

## Sec. 14-171. 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 a person who goes from place to place within the town soliciting orders for the future delivery of property or for services to be performed in the future, including any person who occupies any place within the town for the purpose of exhibiting samples and taking orders for future delivery.

*Peddler* means a person who goes from place to place within the town offering for sale property which he carries with him, including a vendor who distributes his products to regular customers on an established route.

*Transient merchant* means a person who engages in the sale of merchandise at any place in this stat temporarily and who does not intend to become and does not become a permanent merchant of that place.

(Code 1982, § 12.05(1))

**Cross reference**— *Definitions generally, § 1-2.*

## Sec. 14-172. License required.

Except as provided by [section 14-173](#), no person shall conduct any of the activities enumerated in [section 14-171](#) without a license therefor as provided by this article.

(Code 1982, § 12.05(2))

## Sec. 14-173. Exemptions.

No license shall be required under this article for the following:

- (1) Persons selling personal property at wholesale to dealers in such articles.
- (2) Newsboys.
- (3) Children under 18 years of age who are residents of the town.
- (4) Merchants or their employees delivering goods in the regular course of business.
- (5) Farmers or truck gardeners offering to sell the products of the farm or garden occupied and cultivated by them.
- (6) A veteran holding a special state license under Wis. Stats. § 440.51, but he shall comply with sections [14-177](#) through [14-180](#)
- (7) Any person soliciting for charitable, religious, patriotic or philanthropic purposes if the proceeds thereof are devoted solely to the purposes of the organization.
- (8) Sales required by statute or order of a court.
- (9) Bona fide auction sales conducted pursuant to law.
- (10) Activities for which local licensing is prohibited under the United States Constitution.

(Code 1982, § 12.05(3))

## Sec. 14-174. Investigation fee.

At the time of filing the application, the applicant shall pay fees as set forth in [section 14-35](#).

(Code 1982, § 12.05(4); Ord. No. 2008-01, § 4, 12-22-2008)

## Sec. 14-175. Investigation.

The clerk-treasurer may cause the applicant and the facts stated in the application to be investigated and may request assistance of the police chief or town constable in such investigation. The clerk-treasurer shall approve or disapprove the application within 72 hours after its submission.

(Code 1982, § 12.05(5))

### **Sec. 14-176. Bond.**

(a) *When required.* Every applicant who is not a resident of the county or who represents a firm the principal place of business of which is located outside of the state shall file with the clerk-treasurer a surety bond in the amount of \$500.00, approved by the town chairperson, conditioned that the applicant shall comply with all provisions of the town ordinances and state laws and guaranteeing to any person doing business with the licensee that all money paid as a down payment will be accounted for and applied according to the representations of the licensee, and further guaranteeing that property purchased for future delivery will be delivered according to the representations of the licensee.

(b) *Action on bond.* Action on such bond may be brought by any person aggrieved.

*(Code 1982, § 12.05(6))*

### **Sec. 14-177. Use of streets.**

No licensee shall use the public streets or sidewalks for purposes of sales in such manner as to impede or inconvenience the public use of the streets or sidewalks.

*(Code 1982, § 12.05(7))*

### **Sec. 14-178. Display of license.**

Any person licensed under this article shall carry his license with him while engaged in licensed activities and shall upon request display such license to any officer of the town or any person with whom he seeks to do business.

*(Code 1982, § 12.05(8))*

### **Sec. 14-179. Hours restricted.**

No person licensed under this article shall call at any residence or other place between 9:00 p.m. and 9:00 a.m. except by appointment.

*(Code 1982, § 12.05(9))*

### **Sec. 14-180. Prohibited practices.**

No licensee shall:

- (1) Call at any place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning.
- (2) Call at the rear door of any place.
- (3) Remain on the premises after being asked to leave by the owner, occupant or person in authority.

*(Code 1982, § 12.05(10))*