

PEDDLERS PERMIT APPLICATION

CITY OF LAFOLLETTE
207 SOUTH TENNESSEE AVENUE
LAFOLLETTE, TN 37766
423-562-4961

MUNICIPAL CODE OF 1966

5-201. Permit Required. It shall be unlawful for any peddler, canvasser, or solicitor, or transient merchant to ply his trade within the corporate limits without first obtaining a permit therefore in compliance with the provisions of this chapter. No permit shall be used at any time by any person than the one to whom it is issued.

5-202. Exemptions. The terms of this chapter shall not be applicable to persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to bona fide charitable, religious, patriotic, or philanthropic organizations.

5-203. Application for Permit. Applicants for a permit under this chapter must file with the city recorder a sworn written application containing the following:

(1) NAME OF APPLICANT: _____

§ PHYSICAL DESCRIPTION: _____

(2) COMPLETE PERMANENT HOME ADDRESS: _____

LOCAL ADDRESS OF APPLICANT AND IN CASE OF TRANSIENT MERCHANTS, THE LOCAL ADDRESS FROM WHICH PROPOSED SALES WILL BE MADE: _____

(3) BRIEF DESCRIPTION OF THE NATURE OF THE BUSINESS AND THE GOODS TO BE SOLD:

(4) IF EMPLOYEED, LIST THE NAME AND ADDRESS OF THE EMPLOYER TOGETHER WITH CREDENTIALS THEREFROM ESTABLISHING THE EXACT RELATIONSHIP: _____

(5) GIVE THE LENGTH OF TIME FOR WHICH THE RIGHT TO DO BUSINESS IS DESIRED: _____

(6) ATTACH A RECENT CLEAR PHOTOGRAPH APPROXIMATELY TWO (2) INCHES SQUARE SHOWING THE HEAD AND SHOULDERS OF THE APPLICANT.

(7) LIST THE NAMES OF AT LEAST TWO (2) REPUTABLE LOCAL PROPERTY OWNERS WHO WILL CERTIFY AS TO THE APPLICANT'S GOOD MORAL REPUTATION AND BUSINESS RESPONSIBILITY OR IN LIEU OF THE NAMES OF REFERENCES, SUCH OTHER

AVAILABLE EVIDENCE AS WILL ENABLE AN INVESTIGATOR TO PROPERTY EVALUATE THE APPLICANT'S MORAL REPUTATUON AND BUSINESS RESPONSIBILITY: _____

(8) LIST CONVICTIONS OF ANY CRIME OR MISDEMEANOR OR VIOLATION OF ANY MUNICIPAL ORDINANCE; THE NATURE OF THE OFFENCE; AND THE PUNISHMENT OR PENALTY ASSESSED THEREFORE: _____

(9) LIST THE LAST THREE (3) CITIES OR TOWNS, IF THAT MANY, WHERE APPLICANT CARRIED ON BUSINESS IMMEDIATELY PRECEDING THE DATE OF APPLICATION, AND IN THE CASE OF TRANSIENT MERCHANTS, THE ADDRESSES FROM WHICH SUCH BUSINESS WAS CONDUCTED IN THOSE MUNICIPALITIES: _____

(10) THE TIME OF FILING THE APPLICATION A FEE OF THIRTY DOLLARS (\$30.00) SHALL BE PAID TO THE CITY TO COVER THE COST OF INVESTIGATING THE FACTS STATED THEREIN. (Code of 1966, 5-203)

5-204. Issuance or refusal of permit.

- (1) Each application shall be referred to the Chief of Police for investigation. The chief shall report his findings to the city recorder within seventy-two (72) hours.
- (2) If as a result of such investigation the chief reports the applicant's moral reputation and/or business responsibility to be unsatisfactory the city recorder shall notify the applicant that his application is disapproved and that no permit will be issued.
- (3) If, on the other hand, the chief's report indicates that the moral reputation and business responsibility of the applicant are satisfactory the city recorder shall issue a permit upon the payment of all applicable privilege taxes and the filing of the bond required by section 5-206. The city recorder shall keep a permanent record of all permits issued.

5-205. Appeal. Any person aggrieved by the action of the Chief of Police and/or the city recorder in the denial of a permit shall have the right to appeal to the city council. Such appeal shall be taken by filing with the mayor within fourteen (14) days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The mayor shall set a time and place for a hearing on such appeal and notice of the time and place of such hearing shall be given to the appellant. The notice shall be in writing and shall be mailed, postage prepaid, to the applicant at his last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for the hearing.

5-206. Loud Noises and Speaking Devices. No permittee, nor any person in his behalf, shall shout, cry out, blow a horn, ring a bell, or use any sound amplifying device upon any of the sidewalks, streets, alleys, parks, or other public places of the city or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the adjacent sidewalks, streets, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares, or merchandise which such permittee purposes to sell.

5-208. Use of Streets. No permittee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a

congested area where such operation might impede or inconvenience the public use of such streets. For the purpose of this chapter, the judgement of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced.

- 5-209. Exhibition of Permit. Permittees are required to exhibit their permits at the request of any policeman or citizen.
- 5-210. Policemen to Enforce. It shall be the duty of all policemen to see that the provisions of this chapter are enforced.
- 5-211. Revocation or Suspension of Permit.
 - (1) Permits issued under the provisions of this chapter may be revoked by the city council after notice and hearing for any of the following causes:
 - (a) Fraud, misrepresentation, or incorrect statement contained in the application for permit, or made in the course of carrying on the business of solicitor, canvasser, peddler, transient merchant, itinerant merchant, or itinerant vendor.
 - (b) Any violations of this chapter.
 - (c) Conviction of any crime or misdemeanor.
 - (d) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant, or itinerant vendor, as the case may be, in a lawful manner or in such a manner to the health, safety, or general welfare of the public.
 - (2) Notice of the hearing for revocation of a permit shall be given by the city recorder in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed to the permittee at his last known address at least five (5) days prior to the date set for hearing, or it shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.
 - (3) When reasonably necessary in the public interest the mayor may suspend a permit pending the revocation hearing.
- 5-212. Reapplication. No permittee whose permit has been revoked shall make further application until a period of at least six (6) months has elapsed since the last revocation.
- 5-213. Expiration and Renewal of Permit. Permits issued under the provisions of this chapter shall expire on the same date that the permittee's privilege license expires and shall be renewed without cost if the permittee applies for and obtains a new privilege license within thirty (30) days thereafter. Permits issued to permittees who are not subject to a privilege tax shall be issued for one (1) year. An application for a renewal shall be substantially in the same form as an original application. However, only so much of the application shall be completed as is necessary to reflect conditions, which have changed since the last application was filed.

<i>Applicant's Signature</i>	/
<i>City Clerk</i>	<i>Date Issued</i> / <i>Date Refused</i>
<i>Police Chief</i>	<i>Date Received by City Clerk</i>
	<i>Date Received by Police Chief</i>