



OWOSSO PUBLIC SAFETY

202 S. WATER ST. • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0580 • FAX (989)725-0528

MEMORANDUM

DATE: April 28, 2022

TO: Owosso City Council

FROM: Kevin Lenkart
Owosso Public Safety Chief

RE: Addition to Chapter 22, Article II, *Peddlers, Solicitors and Transient Merchants*,
establishing a fee for registration

Recommendation:

I recommend Council approve the attached resolution setting a public hearing for Monday, June 6, 2022 to receive citizen comment regarding the proposal to add Section 22-25, Fees, to Chapter 22, Peddlers, Solicitors and Transient Merchants, Article II, *Peddlers, Solicitors and Transient Merchants*, of the Code or Ordinances.

Background:

The addition of Section 22-25, Fees, to Chapter 22 would update the ordinance and add fees for the issuance of this permit determined by resolution of the City Council.

RESOLUTION NO.

**AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR
THE PROPOSED ADDITION TO CHAPTER 22, PEDDLERS, SOLICITORS AND TRANSIENT
MERCHANTS, ARTICLE II, *PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS*,
OF SECTION 22-25, FEES, TO THE CODE OF ORDINANCES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Peddlers, Solicitors and Transient Merchants Ordinance that currently does not include a provision establishing a registration fee; and

WHEREAS, it is necessary to update the ordinance to establish a registration fee to cover the costs related to the administration of said registration program; and

WHEREAS, it is the long-standing practice of the City Council to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

NOW, THEREFORE, BE IT RESOLVED, THE CITY OF OWOSSO ORDAINS THAT:

SECTION 1. ADDITION. That Section 22-25, Fees, be added to Chapter 22, Peddlers, Solicitors and Transient Merchants, Article II, *Peddlers, Solicitors and Transient Merchants*, of the Code of Ordinances of the City of Owosso as follows:

Sec. 22-17. Registration.

No person shall solicit or peddle within the city unless such person has filed with the department of public safety, a registration statement containing the information required in section 22-18, and obtained a registration acknowledgement issued in accordance with section 22-20.

Sec. 22-18. Solicitation and peddling registration statement.

The solicitation and peddling registration statement to be prepared and filed under this chapter shall contain the following information:

- (1) The name, address and telephone number of the person registering to solicit or peddle.
- (2) If the registration is intended to cover more than one (1) individual, the names, addresses and telephone numbers of the registering organization and the individuals who will be in direct charge of conducting the solicitations and peddling.
- (3) The purposes, products, and services for which the solicitations and peddling are to be made and a description of the use or disposition to be made of any receipts or proceeds of the solicitations and peddling.
- (4) A description of the methods to be used in conducting the solicitations and peddling.
- (5) The time when such solicitations or peddling shall occur, including the dates for the beginning and ending of such solicitations and the hours of the day during which solicitations and peddling shall occur.

Sec. 22-19. Filing false registration statement.

It shall be a violation of this chapter for any person to knowingly file, or cause to be filed, a registration statement containing one (1) or more false statements.

Sec. 22-20. Registration acknowledgment issuance; possession and display while soliciting.

- (a) Upon the filing of a registration statement containing the information required in section 22-18 and with approval of the director of public safety or his designate a solicitation and peddling registration acknowledgment form shall be issued to the registered person within three (3) business days.
- (b) The individual(s) conducting the soliciting or peddling shall carry the original or a copy of the registration acknowledgement form while soliciting or peddling and shall display the form upon request.
- (c) The solicitation and peddling registration acknowledgment shall be valid for one (1) year from issuance unless revoked or suspended earlier.

Sec. 22-21. Hours of solicitation.

No solicitation or peddling may be conducted in residential areas before 9:00 a.m. and after sunset in the evening. For purposes of this section, the term "sunset" means the official time published by the United States Weather Service and applicable to the city, except that sunset shall never be deemed to occur prior to 6:00 p.m. or subsequent to 9:00 p.m.

Sec. 22-22. Soliciting and peddling where prohibited.

No solicitor shall enter onto property upon which a "no solicitation" or "no peddlers" sign, or their equivalent, are posted and visible.

Sec. 22-23. Use of devices to attract attention.

No peddler or solicitor shall shout or cry out his or her goods or merchandise, nor blow any horns, ring any bell or use any other similar device to attract the attention of the public.

Sec. 22-24. Suspension and revocation.

The registration acknowledgment issued pursuant to section 22-20 may be suspended or revoked by the director of public safety or his designate if the registrant violates any sections of this chapter or any statute, ordinance or regulation while conducting the activities regulated by this chapter.

Sec. 22-25. Fees.

The fees necessary for the administration of this article shall be established from time to time by resolution of the city council.

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday June 6th, 2022 at 7:30 p.m. in the City Hall Council Chambers for the purpose of hearing citizen comment regarding the proposed amendments to Chapter 22 Peddlers, Solicitors and Transient Merchants, of the Code of the City of Owosso.

SECTION. 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.



OFFICE USE ONLY

BUSINESS ID

CITY OF OWOSSO

SOLICITORS/PEDDLERS LICENSE APPLICATION

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

BUSINESS PHONE NO.: _____ BUSINESS FAX NO.: _____

BUSINESS WEBSITE: _____

BUSINESS OWNER'S NAME: _____

BUSINESS OWNER'S ADDRESS: _____

BUSINESS OWNER'S PHONE NO.: _____ EMAIL: _____

TYPE OF BUSINESS: _____

MERCHANDISE/GOODS TO BE SOLD: _____

INDIVIDUAL SOLICITOR/APPLICANT INFORMATION

(Copy of driver's license & a recent photograph is required)

NAME: _____ PHONE NO.: _____

ADDRESS: _____

DRIVER'S LICENSE NO.: _____ DATE OF BIRTH: _____

VEHICLE TO BE USED – MAKE/MODEL/COLOR: _____ LICENSE PLATE NO.: _____

ANTICIPATED START DATE: _____ DAYS/TIMES OF OPERATION _____

LENGTH OF LICENSE: \$50 PER MONTH FOR _____ MONTH(S) \$200 PER CALENDAR YEAR, EXPIRING DEC. 31

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE.

APPLICANT SIGNATURE X _____ DATE _____

POLICE DEPARTMENT & FIRE DEPARTMENT

THE ABOVE APPLICANT, IN ACCORDANCE WITH CHAPTER 22-18 OF THE OWOSSO CITY CODE, IS HEREBY:

APPROVED: DENIED: POLICE DEPARTMENT SIGNATURE: _____ DATE: _____

APPLICANT MUST PROVIDE A COPY OF THEIR DRIVER'S LICENSE & A RECENT PHOTO OF THEMSELVES TO BE ATTACHED TO THIS APPLICATION FORM.