
Street Number City State Zip Code

Nature of Business/Product(s) Description:

N168 W20733
Main Street
Jackson, WI 53037
Phone: 262-677-9001
Fax: 262-677-1710

Mailing Address:
P.O. Box 637

www.villageofjackson.com



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Business/Company Information Cont.

Business History:

List the three (3) most recent communities (city, village or town) where you have conducted business as a transient merchant and for each community give the type of activity you were engaged:

Dates License will be used: _____

3. Criminal Activity

Have you been convicted of any crime or ordinance violation reasonably related to the requested licensed activity? No Yes

If yes, please explain the nature of the offense(s) and location of conviction: _____

My signature certifies that all my responses are true to the best of my knowledge and belief. I agree in the consideration of the granting of this license to comply with the laws of the State of Wisconsin and with all the provisions of the Municipal Code of Ordinances of the Village of Jackson. I also authorize the Jackson Police Department to obtain criminal history and driver record data pertaining to me from the federal, state, and/or local agency deemed necessary by the department. This release is executed as part of my application and it's understood that any information collected shall be used only in consideration of my application.

Signature of applicant

Date

NOTE: A false or incomplete answer or statement in this application may result in denial or revocation of license.

Police Chief's Recommendation:

Approve Approve with Conditions- See attached Deny

Ryan Vossekuil, Chief of Police

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ARTICLE II. - PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS

DIVISION 1. - GENERALLY

Sec. 10-25. - 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:

Canvasser and *solicitor* mean any individual, whether principal, agent, or employee, who solicits business from door-to-door, or by appointment on the premises of the prospective buyer, for the sale of merchandise or services to be delivered and paid for at a later date, either by cash in one lump sum or on contract.

Peddler means any individual, whether principal, agent, or employee, who engages in, does, or transacts business in the village using the public thoroughfares therefore, or traveling door-to-door selling and delivering wares or services, and receiving cash payment.

Transient merchant and *seasonal merchant* mean any individual, whether principal, agent, or employee, who engages in, does or transacts any temporary, seasonal or transient business in the village, either in one location or by moving his place of business from location to location in the village selling goods, merchandise, services, or wares, and whether or not for the purpose of carrying on such business such individual hires, leases, occupies, or uses a building, structure, vacant lot, or vehicle, for the exhibition and sale of such goods, merchandise, services and wares.

(Prior Code, § 6.03C.1—C.3)

Secs. 10-26—10-53. - Reserved.

DIVISION 2. - PERMIT

Sec. 10-54. - Permit required.

No person shall engage in the business of peddler, trucker, canvasser, solicitor, transient merchant, or seasonal merchant in the village without first obtaining a permit from the village clerk-treasurer in the manner provided in this article.

(Prior Code, § 6.03A)

Sec. 10-55. - Exemptions.

Unless otherwise specifically provided in this article, this article shall not apply to:

- (1) Any person delivering merchandise to regular customers on established routes;
- (2) Any person selling goods at wholesale to dealers in such goods;
- (3) Any person selling agricultural products which such person has grown;
- (4) Any person who has an established place of business where the goods being sold are offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested home visit by, the person;
- (5) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer;

- (6) Any village resident under 18 years of age selling a product, service, or ticket having an individual item cost of \$25.00 or less, promoted or sponsored by a school or youth service or a religious, nonprofit, or charitable organization located within the county.

Sec. 10-56. - Exception for certain religious, charitable, patriotic and philanthropic entities.

- (a) A person who engages in door-to-door advocacy for the purposes of religious proselytizing, political speech or the distribution of handbills for noncommercial purposes is exempt from the registration requirements of this article but subject to the requirements of division 3 of this article. The exemption from registration in this subsection will cease to be effective if the person solicits donations or solicits the sale of goods or services.
- (b) Any entity desiring to solicit or to have solicited in its name, donations of money or property, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited, for a charitable, religious, patriotic or philanthropic purpose, must register with the village clerk, but shall be exempt from paying a fee, provided that it first files a sworn application on a form to be furnished by the village clerk-treasurer which includes the following information:
 - (1) Name and purpose of the cause for which permit is sought.
 - (2) Names and addresses of the officers and directors of the organization.
 - (3) Period during which solicitation is to be carried on.
 - (4) Whether or not any commission, fees, wages or compensations are to be expended in connection with such solicitation and the amount thereof.
 - (5) Proof that the entity is either registered as a charity with the state or that it is exempt from such registration per state law.
- (c) Upon being satisfied that the entity is a religious, charitable, patriotic or philanthropic organization, the clerk shall issue a permit without charge.
- (d) Entities entitled to the exceptions provided in this section are subject to all requirements of division 3 of this article.
- (e) Any charitable organization not registered under Wis. Stats. § 202.12 or that is exempt from state registration requirements shall nevertheless be required to register under this article and obtain a license as provided herein.

(Prior Code, § 6.03B)

Sec. 10-57. - Application.

Application for a permit under this article shall be submitted on the proper form together with the fee specified in the village fee schedule. The application shall be filed with the village clerk, shall be sworn by the applicant, and shall contain such information as the village clerk-treasurer may require for the effective enforcement of this article, and the safeguarding of the residents of the village from fraud, misconduct, or abuse.

(Prior Code, § 6.03C.4)

Sec. 10-58. - Investigation or background check; issuance.

Upon receipt of each application and fee, the village clerk-treasurer shall refer the application to the police chief, who shall institute a background check of the applicant. The police chief shall recommend approval or rejection of the application as soon as practical after receipt of the application from the clerk.

