

CHAPTER 10
BUSINESS REGULATIONS
Article 2. Itinerant Sales

§10-201 ITINERANT SALES; APPLICATION; REGULATIONS:

A. To prevent the sale of fraudulent, dangerous, and unhealthy goods and services, and to protect the public by maintaining records of the products sold and the persons and companies responsible for such sales, all itinerant sales personnel shall, before doing business within the Municipality, make application for, and be issued a permit. This regulation shall apply to all sales made, or solicited by businesses or organizations having no permanent business office or store building located in the Municipality.

B. Application for said permit shall be made to the City Clerk's office and shall contain the necessary information required thereby and identification and documents required for the protection of the residents of the Municipality. Upon approval by the City Clerk's Office, the City Clerk shall then have authority to issue a sales permit to said approved applicant. Each person granted a permit shall pay a fee of twenty-five dollars (\$25.00), for a seven (7) day permit or three hundred twenty-five dollars (\$325.00) for a seasonal permit, to the City, and upon payment to the City Clerk may issue a sales permit to such approved applicant. Such permit shall be valid for a period of seven (7) continuous days from and after date of issuance, unless permit is for continuous seasonal sales of seasonal items, as determined by the City Clerk, and then the permit shall be for a period of time not to exceed one hundred twenty (120) continuous days, as determined by the City Clerk. The date of its expiration shall be clearly marked on the permit. A sales permit shall be required for each person desiring to do business within the Municipality. Any person or persons granted such permit shall be subject to any occupation taxes and other rules and regulations which the Governing Body deems appropriate for the purposes stated herein. Any person or persons granted such permit shall also provide proof of to the City Clerk of any necessary State or Federal licensing and sales tax permits. Any permit so granted shall be subject to revocation for good and sufficient cause by the City Clerk. The permit fee may be waived by the City for sales by not-for-profit organizations, and/or for seasonal sales events, including, but not limited to, weekly farmers market. (Ref. 16-205, 16-246 RS Neb.)(Amended Ord. by 1699, 04/15/08)

§10-202 ITINERANT SALES; HOURS OF SOLICITATION. It shall be unlawful for any solicitor, salesman, or peddler to solicit any individual between the hours of eight (8:00) o'clock P.M., and eight (8:00) o'clock A.M., unless they have a previous appointment with the resident, or residents, of the premise solicited. It shall be unlawful at any hour for a solicitor,

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salesman, or peddler to solicit without a proper permit on his person at all times. (*Amended by Ord. 1700, 04/15/08*)

§10-203 ITINERANT SALES; REGULATION, EXCEPTIONS. The provisions of this Article shall not extend to individuals calling on retail merchants in the corporate limits of the City for the purpose of taking orders or selling of merchandise for resale by such merchants.

§10-204 ITINERANT SALES; DEFINITION. A transient merchant, itinerant merchant, or itinerant vendor is defined as any person, firm, or corporation, whether as owner, agent, consignee, or employee, and whether a resident of the Municipality or not, who engages temporarily within the Municipality in the business of selling and delivering goods, wares, or merchandise, or taking orders for goods or merchandise to or at homes, apartments, or other residential premises in the Municipality.