

ORDINANCE NO. 7

An Ordinance to Regulate and To License Hawkers and Peddlers. To Regulate the Sale of Goods and Merchandise on Streets and Sidewalks and to Prohibit the sale of Goods, Wares, Merchandise, Fruits, Vegetables and Foodstuffs Without a License; To Provide Penalties for the Violations Thereof and to Repeal All Ordinances and Sections of Ordinances in Conflict .

THE VILLAGE OF NEWBERRY, MICHIGAN ORDAINS:

Section 7:1 License Required:

No person, firm or corporation shall engage in the business of hawking, peddling or vending any goods, wares, merchandise, fruits, vegetables, foodstuffs or services from door to door or from upon the streets, alleys and public places, or from any hotel or rooming house, either by sample or by taking orders, or otherwise, for delivery then or in the future without first obtaining a license as hereinafter provided.

Section 7:2 Application:

Each person desiring to obtain a license for the aforementioned purpose shall make application to the Village Clerk. Said application shall be in writing, shall state the name and permanent address of the applicant, the length of time the applicant expects to continue in said business in the Village, the article or articles to be offered for sale, and any other information which may be required by the Clerk. If acting as the agent of any person, corporation or firm in the sale of such articles, the applicant shall also state the name and address of such principal.

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7:3 Issue License:

Upon receipt of the application provided for in the preceding section, and the payment of the appropriate fee according to the schedule hereinafter provided, the Village Clerk shall issue to the applicant a license to hawk, peddle or vend the article or articles mentioned in the application for the length of time herein specified. Said license shall show on its face the information required in the application, the dates of issue and expiration, and shall be signed by the Village President and countersigned by the Village Clerk. No license shall be issued for a period greater than one year; nor shall any license be transferable or assignable. Provided the Village Clerk shall not issue any license to a person convicted of violating this Ordinance in the previous six (6) months.

Section 7:4 Fees:

Each person to whom a license is granted under this Ordinance shall pay the following fees therefore to the Village Clerk.

For One Year.....	\$125.00
For Six Months.....	\$ 75.00
For One Month.....	\$ 25.00
For Any Period Less Than One Month.....	\$ 7.50
Per Day.	

The Village Clerk shall deposit all fees collected under this Ordinance in the Village Treasury, and shall report to the Village Council at the first meeting in each month all such fees collected from and during the preceding month.

Section 7:5 Display License:

Persons licensed under the foregoing section of the Ordinance shall carry said license at all times when engaged in the business of hawking and peddling, and shall display said license upon demand of any adult

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resident of the Village. Failure to display a license when requested shall be deemed a violation of this Ordinance.

Section 7:6 Suspension:

Any license granted under this Ordinance shall be accepted upon the express condition that it may be suspended by the Village President whenever in his judgment it is for the best interests of the community to do so, having in mind the welfare, safety and health of the Village, and may be revoked by the Village President after giving the licensee reasonable notice and an opportunity to be heard.

Section 7:7 Display on Street:

That no person offering for sale from wagons, automobiles, carts or other vehicles, any goods, wares or merchandise, produce or property of any kind, within the limits of the Village of Newberry, shall occupy and stand with such wagon, automobile, cart or other vehicle on any street, provided that this shall not be construed to prevent persons having a proper license from selling their wares in such sections of said streets as long as they keep their vehicles in motion except when making a sale.

Section 7:8 Penalty:

Any person who engages in the business of hawking, peddling, or vending according to the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof before any Court of competent jurisdiction, shall be punished by a fine of not less than \$200.00 nor more than \$500.00, and the costs of prosecution, or by imprisonment in the Village or County Jail for a period not exceeding 90 days, or by both such fine and imprisonment, in the discretion of the Court. Each day or part of a day that a person shall hawk, peddle or vend without a valid license shall be considered a separate violation of this Ordinance.

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Section 7:9 Severability:

This Ordinance and the various parts, sections and clauses are hereby declared to be severable; if any part, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the balance of the Ordinance shall not be affected thereby.

Section 7:10 Repealed:


All Ordinances or Sections of Ordinances in conflict herewith are hereby repealed.

Section 7:11 Publication and Effective Date:

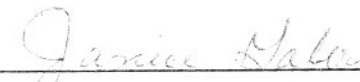
The clerk shall cause a copy of this Ordinance to be published in the Newberry News within 15 days and further shall make copies of this Ordinance available for public inspection at the Village Offices located in the NEWBERRY WATER & LIGHT BUILDING.

This Ordinance shall be effective twenty (20) days after adoption. (August 3, 1987).

Approved and re-enacted by the Village Council July 13, 1987.



David Taylor, President



Janice Galor, Village Clerk