(Prior Code, § 6.03C.5)

Sec. 10-59. - Grounds for denial.

The following are grounds for denial of a permit application under this article:

- (1) The failure of an applicant to truthfully provide any information requested by the village as part of the application process.
- (2) The failure of an applicant to sign the license application.
- (3) The failure of an applicant to pay the required fee, if any, at the time of application.
- (4) A conviction within five years immediately preceding the date of the application for any federal or state statute, regulation or local ordinance that's substantially related to the permitted activity.
- (5) Revocation within five years immediately preceding the date of the application of any license issued to an applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.
- (6) Evidence of any unresolved or ongoing government or legal action against the applicant or his business entity filed by any state or government entity.
- (7) The existence of three or more substantiated complaints about the conduct of the applicant or his business entity within the preceding three years from residents of the village or other jurisdictions where licenses or certificates of registration have been issued.
- (8) A change in the name of the applicant or his business entity in an attempt to hide or escape any legal obligation.
- (9) Registration in any state as a sex offender.

Sec. 10-60. - Bond.

If the village clerk-treasurer determines from his investigation of the application that the interests of the village or the inhabitants of the village require protection against possible misconduct of the license, or that the applicant is otherwise qualified, but due to causes beyond his control is unable to supply all of the information required by this article, the village clerk-treasurer may require the applicant to file a bond in the sum of \$500.00 with surety acceptable to the clerk-treasurer running to the village, conditioned upon the fact that he will fully comply with the ordinances of the village and the laws of the state relating to peddlers, canvassers, solicitors, transient merchants or seasonal merchants, and guaranteeing to any citizen of the village doing business with him that the property purchased will be delivered according to the representations of the applicant, provided that action to recover on the bond shall be commenced within six months after expiration of the license.

(Prior Code, § 6.03C.6)

Sec. 10-61. - Display of license.

Persons licensed under the provisions of this article shall display the license issued by the village clerk-treasurer on the outermost layer of clothing on the front one third of the body at all times when engaged in the activities covered by this article.

(Prior Code, § 6.03E.2)

Sec. 10-62. - Expiration, renewal and transfer.

All permits issued under this article shall be valid for a period of 30 days from the date of issue. Permits are renewable upon expiration, provided no justifiable complaint has been filed against the permittee. Permits issued under this article are personal and may not be transferred.

(Prior Code, § 6.03D)

Sec. 10-63. - Revocation of permit.

- (a) Permits issued under this article may be revoked by the village clerk-treasurer at any time for just cause, including, but not limited to, misrepresentation, or incorrect statement contained in the application or made in the course of carrying on business; conviction of the permittee of any crime or misdemeanor, or conducting the licensed business in an unlawful or disorderly manner or in such manner as to menace the health, safety, or general welfare of the public. Any ground for denial of permit issuance as provided in this article and any violation of division 3 of this article shall also be grounds for revocation.
- (b) The permittee may appeal the village clerk's decision to revoke his permit by filing in writing a statement objecting to the village clerk's decision. This appeal shall be submitted to the village board at its next regularly scheduled meeting for hearing and determination of revocation. If the village board upholds the village clerk's decision of revocation of permit, the permittee shall forfeit all associated fees.

(Prior Code, § 6.03F)

Secs. 10-64--10-84. - Reserved.

DIVISION 3. - OPERATION AND PREMISES REGULATIONS

Sec. 10-85. - Consent required; occupant signs.

No peddler, canvasser, solicitor, transient merchant or seasonal merchant shall go in or upon any private residence, business establishment, or office in the village for the purpose of soliciting orders for goods, merchandise, services, wares, or peddling the same, or soliciting subscriptions from magazines or other periodicals where a sign bearing the words: "no peddlers," "no canvassers," "no solicitors," or words of similar meaning are displayed. In addition, no peddler, canvasser, solicitor or transient or seasonal merchant shall call at the rear door of a dwelling or remain on any premises after being asked to leave by the owner, the occupant or any other person having authority over the premises. Failure to comply with an authorized person to leave the premises is grounds for revocation of the permit issued under this article.

(Prior Code, § 6.03E.1)

Sec. 10-86. - Misrepresentation prohibited.

No permittee shall intentionally misrepresent to any prospective customer the purpose of his visit or solicitation, or the name or business of his principal, if any, nor the source of supply of the goods, merchandise, services or wares which he sells or offers for sale, nor the disposition of the proceeds or profits of his sales.

(Prior Code, § 6.03E.3)

Sec. 10-87. - Loud noises and speaking devices.

- (a) No permittee, or any person in his behalf, shall shout, cry out, blow a horn, ring a bell, blow a whistle, or use any sound amplifying device upon any of the streets, alleys, parks or other public places of the village, or upon private premises where sound of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, merchandise, services, or wares that the licensee proposes to sell.
- (b) No person shall violate the noise restrictions of section 30-4(b).

(Prior Code, § 6.03E.4)

Sec. 10-88. - Use of streets.

No permittee shall have any exclusive right to any location in the public streets, nor shall any licensee be permitted a stationary location thereon, nor be permitted to operate in a congested area where such operation might impede or inconvenience the public use of such street. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested, and the public impeded or inconvenienced.

(Prior Code, § 6.03E.5)

Sec. 10-89. - Hours.

No permittee or any person on his behalf shall engage in door-to-door selling of goods, merchandise, services, wares or soliciting other than from 9:00 a.m. to 30 minutes prior to official sunset time.

(Prior Code, § 6.03E.6)

Secs. 10-90—10-106. - Reserved.