

CHAPTER 11 - PEDDLERS AND SOLICITORS

SECTION:

3-11-1. - DEFINITIONS.

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| <i>PEDDLING.</i> | Shall include the selling, bartering or exchanging or the offering for sale, barter or exchange of any goods, wares and merchandise upon or along the streets, highways or public places of the City, or at the doors of residences or apartments, from any wagon, motor vehicle, pushcart or by pack, but shall not include the delivery of any item previously ordered or the sale of items along delivery routes where the purchaser has previously requested the seller to stop and exhibit his/her items, nor shall "peddling" include the solicitation of orders by sample where the goods are not delivered at the time the order is taken. |
| <i>PACK PEDDLER.</i> | Shall mean and include those peddling goods, wares and merchandise from a basket or other like receptacle carried by a peddler. |
| <i>PUSHCART PEDDLER.</i> | Shall include those peddling goods, wares and merchandise from a cart or similar vehicle drawn or propelled by human power. |
| <i>WAGONOR VEHICLE PEDDLER.</i> | Shall include those peddling goods, wares and merchandise by means of a motor vehicle or horse-drawn vehicle. |

(Code 1979; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-1)), 1-23-2012)

3-11-2. - LICENSE REQUIRED; APPLICATION AND REGISTRATION.

It shall be unlawful for any person to engage in the business of peddling any goods, wares or merchandise as hereinabove defined within the City without first having obtained a license for that purpose as provided herein.

Any person who desires a license as a peddler shall make application in writing to the City Collector. Such application shall contain the full name and address of the applicant, whether he/she desires to be licensed to peddle by pack, from a pushcart, wagon or other vehicle as herein defined, together with a description of the commodities, articles or other type of merchandise which he/she intends to peddle.

Any application to peddle bakery goods, prepared food, confections, ice cream, beverages, juices, butter, eggs or any food or drink shall be investigated by the Public Health Director, whose duty it shall be to ascertain that the applicant has complied with all ordinances of the City pertaining to the sale and distribution of food and beverages and report his/her findings to the City Collector before license is issued.

The applicant shall register with the City Collector's office and furnish that office with information regarding applicant's name and address, by whom he/she is employed or with whom he/she is associated, together with the place of residence of the registrant during the preceding twelve (12) months, the names and addresses of at least two (2) persons who have known the registrant for at least one year and to whom the registrant is willing that inquiry be made to verify the facts stated by the registrant. In addition, thereto, such registrant shall submit to the City Collector two (2) photographs of himself/herself.

(Code 1979; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-1)), 1-23-2012)

3-11-3. - LICENSE FEES.

The annual license fees for peddlers shall be as follows:

Pack peddler \$ 50.00

Pushcart peddler 50.00

Peddle by wagon or motor vehicle 135.00

(Ord. No. 6-O-85; Ord. No. 135-0-99; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-2)), 1-23-2012)

3-11-4. - PEDDLER'S IDENTIFICATION CARD.

Each peddler, as defined herein, shall receive from the City, when his/her license is granted, an identification card bearing the words "Evanston Peddler's License," the license number, the year in which the license is to be in effect and a picture of the peddler to whom the license has been issued. Such identification card shall be worn and conspicuously displayed by the peddler on his/her outer garment at all times while engaged in business in the City.

(Code 1979; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-3)), 1-23-2012)

3-11-5. - VEHICLE REQUIREMENTS.

(A) *Peddlers Of Food Products Display Name On Vehicle.* Every wagon or vehicle used by peddlers of food products shall have displayed upon each side thereof in plain print the name and address of the owner and the kind of goods for sale.

(Code 1957, § 32-15; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-4)), 1-23-2012)

(B) *License Decal Required; Display.* Every peddler whose license entitles him/her to use a motor vehicle in and about his/her business shall obtain from the City Collector, at the time his/her license is issued, one license adhesive decal for each vehicle to be used in or about said business. The decal shall be affixed to the lower right corner of the windshield window.

