

APPLICANT FILL OUT APPLICATION AND RETURN TO
MILFORD POLICE DEPARTMENT IN PERSON OR BY MAIL:

1100 ATLANTIC ST., MILFORD MI 48381
OR FAX TO (248) 685-0543

SOLICITOR'S/CANVASSER'S APPLICATION FOR APPROVAL

NAME OF ORGANIZATION:

SUPERVISOR NAME, ADDRESS
PHONE NUMBER **(TO BE
CONTACTED AFTER APPROVAL)**

DESCRIPTION OF ARTICLES
TO BE SOLD OR PURPOSE OF
CANVASSING:

DATES OF OPERATION
(NOT TO EXCEED 14 DAYS):

VEHICLES TO BE USED:

MAKE	MODEL	YEAR	LICENSE PLATE NO.

ARTICLE II. - PEDDLERS, SOLICITORS AND STREET VENDORS

Sec. 22-31. - 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:

Charitable solicitor means any person who solicits on the behalf of a charitable organization, with a charitable organization being determined and approved by the village council as provided in section 22-34.

Street vendor, solicitor, canvasser, peddler means any persons, principal or agent, who shall go in and upon the streets, alleyways, parking lots, parks and places of or in the village, travelling from place to place or from door to door of homes, apartments or any dwellings, offices, stores, hotels, motels, restaurants or other places of business or on the property thereof, engaged in the collection of funds or donations, in the selling, offering or taking orders to sell, barter, canvass, or peddle to members of the public or to regular customers any article of goods or merchandise or services.

Transient merchant means any person engaged temporarily in the sale of goods, wares or merchandise, in any place in the village, and who, for the purpose of conducting such business, goes door to door, occupies or temporarily uses any lot, building, room, structure of any kind, or any vehicle. Such term shall include itinerant merchants; itinerant vendors; persons who shall be engaged in selling goods, wares or merchandise and who are not in the tax rolls of the village; and any person who commences a business of selling goods, wares or taking orders for merchandise within the village after January 1 in any year and who is not assessed on the tax roll for such year.

Cross reference— Definitions generally, § 1-2.

Sec. 22-32. - Penalty.

Any person violating any of the provisions of this article shall be deemed responsible for committing a municipal civil infraction.

Sec. 22-33. - License required.

It shall be unlawful for any person, either as principal or agent, to engage in business as a street vendor, solicitor, peddler, transient merchant, or charitable solicitor in the village without having first obtained a license in the manner provided in this article.

Sec. 22-34. - Registration, application for license.

- (a) Any person who shall fall within the definition of street vendor, solicitor, canvasser, peddler, transient merchant or charitable solicitor shall be required to register with the village police department and make application for a license to the village clerk in accordance with the provisions of this section.
- (b) Every person who desires to operate as a street vendor, solicitor, canvasser, peddler, transient merchant or charitable solicitor shall file an application in writing with the village clerk, prior to the date of beginning operations in the village. Such application shall set forth, in addition to other information, the name, residence address, age, address of principal or organization with which affiliated; type of vehicular equipment; kind and description of articles to be sold, offered for sale or for donations; and method of operation. A list of every worker or assistant, name and address, shall be furnished to the village police department. Every applicant shall at the time of making such application pay the prescribed license fee as hereinafter set forth with the understanding that if the license is denied, the fee shall be refunded to the applicant less the cost of investigation. Such

applicant shall be referred to the police department for investigation and report shall be made as to whether or not such applicant complies with the laws and ordinances of the village.

- (c) The amount of the licensee fee and the amount of any bond shall be set and adopted by the village council.
- (d) If, after such investigation, it is found that the applicant has complied with the requirements of law, the village clerk shall thereupon issue the license, but if the investigation determines that the applicant has not qualified for a license as specified in this article, such applicant shall not be approved, and in connection with such denial, the reasons therefor shall be submitted.
- (e) In order for a charitable solicitor to obtain a license, the charitable organization for which the solicitor solicits must first approach the village council for approval. The charitable organization must show charitable tax exempt status for IRS and state purposes. The charitable organization must submit a summary of how the funds which it collects are expended and the percentage of the return that directly benefits the charitable cause and the cost of administration. Upon the satisfaction of the village council as to the charitable status of the charitable organization, the village council shall instruct the village clerk and the village police department to process and investigate the charitable solicitors for the charitable organization as detailed in this article. Charitable organizations shall be granted two weeks to complete their solicitation within the village's borders.

Sec. 22-35. - Requirements for license issuance.

- (a) Every person who desires to operate as a street vendor, solicitor, canvasser, peddler, transient merchant or charitable solicitor shall sign a hold harmless agreement releasing the village from any claims made against the village that arise out of the actions of the street vendor, solicitor, canvasser, peddler, transient merchant or charitable solicitor.
- (b) No license shall be issued to an applicant as a street vendor, solicitor, canvasser, peddler, transient merchant or charitable solicitor who proposes to sell food products, without a license from the health department.
- (c) Before such license is issued, information shall be furnished by the applicant to the village police department as to the kind, condition, ownership and place of storage of the vehicle or vehicles that will be used in carrying on the business for which the license has been requested, the nature and scope of the business, the route or routes that will be used, and such other similar information as may be deemed necessary to protect the general welfare of the public.

