

## TITLE VII

### Chapter 33

#### GREEN RIVER ORDINANCE

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#### 33.01 DEFINITIONS.

- (1) “Charitable organization” shall include any benevolent, philanthropic, patriotic or religious group, partnership, association, corporation or organization or group of individuals purporting to be such.
- (2) “Direct seller” means any individual who, for himself or for any partnership, association or corporation, sells goods at any location other than a permanent business place or premises. The term includes peddlers, solicitors and transient merchants.
- (3) “Goods” shall include personal property of any kind, including by definition, merchandise, personal property, wares and further including goods provided incidental to services offered or sold.
- (4) “Green River Ordinance” is an historical term, which is applied to any Municipal Ordinance regulating direct sales of goods by transient merchants (direct sellers under this Ordinance).

#### 33.02 LICENSE REQUIRED.

It shall be unlawful for any direct seller to engage in the sale of goods within the City without obtaining a license for that purpose as required by this Ordinance.

#### 33.03 EXCEPTIONS.

- (1) The following persons shall be exempt from the provisions of this Ordinance:
  - (A) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes.
  - (B) Any person selling goods at wholesale to dealers in such goods.

- (C) Any person selling agricultural products which the person has grown on his or her own farm.
  - (D) Any permanent merchant who takes orders away from the established place of business for such goods sold in the regular course of that business.
  - (E) Any person having contact with a potential customer as a result of a prior related sale to that customer in the ordinary course of business.
  - (F) Any person holding a sale required by law or by court order.
  - (G) Any person conducting a bonafide auction.
- (2) Any person otherwise exempt under this ordinance may forfeit such exemption by conduct which, by its nature, is intended to be regulated by this Ordinance.

33.04 FEES.

- (1) The fees required by this Ordinance must be tendered with the application for issuance of a direct seller's license.
- (2) The fees are as follows:
  - (A) Twenty-five dollars (\$25.00) per day.
  - (B) One hundred dollars (\$100.00) per month.

33.05 REGULATIONS.

- (1) The direct seller shall submit an application upon forms furnished by the Clerk, together with the appropriate fee. The form required shall be sufficient so as to apprise the Clerk of the nature of direct sale activity, goods involved and other pertinent date.
- (2) On payment of the required fee and completing the application in a satisfactory manner, the Clerk shall determine the suitability of the application and its compliance with this Ordinance.
- (3) The Clerk may require additional information of the applicant before granting and approving the license.
- (4) The Clerk shall notify the applicant in writing of the approval or denial of the license.
- (5) If the license is approved, it shall become effective ten (10) days from the date of approval.
- (6) The Clerk is hereby authorized to decline to issue a license if the application is improperly completed or if there is sufficient grounds to show, to the satisfaction of the Clerk, that the activity intended is not within the guidelines of this Ordinance or that such activity is contrary to the public health and safety of the City.

33.06

REVOCAATION.

- (1) A License once issued may be revoked upon a showing of cause.
- (2) The Clerk may request an investigation into any allegations of improper activity on the part of any direct seller.

33.07

VIOLATIONS.

Any person violating this ordinance shall be subject to a forfeiture of not less than \$50.00, nor more than \$250.00, for each offense. Failure to pay the forfeiture, upon conviction, will result in the issuance of a Civil Commit Order.