ORDINANCE NO. 78

AN ORDINANCE TO REGULATE DOOR-TO-DOOR SALESPERSONS, SOLICITORS, PEDDLERS, AND ITINERANT MERCHANTS.

BE IT ENACTED by the Commissioner of the City of Lakewood, Tennessee, to wit:

Before any salesperson, solicitor, peddler, merchant, or representative engaged in obtaining orders or making sales directly to the consumer or user of goods, foods, wares, or merchandise to be delivered immediately or in the future, shall solicit such orders or make such sales within the City of Lakewood, he or she shall obtain a Solicitor's Permit.

This ordinance shall also apply to persons selling or otherwise promoting magazines, and to sales by or for, or solicitations for, any non-profit organization.

The provisions of this ordinance shall not apply to persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods and merchandise in the regular course of business.

Any person or organization subject to the provisions of this ordinance shall file a written application for a Solicitor's Permit with the City Manager, which application shall include the following information:

1. The name, age, and permanent residence of the applicant. In the case of a non-profit organization, a list of all proposed solicitors or canvassers.

2. The physical description of the applicant.

3. The local address of the applicant and, in the case of transient merchants, the local address from which proposed sales will be made.

4. Sufficient facts to show the financial responsibility of the principal.

5. Evidence of the authority of the applicant and the extent thereof.

6. The kind, character, and prices of the goods, wares, and merchandise to be offered to the consumer.

7. A copy of any contract used in obtaining orders or making sales.

8. The length of time for which the right to do business is desired.

The City Manager shall review each application and investigate as he shall deem necessary. Upon approval of the application by the City Manager, a Solicitor's Permit shall be issued by the City.

The City Manager shall refuse to issue a permit if:

thereafter forward to the department of safety, the license of a driver deposited in lieu of bail if the driver fails to appear in answer to the charge filed against him and which license shall not be released by the department of safety until the charge for which such license was so deposited has been disposed of by the court in which pending. In the case of a nonresident driver whose license is thus received by the department of safety, the department shall forthwith notify the proper motor vehicle administrative authority of the state in which such nonresident driver is licensed that the license of such driver is being held by the department pending disposition of the charge against such driver.

The licensee shall have his license in his immediate possession at all times when driving a motor vehicle and shall display it upon demand of any officer or agent of the department or any police officer of the state, county or municipality, except that where the licensee has previously deposited his license with the officer or court demanding bail, and has received a receipt from the officer or the court, the same to serve as a substitute for the license until the specified date for court appearance of licensee or the license is otherwise returned to the licensee by the officer or court accepting the same for deposit.

The provisions of this section are in addition to the provisions of S 6-651 through 6-657 inclusive and may be implemented as alternative procedure to the provisions of S 6-651 through 6-657 inclusive and any other sections of this Code in conflict herewith by passage of an ordinance by the governing body of said municipality.

Section 3. This ordinance shall be effective from and after its final passage, the public welfare requiring it.

First Reading: November 2, 1978

Second Reading: November 12, 1978

Passed on third reading on the 7 day of Dec., 1978.

Charles E. Gann
Mayor