(C) *Assistants On Vehicles.* Upon each motor vehicle there shall be permitted but one assistant to the driver of such vehicle.

(Code 1979)

(Code 1957, § 32-15; Code 1979; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-5)), 1-23-2012)

3-11-6. - EXCEPTIONS TO REGULATIONS.

The provisions of this Chapter shall not be construed to apply to any person selling vegetables, fruits, berries, poultry or other products of their own farms or premises, or to the sale of tickets for charitable purposes.

(Code 1957, § 32-20; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-6)), 1-23-2012)

3-11-7. - FRAUD AND MISREPRESENTATION.

It shall be unlawful for any licensed peddler to be guilty of any fraud, cheat, misrepresentation or imposition or to violate, neglect or refuse to comply with any of the provisions of this Chapter.

(Code 1957, § 32-19; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-7)), 1-23-2012)

3-11-8. - PHOTOGRAPHERS, TRANSIENT.

It shall be unlawful for any person to occupy or use any portion of a public street, public sidewalk, public park or other public property within the City for the taking of photographs, pictures or motion pictures with the intent or purpose of selling or offering the same for sale, without first having obtained a license therefor.

Application for the license herein required shall be made to the City Collector. Before any such license shall be granted, however, the applicant shall supply to the City Collector's office information as described in Section 3-11-2 of this Chapter.

The fee to be charged for the license herein required shall be twenty five dollars (\$25.00) per day.

No person receiving a license hereunder shall impede vehicular, motor or pedestrian traffic, nor remain longer than five (5) minutes in any one location.

(Code 1957, § 29-58; Code 1979; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-8)), 1-23-2012)

3-11-9. - EVANSTON TOWNSHIP HIGH SCHOOL AREA.

On days when school is in session at Evanston Township High School, it shall be unlawful for any peddlers to sell or offer for sale any food, beverages, or any other merchandise whatsoever on the following streets:

Church Street between Pitner Avenue and Dewey Avenue

Dodge Avenue between Lyons Street and Dempster Street

Lake Street between Pitner Avenue and Darrow Avenue

On days when events are being conducted within the Evanston Township School Memorial Stadium, it shall be unlawful for any peddler to sell or offer for sale any food, beverages or any other merchandise whatsoever on the following streets:

Church Street between McDaniel Avenue and Dewey Avenue

Hartrey Avenue between Emerson Street and Church Street

Lyons Street between Leland Avenue and Hartrey Avenue

Pitner Avenue between Church Street and Lake Street

(Ord. No. 111-0-82; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-9)), 1-23-2012)

3-11-10. - HOURS PEDDLING PROHIBITED.

It shall be unlawful for any person to peddle food products from trucks or other vehicles on the public streets, sidewalks or public ways of the City before the hour of eight o'clock (8:00) A.M. and after the hour of nine o'clock (9:00) P.M.

(Ord. No. 111-0-82; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-10)), 1-23-2012)

3-11-11. - VEHICLE RESTRICTIONS.

The vehicles used for such peddling shall not be permitted to park or stand in any location on the public streets except where the parking of motor vehicles is permitted under the provisions of this code, and the parking or standing of such vehicles on the streets or public ways except in lawful parking places is prohibited. The vehicle of such peddler shall not be permitted on the public streets within a given block for more than one period not to exceed one-half ($\frac{1}{2}$) hour during any calendar day.

(Ord. No. 111-0-82; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-11)), 1-23-2012)

3-11-12. - AREAS SURROUNDING SCHOOLS.

On days when school is in session at elementary and secondary schools (public or private), it shall be unlawful for any peddlers to sell or offer for sale any food, beverages, or any other merchandise whatsoever within five hundred feet (500') of the property of said schools. Exception: During summer school sessions, this restriction shall apply only to those individual schools which are in operation.

(Ord. No. 127-0-89; Ord. No. 8-O-12, (50-O-11(exh. A, § 3-11-12)), 1-23-2012)