

## Chapter 58 PEDDLERS AND SOLICITORS\*

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\***Cross reference(s)**--Businesses, ch. 18; streets, sidewalks and other public places, ch. 70.

**State law reference(s)**--Transient merchants, MCL 445.371 et seq., MSA 19.691 et seq.; home solicitation sales, MCL 445.111 et seq., MSA 19.416(201) et seq.  
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### **ARTICLE I. IN GENERAL**

#### **Sec. 58-1. Exemption.**

Persons conducting a business licensed under another provision of this Code shall be exempt from the requirements of this chapter.  
(Code 1971, ' 7.90)

**Secs. 58-2--58-30. Reserved.**

### **ARTICLE II. PEDDLERS**

#### **DIVISION 1. GENERALLY**

#### **Sec. 58-31. 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:

*Peddler* means any person traveling by foot, wagon, automotive vehicle or other 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 such materials for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer such materials for sale from a wagon, automotive vehicle, or other vehicle or conveyance. Any person who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme or design to evade the provisions of this article, shall be deemed a peddler. The word "peddler" shall include the words "hawker" and "huckster." However, exempted from this regulation are all regularly scheduled deliveries of fuels, papers, milk, eggs and other like deliveries.  
(Code 1971, ' 7.54)

**Cross reference(s)**--Definitions generally, ' 1-2.

**Sec. 58-32. Fixed stands prohibited.**

No licensee shall stop or remain in any one place upon any street, alley or public place longer than necessary to make a sale to a customer wishing to buy except as permitted by the council. Any peddler using a vehicle, when stopped, shall place his vehicle parallel to and within 12 inches of the curb and shall depart from such place as soon as he has completed sales with customers actually present.

(Code 1971, ' 7.56)

**Sec. 58-33. Prohibited areas.**

No peddler, in the sale of goods, wares and merchandise, shall obstruct any street, alley, sidewalk or driveway except as may be necessary and reasonable to consummate a sale, nor remain, barter, sell, offer or expose for sale any goods, wares or merchandise in front of or at the side of any property against the wish or desire of the property owner or the tenant or occupant of such property. No peddler shall engage in peddling on any street, alley or public place after having been requested to desist by any police officer of the city because of congested or dangerous traffic conditions.

(Code 1971, ' 7.57)

**Secs. 58-34--58-55. Reserved.**

DIVISION 2. LICENSE

**Sec. 58-56. Required.**

No person shall engage in the business of peddler without first obtaining a license from the city. No such license shall be granted except upon certification of the chief of police.

(Code 1971, ' 7.55)

**Secs. 58-57--58-90. Reserved.**

**ARTICLE III. TRANSIENT MERCHANTS**

DIVISION 1. GENERALLY

**Sec. 58-91. Classified.**

Every person engaged in the retail sale and delivery of goods, wares or merchandise shall be deemed to be engaged in carrying on a temporary business

unless his goods, wares or merchandise shall have been assessed for taxation in the city during the current year.  
(Code 1971, ' 7.87)

**Secs. 58-92--58-100. Reserved.**

DIVISION 2. LICENSE

**Sec. 58-101. Required.**

No person shall engage in a temporary business of selling goods, wares or merchandise at retail within the city from any lot, premises, building, room or structure without first obtaining a license from the city. No such license shall be granted except upon certification of the chief of police and the city treasurer.  
(Code 1971, ' 7.86)

**Sec. 58-102. Indebtedness to the city.**

No license shall be granted to any person owing any personal property taxes or other indebtedness to the city, or who contemplates using any personal property on which personal property taxes are owing, in the operation of such business.  
(Code 1971, ' 7.88)

**Secs. 58-103--58-134. Reserved.**

**ARTICLE IV. CHARITABLE SOLICITATIONS\***

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\*State law reference(s)--Charitable organizations and solicitations act, MCL 400.271 et seq., MSA 3.240(1) et seq.; veteran's license for peddlers, MCL 35.441 et seq., MSA 4.1241 et seq.  
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**Sec. 58-135. Benefit sales.**

Any person selling or offering for sale any goods, wares or merchandise on behalf of and solely for the benefit of any recognized charitable or religious purpose shall, after meeting all other applicable requirements of this chapter, be granted a license without payment of any fee.  
(Code 1971, ' 7.89)