TOWNSHIP OF LAPEER
LAPEER COUNTY, MICHIGAN
PEDDLERS ORDINANCE

Ordinance No. 41

THE TOWNSHIP OF LAPEER ORDAINS:

Section 1. PERMIT REQUIRED

It shall be unlawful for any person to engage in the business of peddler as defined in this ordinance within the Township of Lapeer without first obtaining a permit from Lapeer Township.

Section 2. DEFINITION

A. The word **person** as used herein shall include the singular and the plural and shall also mean and include any person, firm or corporation, association, club, co-partnership or society, or any organization.

B. The word **peddler** as used herein shall include any person, whether a resident of the Township of Lapeer or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance from place to place, from house to house, or street to street, carrying, conveying or transporting goods, wares, merchandise for sale, or making sales and delivering articles to purchasers or who, without traveling from place to place, shall sell or offer for sale the same from a parked vehicle or conveyance of any sort, and further provided that one who solicits orders and as a separate transaction make deliveries to purchasers as a part of a scheme or design to evade the provisions of this Ordinance shall be deemed a peddler subject to the provisions of this Ordinance. The word **peddler** shall include the words "**hawker**", "**huckster**", **"solicitor".**

Section 3. EXEMPTIONS

A. The following shall be exempt from this definition:

1. Newspaper peddlers and/or deliveries.
2. Persons traveling on an established route at the request; express or implied, of their customers.
3. Any persons under 18 years of age when engaged in peddling on foot in the neighborhood of their residence under the direct supervision of any school, charitable or religious organization.

B. The following shall be exempt from the payment of license fees but shall be subject to all other sections of this article:

1. Church, charitable or labor organizations.
2. Service clubs.
3. Educational or fraternal societies, their officers or agents.
4. Any political group.
5. Any honorably discharged military Veteran who is a resident of the State of Michigan provided said Veteran has obtained a Veterans license from a County Clerk within the State of Michigan.

Section 4. APPLICATIONS

Applicants for permit under this Ordinance must file with the Lapeer Township Clerk a sworn application in writing on a form to be furnished by the Township Clerk, which shall give the following information:

1. Name and description of applicant (preferably a photo copy of a driver's license).
2. Address (legal and local).
3. A brief description of the nature of business and the goods to be sold or solicited.
4. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
5. The length of time for which the right to do business is desired.
6. If a vehicle is to be used, a description of the same, together with a license number or other means of identification.
7. At time of application, a fee to be set by the Township board shall be paid to Lapeer Township for administrative costs.

Section 5. HOURS OF PEDDLING

The hours of peddling will not exceed the following: Monday through Saturday 9:00 a.m. – 6:00 p.m.
Peddling on Sunday is not allowed.

Section 6. VIOLATION

Any person, firm or corporation who violates any of the provisions of this ordinance will be held responsible for a municipal civil infraction and for creating a public nuisance, subject to payment of a civil fine of not less than $50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Lapeer Township Civil Infraction Ordinance.

Section 7. SEVERABILITY

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 8. ENACTMENT & EFFECTIVE DATE

This ordinance was adopted by the Township Board of the Township of Lapeer, Lapeer County, Michigan at a meeting duly called and held on the 14th day of November 2011 and was published in the LAView newspaper on the 24th day of November 2011. This ordinance shall take effect thirty (30) days after publication.

Scott Jarvis
Lapeer Township Supervisor

Dawn M. Walker, CMC
Lapeer Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Lapeer Township Board, County of Lapeer, State of Michigan, at a duly held meeting on the 14th day of November 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

Dawn M. Walker, CMC
Lapeer Township Clerk