

**FRENCHTOWN CHARTER TOWNSHIP  
PEDDLER AND SOLICITOR ORDINANCE  
Ord. No. 194; Date of Adoption: March 2001**

An Ordinance to establish licensing requirements for peddlers and solicitors and exceptions thereto in the interests of the health, safety and welfare of the residents of Frenchtown Charter Township.

**FRENCHTOWN CHARTER TOWNSHIP HEREBY ORDAINS:**

**Section 1. Title.**

This Ordinance shall be known as and referred to as the Frenchtown Charter Township Peddler and Solicitor Ordinance.

**Section 2. License.**

It shall be unlawful for any person to sell, offer for sale or peddle any commodity, goods, wares, or merchandise or to solicit funds or donations from residence to residence, from a movable vehicle, from within a public road or right-of way or at a location in which they have no real property interest, within the limits of the Township until a license authorizing such sale, offering for sale or peddling shall have been issued by the Township Clerk.

Amended February 10, 2004, by Ordinance No. 194-1.

**Section 3. Misrepresentation by Peddler or Solicitors.**

No person shall directly or indirectly solicit contributions for any purpose, by misrepresentation of his name, occupation, financial condition, social condition or residence, and no person shall make a perpetrate any other misstatement, deception or fraud in connection with any solicitation of any contribution for any purpose in the Township.

**Section 4. Exemption.**

Minors selling products pursuant to a school or tax exempt nonprofit organization or activity or any individual selling products grown from his own farm, orchard or garden and sold from that location are exempt from the provisions of this Ordinance.

Amended February 10, 2004, by Ordinance No. 194-1.

**Section 5. Application.**

Application for a license required by this Ordinance shall be made in writing and filed with the Township Clerk for presentation to the Township Board. Such application shall set forth the full name of applicant or applicants and of every person interested in the issue of the

license applied for, together with the business and residence address of such person and, if the applicant be a corporation, this provision shall apply to the officers and directors of such corporation. Each application shall also set forth the nature of the articles to be sold, offered for sale, or peddled, or the purpose of the solicitation of funds or donations and the method to be used to effect such sale, offering for sale or peddling, and shall be accompanied by the required fee. In the event that the Applicant is not a resident of the Township or the County of Monroe, in the discretion of the Township Clerk, a cash bond in the sum of \$500.00 may be required.

**Section 6. Fee.**

Before any license shall be issued or renewed under the terms of this Ordinance, the applicant shall pay to the Township Clerk a license fee of twenty-five dollars (\$25.00), plus any current inspection fees, as required. No license fee shall be required from any person or entity exempt from such fee under State or Federal Law or from individuals selling products pursuant to a school or tax exempt, nonprofit organization or activity are exempt from the provisions of this Ordinance.

Amended February 10, 2004, by Ordinance No. 194-1.

**Section 7. Consideration, Issuance.**

The Township Clerk shall make a record of all applications received for licenses under this article, and present such applications at the next regular meeting of the township board and keep a record of the action of the board on each application. If the Township Board, upon examination of the matter shall deem the issuing of a license consistent with the safety and good government of the Township and the welfare of its habitants, the Clerk shall be directed to issue the license upon the payment of the required fee.

**Section 8. Disclaimer.**

The Township, by issuance of a license under this Ordinance makes no endorsement, warranty or guaranty of the product or service. Further, the Township by issuance of a license makes no guaranty of authority to peddle or solicit in the incorporated areas of the Township and advises applicant to verify any additional requirements of any such incorporated areas.

**Section 9. Additional copies.**

Additional copies of a license issued under this article will be authorized and signed by the Clerk, numbered in sequential order, at a fee equal to the reasonable cost of reproduction, set by the determination of the Township Board and on file in the township hall.

**Section 10. Duration.**

1. Each license issued under this Ordinance shall be valid for the time period as approved by the Board and as specified on the face of the license.

2. No license shall be granted for peddling or soliciting from within the road right-of-way for a period in excess of eight hours on one day per year for an entity. Such day, hours and location of the peddling or soliciting shall be specified in the license.

3. No license shall be granted for peddling or soliciting commodities from residence to residence from a movable vehicle or at a location in which supplement holds no property interest, in excess of 90 days from the date of issuance.

Amended February 10, 2004, by Ordinance No. 194-1.

**Section 11. Possession.**

A license issued under this article shall be in the possession of the licensee when soliciting.

**Section 12. Enforcement; Revocation.**

A license issued under this article may be revoked by the Township Clerk, Township Supervisor or Township Building Official or his designee for violation of the terms of this Ordinance or violation of any state or federal law. The Township Clerk, Township Supervisor, Township Building Official or his designee, the Monroe County Sheriff's Department or the Michigan State Police shall have the right to inspect any article sold or offered for sale, or any container, package, or vehicle from which goods are sold, offered for sale, or peddled, at any reasonable time, and if found unmarketable, or if conditions in or around place of sales are not kept and maintained in a sanitary condition or if the Ordinance has been violated such license may be revoked. The licensee shall have the right to appeal to the Township Board at its next regular meeting.

**Section 13. Penalty.**

Whoever violates the provisions of this Ordinance, upon conviction thereof, shall be deemed guilty of a misdemeanor and fined in an amount not exceeding Five Hundred Dollars (\$500.00) for each offense plus costs and restitution to the Township for costs incurred thereby as permitted by MCL 769.1a and other state law. Every day a violation exists shall be deemed a separate violation. The imposition of sentence shall not exempt offender from compliance with this Ordinance. Further, the Township may take necessary action to abate or enjoin the violation of this Ordinance in a court of competent jurisdiction.

**Section 14. Repeal.**

All Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed

**Section 15. Severability.**

This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are declared to be severable and if any of them are adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected.

**Section 16. Effective Date.**

This Ordinance shall become effective thirty (30) days after adoption and publication in a newspaper having general circulation in the Charter Township of Frenchtown, Monroe County, Michigan.