

## CHAPTER 23

### PEDDLERS, HAWKERS, CANVASSERS AND SOLICITORS

#### 23.01 PEDDLERS, HAWKERS, CANVASSERS AND SOLICITORS

(a) Permit Required.

No person shall engage in the business or activities of a peddler, hawker, solicitor or canvasser within the Town of Lisbon without first obtaining a permit from the town. The permit shall be issued by the Chief of Police, or the Chief's designee. Before issuance of the permit the applicant shall properly identify himself or herself, and the group or cause which the applicant purports to represent.

(b) Contents of Permit.

All permits issued to hawkers, peddlers, canvassers or solicitors shall:

- (1) Identify the individual, and where appropriate, the group or cause which the individual represents;
- (2) Prohibit solicitation between sundown and 10:00 a.m. of the following day;
- (3) Prohibit solicitation on Sundays and holidays;
- (4) Prohibit solicitation on property posted with "no trespassing" or "no solicitation" signs, or signs of similar nature or import; and
- (5) Identify the term during which the permit shall be effective which, in no event, shall be more than sixty days from the date of issuance.

Any peddler, hawker, canvasser or solicitor who has been issued a permit shall have on his or her person the permit or copy of the permit when undertaking any activities regulated by this section.

(c) Exemption.

Notwithstanding anything contained herein to the contrary, no permit under this section shall be required of any group or association involved in any activity or fund raising function, where such group or association is sponsored or sanctioned by any public or private school located within Waukesha County, or by any activity or fund raising function undertaken by any Girl Scout, Boy Scout, cub Scout or Brownie troupe, or by any 4-H organization.

(d) Penalty.

Any person who violates the provisions of this section shall be subject to such penalties as may be imposed under Section 1.05 of the Town Code of the Town of Lisbon.

#### 23.03 Sales

Every person who shall not have become a permanent merchant in the town and who sells or exposes for sale any goods, wares or merchandise, and who shall advertise, represent and hold forth that the sale thereof is an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver, job lot or closing out sale, or a sale of goods, wares, or merchandise damaged by smoke, fire, water or otherwise, or that by reason of financial difficulty or other special or peculiar circumstances, such goods, wares or merchandise will be disposed of at less than their real value shall, before commencing or advertising for a sale thereof, procure a local license in the manner provided for transient merchants and shall pay a license fee therefore in the amount of \$25. This section shall not apply to any sale made by virtue of any judgment, order or process of any court, or pursuant to any law of this state or the United States or in the enforcement of any contract or lien. Before making or offering to make such sale, such person shall exhibit the state license to the Town Clerk and upon payment of the local license fee, the Clerk shall record the state license, endorse upon it the words, "local license fee paid," affix his official signature and the date of his endorsement and issue a local license authorizing the sale.

### **23.04 limitation and exhibition of license**

Only one person shall be authorized to carry on business under the terms of any license under this chapter, and no persons shall conduct business under the same license as co-partners, agents or otherwise. Any person licensed under this chapter shall upon demand of any peace officer or member of the Town Board exhibit his state and local license and execute an affidavit that he is the person named therein.

### **23.05 REVOCATION OF LICENSE**

Any license issued under this chapter may be revoked by the Town Board upon the conviction of any person to whom the same was issued of any fraud or false misrepresentation or imposition in the sale of any goods, wares, or merchandise, or for the sale of any adulterated food, drink, or drug, or the sale of any food injurious to health. The filing with the Town Clerk of a certified copy of the final judgment of conviction of any court in which the person shall be tried, shall be authority for the revocation of such license.

The Town Board may revoke any license issued under this chapter after a finding upon complaint being made to the Town Board by any resident of the town that the license holder has been guilty of any fraud, false misrepresentation, or imposition upon such resident of the town in the sale of any goods, wares, or merchandise, or in the solicitation of the sale thereof, including the solicitation of subscriptions to magazines, books, and periodicals. If a complaint is filed with the Town Board, such license holder against whom the complaint is filed shall be notified in writing by the Town Clerk and a public hearing upon such complaint shall be held by the Town Board upon 10 days' notice to the license holder. If the board is satisfied that the license holder is guilty of the complaint made, it may revoke the license.

### **23.06 LICENSE FEE EXCEPTIONS**

Any ex-serviceman of the United States in any war who has a 25 percent disability or more recognized by the United States Veteran's Administration, and any person disabled to the extent of the loss of one or more legs or more or who has been declared blind under Section 49.18(4) of the Wisconsin Statutes shall, upon presenting proof to the Town Board that he satisfies these conditions, be granted a special license under this chapter without paying any fee therefore. Such person must have been a bona fide resident of the State of Wisconsin for at least 5 years preceding the application, and shall while engaged in such business carry on his person his license and the proof required for its issuance. A blind person shall also carry a picture of himself which is not more than 3 years old. Such special license shall not entitle the blind person to piddle for hire for another person.