

Town of Nashville

DONALD B. STREET
MAYOR

PRESTON W. MITCHELL
TOWN MANAGER



TOWN COUNCIL

LOUISE W. HINTON
PATRICIA A. ROGERS
CHARLES P. TAYLOR
LARRY D. TAYLOR

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF NASHVILLE CODE OF ORDINANCES, CHAPTER 28, PEDDLERS AND SOLICITORS, ARTICLE II. LICENSE

WHEREAS, the Town of Nashville has an adopted Municipal Code containing regulations pertaining to peddlers and solicitors; and

WHEREAS, Article II; it shall be unlawful for any person to go in or upon or permit his representative to in or upon any private residence or premises in the town as a peddler or solicitor without first obtaining a privilege license.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Nashville that the Town of Nashville Code of Ordinances be amended to reflect the following changes to Chapter 28, Peddlers and Solicitors, Article II "License":

By Deleting: License

By Adding: Permit

Article II: Permit

By Deleting: privilege license

By Adding: peddler's permit

Sec. 28-36. - Required.

It shall be unlawful for any person to go in or upon, or permit his representative to go in or upon any private residence or premises in the town as peddler or solicitor of merchandise or services, not having been requested or invited to do so by the occupants of the private residence or having secured their permission to do so for the purpose of soliciting orders for the sale of goods, wares, periodicals, merchandise or services, or for the purpose of distributing, disposing of, or peddling without first obtaining a peddler's permit as provided in this article.

By Deleting: privilege license

By Adding: peddler's permit

Sec. 28-37. - Application.

Any person desiring to engage in the business or practices set forth in this article shall file with the chief of police an application for a peddler's permit to do so. The application shall be in writing, under oath, and shall show the applicant's name, age, fingerprints, current address, his place of residence and nature of employment during the preceding year and the address and nature of business of his employer or principal, if any, and shall specify in detail the goods, wares, periodicals or other merchandise or services to be offered for sale. The application shall state whether or not the applicant has been convicted of any crime involving moral turpitude and if so, the nature of the crime and the place and time convicted. The applicant shall also furnish, at the time of filing his application, two photographs 2½ inches by 2½ inches in size, made within one year of the date of the application. The applicant shall give to the chief of police at the time of filing the application such other information requested as may be of assistance in passing upon the qualifications of the applicant. If the application is filed by an employer, there shall also be filed a separate application for each solicitor giving the information set forth in this section as to the qualifications of the solicitor; and the application shall be signed and sworn by each solicitor.

By Deleting: privilege license

By Adding: peddler's permit

Sec. 28-38. - Waiting period.

No peddler's permit shall be issued under the provisions of this article until the application has been on file with the police department for a period of at least two weeks.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: licensed

By Adding: permitted

Sec. 28-39. - Bond.

Before a peddler's permit shall be issued under the provisions of this article, every applicant not a resident of the county for at least six months immediately preceding the filing of the application shall file with the town clerk a surety bond, running in the amount of \$1,000.00, acceptable to and approved by the town clerk, conditioned that the applicant shall fully comply with all the applicable provisions of this Code, state law and town ordinances, rules and regulations, and guaranteeing to any resident of the town that all money paid in any transactions entered into will be accounted for and applied according to the representations of the holder of the peddler's permit and further guaranteeing to any resident of the town doing business with the holder of such peddler's permit that the property purchased will be delivered or services rendered according to representations made, action on the bond may be brought in the name of the town to the use or benefit of the aggrieved person. A surety bond issued by any surety company permitted to do business by the state department of insurance shall constitute a valid bond under this section.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: tax collector

By Adding: chief of police

Sec. 28-41. - Issuance.

If upon investigation the chief of police or his designee ascertains and determines that the applicant for a peddler's permit required by this article is a person of good moral character, and proposes to engage in a lawful commercial or professional enterprise during hours stated in section 22-40, the chief of police shall issue to him a peddler's permit to engage in such business. The peddler's permit shall have attached to it the peddler's/solicitor's photograph and fingerprints.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: tax collector

By Adding: chief of police

Sec. 28-42. - Denial.

If the chief of police, upon investigation, determines that the applicant is not a person of good moral character and that he does not propose to engage in lawful commercial or professional enterprise during the proper hours, the chief of police shall refuse to issue the peddler's permit applied for under the provisions of this article.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: tax collector

By Adding: chief of police

By Deleting: license

By Adding: permit

Sec. 28-43. - Appeals from denial.

Upon the refusal of the chief of police to grant a peddler's permit under the provisions of this article, the applicant may appeal to the town council. If the council is satisfied that the applicant and his proposed business and hours of work meet the requirements set forth in this article, it shall direct the chief of police to issue the permit; otherwise, the permit shall be refused.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: tax collector

By Adding: chief of police

By Deleting: license

By Adding: permit

Sec. 28-44. - Duration; renewal.

(a) The chief of police shall determine from the application for a peddler's permit to be issued under the provisions of this article and from such facts as may be developed in connection with such application the period for which such permit shall be approved and granted. Such period shall in no case exceed 12 calendar months.

(b) Upon the expiration of the peddler's permit, the chief of police may, upon application filed in the form and giving the information required in the original application, renew such peddler's permit for additional periods not to exceed 12 calendar months for any period.

By Deleting: privilege license

By Adding: peddler's permit

Sec. 28-45. - Transfer.

No peddler's permit issued under the provisions of this article shall be transferable.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: licensee

By Adding: permit holder

Sec. 28-46. - Display.

Each peddler's permit issued under the provisions of this article shall be carried at all times by the permit holder when he is engaged in peddling or soliciting in the town. It shall be unlawful for such permit holder to fail or refuse to exhibit such peddler's permit whenever required to do so by any citizen of the town or a police officer.

By Deleting: privilege license

By Adding: peddler's permit

By Deleting: licensee's

By Adding: permit holder's

By Deleting: tax collector

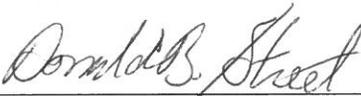
By Adding: chief of police

Sec. 28-47. - Revocation.

If it appears that the facts set forth in the permit holder's application for a peddler's permit under the provisions of this article are untrue; or if the applicant is convicted of a crime involving moral turpitude; or if he engages in business other than as set forth in his

peddler's permit, or fails to utilize the license in good faith and for the purposes issued; or if the permit holder is convicted of a violation of any applicable provision of this Code, state law, town ordinance, or rules and regulations, the peddler's permit shall be revoked by the chief of police. The applicant may, if he desires, appeal the revocation to the town council.

Adopted this 6th day of October 2015.



Donald B. Street, Mayor

ATTEST:



Lou C. Bunch, Town Clerk