Sec. 22-36. - License fees.

The license fees for a license under this article shall be set by the village council on a separate schedule for noncharitable, street vendor, solicitor, canvasser, peddler and transient merchant. In addition to the license fee there shall be required a cash bond as set forth by resolution of the village council.

Sec. 22-37. - Expiration of license.

Each license issued under this article shall expire on March 31 of each year, except in the case of charitable solicitors, which will be granted a license for a period not to exceed 14 days, with no more than 12 charitable solicitors per charitable organization being allowed to solicit at any one time within the township boundaries.

Sec. 22-38. - Exemption from license fees.

- (a) Any honorably discharged soldier, sailor or marine of the military, air force or naval service of the United States, who complies with the provisions of this article, shall, upon application and upon proper proof of such service, be issued a license free of cost.
- (b) Any nonprofit organization which complies with the provisions of this article shall, upon application and upon proper proof of such nonprofit status, be issued a license free of cost.

Sec. 22-39. - Regulations, conduct.

- (a) Any person who is licensed to operate as a street vendor, solicitor, canvasser, peddler, transient merchant or charitable solicitor shall not create any disturbance by an instrument, horn, bell, radio, electrical appliance or device in connection with such business, or set or deal in unclean or unwholesome food which might be injurious to health. No licensee shall stop in any one place longer than is necessary to make a sale, or in any event shall not stop on private property without the consent of the owner, and shall not remain at any one stop longer than 15 minutes any day; provided, however, that no licensee shall stop for the purposes of selling or offering to sell any products within a distance of 500 feet from any public, private or parochial school building, or the lands on which such school buildings are located in the village on any days during which such school is in session.
- (b) No licensee shall dispense products from any public right-of-way, unreasonably interfere with traffic or cause or permit large numbers of persons, and especially children, to congregate upon the public streets or right-of-way.
- (c) All vehicles used in the sale of food products must be kept in a clean and sanitary condition at all times, and when containing any food products, they must be kept only in the places and operated only in a manner which, in the opinion of the health department, are sanitary and wholesome.
- (d) No licensee is to sell or peddle on any main highways of the village.
- (e) Licensees shall be prohibited from peddling after dark or after 9:00 p.m., whichever comes first.
- (f) Any licensee selling or peddling from moving equipment on the roadway shall make all sales from the right side of such vehicle at the curb or on the shoulder of the road and shall not cross over to the other side of the road or street to serve customers. No licensee shall sell, peddle, solicit, or canvass in a public parking lot, street, right-of-way, intersection or private property without permission.
- (g) During a parade which proceeds through the village no licensee shall sell, peddle, solicit or canvass in the street which is part of the parade route, nor shall such licensee sell, peddle, solicit or canvass any home, office, store, hotel, motel, restaurant or other place of business which is marked by a sign or has some other indication showing that there is to be no soliciting, selling, canvassing or peddling at such premises.
- (h) No licensee shall sell, peddle, canvass or solicit on any village block that has demonstrated by a petition signed by 51 percent of the residents on that block, being submitted to the village, that it is an exempt block.
- (i) The license issued under this article shall be delivered to the licensee upon approval of his application. It shall be unlawful for any licensee to alter or change such license in any way. The licenses are not transferable nor shall the license granted for any vehicles be used on any other vehicles.

Sec. 22-40. - Stands, regular places of business require approval.

It shall be unlawful for any licensee to sell, peddle, solicit or canvass on the public streets, alleys or other public places of the village at any established stand or location, or use any place on the highways as a regular place of business, or use any place on private property as a regular place of business without first obtaining approval from the village.

Sec. 22-41. - Identification card.

All street vendors, solicitors, canvassers, peddlers, transient merchants and charitable solicitors shall, upon approval of their application and fulfillment of all necessary prerequisites, purchase identification cards, in a form to be prescribed by the village clerk. This card shall be visibly displayed on the outer person of the licensee at all times when the licensee is selling, peddling, soliciting or canvassing.

Sec. 22-42. - Suspension or revocation of license.

The village clerk may suspend or revoke a license under this article at any time for cause. Two suspensions of such license shall automatically revoke the same and any person whose license has been so revoked shall forfeit the posted bond and such person shall be unable to apply for a license request under this article in the village.

Sec. 22-43. - Appeals.

Whenever the village clerk refuses to grant a license under this article or revokes a license for cause, the applicant or licensee may appeal the decision of the village clerk to the village council within 30 days from the date of the revocation or denial.

Sec. 22-44. - Records of licenses.

A full and complete record of each licensee's license, including renewals, suspensions and revocations, and serious complaints against or arrests of the licensee under this article, shall be kept on file by the village clerk.

Secs. 22-45—22-80. - Reserved.