

Chapter 28 PEDDLERS, HAWKERS AND TRANSIENT MERCHANTS

Last updated February 2009

Articles:

28.04 In General - Repealed with Ordinance No. 1363 (October 2008)

28.08 Peddlers and Hawkers - Repealed with Ordinance No. 1363 (October 2008)

28.12 Transient Merchants - Repealed with Ordinance No. 1363 (October 2008)

28.16 Door-to-Door Solicitations

Article 28.04 In General - Repealed with Ordinance No. 1363 (October 2008)

**Article 28.08 Peddlers and Hawkers - Repealed with
Ordinance No. 1363 (October 2008)**

Sections:

28.08.28.16.020 No License or Permit Issued

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**Article 28.12 Transient Merchants - Repealed with
Ordinance No. 1363 (October 2008)**

Article 28.16 Door-to-Door Solicitations

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Section 28.16.020 No License or Permit Issued

The City of Dickinson shall not issue permits, licenses, or other certifications to persons or organizations engaging in door-to-door solicitations or sales, nor shall any action of the City of Dickinson constitute an endorsement, recommendation, or approval of the products, services, organizations, or personnel of the person or organization registered for door-to-door solicitations or sales. (Ord. No. 1363 § 2.)

Section 28.16.030 Door-to-Door Sales and Solicitations

Prohibited Except as Permitted in this Article

The practice of going door-to-door at private residences without being requested or invited to do so by the owner or occupant thereof for the purpose of selling or soliciting orders for sale of goods, wares, merchandise, magazines, periodicals, books, or personal services is prohibited except as permitted pursuant to this Article. (Ord. No. 1363 § 3.)

Section 28.16.040 Conditions upon which Door-to-Door Sales or Solicitations are Permissible

Any person or organization desiring to engage in door-to-door sales or solicitation in residential areas within the City of Dickinson may do so only upon the invitation, consent, or acquiescence of the owner or occupant of the residence so solicited.

The owner or occupant of any residence solicited pursuant to this chapter shall have the right and authority to exclude any person engaging in door-to-door sales or solicitation from his or her residence or property. Any person engaging in door-to-door sales or solicitation who fails or refuses immediately to vacate the residence and property upon request of the owner or occupant thereof shall be guilty of an offense. (Ord. No. 1363 § 4.)

Section 28.16.050 Location Where Solicitation Prohibited

Notwithstanding the provisions of Section 28.16.040, no person may solicit at any private residence if there is placed on the premises a sign bearing the words "No Soliciting," "No Trespassing," or similar notice. (Ord. No. 1363 § 5.)

Section 28.16.060 Hours of Solicitation

It is a violation of this Ordinance for any person, whether or not registered to engage in door-to-door solicitations and sales, to solicit any occupant of any residence within the City of Dickinson before 9:00 a.m., or after sunset, local time, unless the owner or adult occupant of the residence has granted individual permission to do so. (Ord. No. 1363 § 6.)

Section 28.16.070 Deceptive Practices Prohibited

No person engaging in door-to-door solicitations or sales shall intentionally make any false or fraudulent statement in the course of selling or soliciting within the City of Dickinson.

No person engaging in door-to-door sales or solicitations shall represent, directly or indirectly or by implication, that the City of Dickinson or any of its subdivisions endorse, recommend or approve of the products, services, organizations, or personnel of the person or organization registered for door-to-door solicitations or sales. (Ord. No. 1363 § 7.)

Section 28.16.080 Identification of Persons Engaging in Door-to-Door Sales or Solicitations

Any person engaging in door-to-door sales or solicitations shall, upon request, provide to each person solicited the following information:

1. The solicitor's name, current residence address, current business address, and current telephone number;
2. The solicitor's residence addresses and business addresses for the prior two year period;
3. The name and address of the organization the solicitor represents or is employed by;
4. Valid proof of identification of the solicitor, including at least one of the following: a valid driver's license, a valid visa or passport, or other valid identification issued by any state agency for the purpose of identification of the holder.
5. Such other information as may be reasonably required by the City. (Ord. No. 1363 § 8.)

Section 28.16.090 Enforcement of Chapter

Any person who is aware of a violation of this Article or who believes a violation of this Article may exist is hereby authorized and directed to file a complaint with the Dickinson Police Department, setting forth the factual basis for believing a violation of this Article exists.

The chief of police and all police officers of the City are hereby authorized and directed to investigate any such complaint filed, and are further authorized and directed to enforce the provisions of this Article. (Ord. No. 1363 § 9.)

Section 28.16.100 Penalty

Any person who engages in door-to-door solicitations or sales who fails to comply with the provisions of this Ordinance, is guilty of an offense, and shall, upon conviction thereof, be fined an amount not to exceed Fifty Dollars and No Cents (\$50.00) per violation plus costs. (Ord. No. 1363 § 10.)