

FIRST READING: _____
BILL NO. 202525-006

SECOND READING: _____
ORDINANCE NO. 202525-006

**AN ORDINANCE TO AMEND CHAPTER 610 PEDDLERS AND SOLICITORS OF THE SPARTA CITY
ORDINANCES**

**BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF SPARTA, MISSOURI, AS
FOLLOWS:**

WHEREAS, the City of Sparta has in place Ordinance Number 390 dealing with peddlers and solicitors located within the city limits of Sparta; and

WHEREAS, Chapter 610, Sections 610.010 through 610-610.110 to read as shown as Exhibit A attached hereto and incorporated herein.

**THE TERMS OF THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER ITS PASSAGE BY
THE BOARD OF ALDERMEN AND ITS APPROVAL BY THE MAYOR, CITY OF SPARTA, CHRISTIAN
COUNTY, MISSOURI.**

APPROVED THIS _____ DAY OF _____, 2025.

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Alderman Leo Arledge	_____	_____	_____
Alderman Tami Guerin	_____	_____	_____
Alderman Angie Losh	_____	_____	_____
Alderman Jeb Buschman	_____	_____	_____

PASSED THIS _____ DAY OF _____, 2025.

CITY OF SPARTA,

MISTY HOLT, MAYOR

[SEAL]

ATTEST:

Beckie Vessar, City Clerk

CITY CODE

EXHIBIT "A"

SECTION *

(Ord. No. 390)

Section 610.010 Permit Required

It shall be unlawful for any person to engage in the business of peddler/vendor as defined as Section 610.020 of this Chapter, within the corporate limits of this City without first obtaining a permit therefore as provided herein.

Section 610.020 Peddler/Vendor Defined.

When used in this Chapter, the following words shall have the following meanings:

CHARITABLE SOLICITORS

A person who seeks contributions, on behalf of an organization recognized by the United States Internal Revenue Service under Chapter 501 (c) of the Internal Revenue Code, from others.

CONCESSION TRAILER

A non-motorized mobile trailer that remains stationary and facilitates food preparation, cooking and sales within its confines.

ITINERANT VENDOR

Any person who travels from place-to-place selling goods or wares but locates, temporarily, on a specific property within the City of Sparta to conduct sales.

PEDDLER

Any person who attempts to make personal contact with another person at his/her residence or place of business without prior specific invitation or appointment from the other person for the purpose of attempting to sell a good or service. [Peddler] does not include a person under the age of sixteen (16) years, who is a member of a non-profit organization, nor seasonal farmer's market.

Section 610.030 Application for Permit/License

A. No person, firm or corporation shall conduct business from a concession trailer or operate as an itinerant vendor or street vendor without obtaining a license therefore from the City of Sparta as hereinafter described. No person shall knowingly make a false statement or representation in any application for a license/permit under the provisions of this Chapter. No license shall be issued or maintained unless and until the applicant has complied with all provisions of the laws of the State of Missouri relating to sales taxes and has produced proof of compliance therewith.

B. No person, firm or corporation shall be issued a license/permit to do business as a concession trailer or an itinerant or street vendor unless the applicant submits with the application proof that all health and sanitary permits required by the State and/or the County have been obtained and proof that the

applicant is the property owner or has written permission from the property owner.

C. Fees for the aforementioned permits/licenses shall be as set forth or as established from time to time by ordinance of the Board of Aldermen and on file in the office of the City Clerk.

D. Street vendors' conveyances shall not be greater than four (4) feet in width and eight (8) feet in length.

E. Application Process.

Applicants for permits under this Chapter must file with the City Clerk's Office an application in writing on a form to be furnished by the City Clerk's Office, which shall have the following information:

1. Name and Description of the applicant.
2. Address (local and permanent).
3. A brief description of the nature of the business and the goods to be sold and in the case of products of farm or orchard, whether produced or grown by the applicant.
4. If employed, the name and address of the employer for which the permit is being applied for.
5. The length of time for which the right to do business is desired.
6. If a vehicle is to be used, a description of the same, together with the credentials establishing the license number or other means of identification.

7. A statement as to whether or not the applicant has been convicted of any crime misdemeanor ordinance, nature of the offense and the punishment or penalty assessed, therefore.

