

Town Hall - Ordinances

GENERAL

**1996
Ordinance Number 1996-2
Repealing Ordinance Number 1987-1**

**An Ordinance Regulating and Licensing the Conduct of
Certain Activities with the Town of Camden**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CAMDEN, INDIANA, that:

SECTION 1: It shall be unlawful for any person, without first having secured a license from the Town of Camden to do so, to canvass, to take or to solicit orders or sales, to sell or to offer to sell at wholesale or retail, to vend, to dispose of or to offer to dispose of, to peddle, to hawk goods, wares, merchandise, intangibles, tangibles, securities, bonds, stocks, insurance policies or contract, patent rights, contract rights, subscriptions, or donations from or in a vehicle, or booth, a stand, or in the streets, alleys, or public places of the Town, or by going to the door of, upon or into a private residence at any place within the Town of Camden. The term "person" as that term is used in Section 1 of this Ordinance shall mean a person, corporation, partnership, company, firm, association, joint venture, or any other organization or venture engaged in business for profit. "Person" shall not mean any organization, venture, corporation or association exempt from taxation under the provisions of the Internal Revenue Code and related regulations.

Section 2: The applicant seeking the license shall appear personally at the office of the Clerk-Treasurer of the Town of Camden and shall produce proof of and give his complete identification, his signature and he shall make his application for such license in writing to the Clerk-Treasurer and shall furnish to the Clerk-Treasurer proof of his identity with a picture imposed thereon. No license shall be issued without such photo identification. Before issuing the license the Clerk shall photocopy such identification and attach it to the application.

The application shall state under oath:

- (1) The name of the applicant;
- (2) The permanent home address of the applicant, including street number or rural route, city and state;
- (3) The name of his employer and whether the applicant is an agent or a representative of a principal;
- (4) If the applicant is selling or taking orders for product, merchandise, or thing, tangible or intangible, then the name and full address of the

principal or the manufacturer or producer or other person or organization that the applicant represents shall be stated;

- (5) Whether the business is to be conducted at a place within the Town and the address for same.
- (6) If the business or activity is not to be conducted at a certain place within the Town, then the application shall contain a description of the manner and place in which the business or activity will be carried on and the proposed method of operation in the Town;
- (7) The nature of the business or activity and the product, merchandise or thing intended to be sold or in which the applicant is interested.
- (8) No license shall be issued until a 7 day waiting period shall have elapsed after said application.

Section 3: A license may be secured by an individual person who is qualified, complies with the terms of this Ordinance, and who pays the processing fee provided for herein. Each individual person who participates within the Town of Camden in one or more of the activities (designated as unlawful without a license in Section 1 hereof) shall be required to secure a separate license. No such license shall be issued or held by a group, a corporation, a partnership, company, firm, association, joint venture, or any other profit organization.

Section 4: The fee, which shall be reasonable to cover the cost to the Town of Camden of the processing of the license and application, payable in advance, for such a license for an individual shall be for the sum of TEN DOLLARS (\$10.00) per person per day. The license shall be issued for three (3) days. The license shall designate the date(s) for which the license is valid and shall enable the licensee to carry on the activity designated in the license for the number of days for which it was issued daily from 8:00A.M. until 5:00 P.M. except Sundays and legal holidays, on which days no license shall be effective. A peddler may pay a yearly fee of \$35.00 for a license which shall permit the peddler to operate three (3) days each week during the calendar year.

Section 5: No such license shall be issued to or held by any person who has violated the terms of this Ordinance or any other Ordinance of this Town or whose proposed activity within the Town violates any state or federal law. Any such license may be revoked by the Board of Trustees of the town or the Marshal of the Town because of any violation by the licensee of this Ordinance or of any other Ordinance of this Town, or of any state or federal law or whenever the licensee shall cease to possess the qualifications required in this Ordinance for the original licensing.

Section 6: The Clerk-Treasurer of the Town is hereby authorized to issue licenses to applicants qualified under the terms of this Ordinance. Each licensee shall at all times while carrying on the activity (for which the license is issued) carry upon his person the license issued by the Clerk-Treasurer and shall exhibit same whenever he is required to do so by any police officer or the Town Marshal or by any person with

whom the licensee seeks to transact business or carry on an activity described in Section 1 hereof. The provisions of this Ordinance shall not apply to the officers of or employees of the county, state or federal government or any such division thereof when on official business.

Section 7: In the event that food is to be sold it shall be necessary for the peddler to obtain a permit from the Carroll County Health Department and to furnish proof of same to the Clerk-Treasurer of the Town of Camden, EXCEPT that persons selling homegrown fruits and vegetables on the street corner in the Town of Camden shall be exempt from said requirements.

Section 8: Exceptions No permit is required:

- (a) Veterans' Groups selling items
- (b) All Boy and Girl Scout activities
- (c) Activities approved by the Town Council
- (d) Activities to promote interest in the Town of Camden (for example the Fall Festival, Christmas in Camden, et cetera)
- (e) Activities sponsored by Camden Service Clubs
- (f) All Church activities

Any questions as to Exceptions shall be resolved by a majority of the Town Council.

Section 9: A person who signifies either by sign or orally that he/she does not wish to be visited by said peddlers shall not be contacted. It shall be a violation of this ordinance for peddlers to contact persons residing in the Town of Camden by repeated loud knocking or other means which might harass said residents. This provision shall apply to all persons encompassed in this ordinance even if they are excepted from the licensing provision.

Section 10: Any person, persons, corporation, Partnership, company, firm, association, joint venture or any other profit organization violating any provisions of this Ordinance shall be fined not less than Twenty-five dollars (\$25.00) nor more than Fifty dollars (\$50.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Violations of this Ordinance shall result in revocation of said license without refund of any fees.

Ordinance Number 1987-1 shall be deemed repealed from and after the date of the passage of this Ordinance.

This ordinance shall take effect forty (40) days after one publication in the Carroll County Comet a newspaper of general circulation in Carroll County, Indiana.

Adopted on this the 12th day of March, 1996.

IN WITNESS WHEREOF, the parties have set their hands the 12th day of March, 1996.

Camden Town Council

Town of Camden

Ralph Rohrabough, President

Andrew Robison

ATTEST:

Joe Wallace

Thomas Hedde

Clerk-Treasurer