Section 610.040 Investigation and Issuance

A. Upon receipt of such application, the original shall be referred to the Chief of Police who shall cause such investigation of the applicant's business and moral character to be made as he/she deems necessary for the protection of the public.

1) If as result of such investigation, the applicant's character or business responsibility is found to unsatisfactory, the Chief of Police shall endorse on such application his/her disapproval, reasons for the same and return said application to the City Clerk's Office who shall notify the applicant that the application has been denied and no permit will be issued.

2) If as result of such investigation, the applicant's character or business responsibility is found to be satisfactory, the Chief of Police shall endorse on such application his/her approval and return said application to the City Clerk's Office who shall notify the applicant that the application has been approved, and the permit will be issued upon payment of said fee. The Clerk shall keep a permanent record of all permits or licenses issued.

Section 610.050 Fees Generally

A. The fees for permits required under this Chapter shall be as set forth as follows:

- 1) **Daily permit fee** shall be established at ten dollars \$10.00.
- 2) **Monthly permit fee** shall be established at twenty-five dollars \$25.00
- 3) **Six-month permit fee** shall be established at fifty dollars \$50.00
- 4) **Annual permit fee** shall be established at one hundred dollars \$100.00.

Or as established from time to time by ordinance for the Board of Aldermen and on file in the office of the City Clerk.

Section 610.055 Permit Non-Transferable.

No permit issued under this Chapter shall be transferable or assignable.

Section 610.060 Use of Streets Areas of Operation.

No peddler shall have any exclusive right to any location in the public streets nor shall be permitted a stationary location, nor shall the permit holder be permitted to operate in any congested area where their operations may

impede or inconvenience the public. For purpose of this chapter, the judgment of a Police Officer, exercised in good faith, shall be deemed conclusive as to whether the area is .

No concession trailers, itinerant or street vendors shall occupy buffer yards, detention areas, setbacks, easements, sight triangles, perimeter landscaping areas, or front yards.

A. Concession trailers, itinerant and street vendors may occupy parking spaces, with the exception of ADA accessible spaces, if they obtain written permission from the property owner.

B. Street vendor conveyances shall be located on the sidewalk as close as safely possible to the curb and no concession trailer or street vendor shall obstruct or impede vehicle or pedestrian traffic. No concession trailer shall be located on a right-of-way or sidewalk.

C. Concession trailers, itinerant vendors and street vendors must maintain an area within twenty-five (25) feet of the trailer or conveyance in a clean and sanitary condition. Vendors shall pick up paper, cardboard, wood or plastic containers, wrappers or any litter which may be deposited by any customer at any time it is conducting business and shall be responsible for the disposal of same.

- D. No concession trailer, itinerant vendor or street vendor may make any loud noise for the purpose of advertising or attracting attention to its wares.
- E. No itinerant or street vendor conveyance shall be left unattended.
- F. No itinerant or street vendor serving food shall occupy an area within fifty (50) feet of a customer entrance of a restaurant unless the conveyance is operated from private property owned by the licensee.
- G. All concession trailers, itinerant or street vendor operations shall keep and store all products used in the business contained within their trailer or conveyance. This does not include site furnishing such as seating tables or trash receptacles.

Section 610.070 Loud Noises and Speaking Devices

- A. No peddler, nor any person on his/her behalf, shall shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system, upon any of the streets, alleys, parks or other public places of said City or upon any private premises in the said City where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places for the

purpose of attracting attention to any goods, ware or merchandise which such licensee proposes to sell.

Section 610.080 Exhibition of Permit.

A. Peddlers are required to exhibit their licenses at the request of any citizen.

Section 610.090 Revocation of License

A. Permits and licenses issued under the provisions of this Chapter may be revoked by the Mayor of this City after notice and hearing for any of the following causes:

1. Fraud, misrepresentation or false statement contained in the application for permit/license.
2. Fraud, misrepresentation or false statement made in the course of carrying on his/her business as a peddler/vendor.
3. Any violation of this Chapter.
4. Conviction of any crime or misdemeanor involving moral turpitude.
5. Conducting the business as a peddler or vendor in an unlawful manner or in such a manner as to constitute the breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

Section 610.100 Notice

A. Notice of the hearing for revocation of a permit or license shall be given in writing setting forth specifically the ground of the complaint and the time and place of hearing. Such notice shall be mailed postpaid to the permittee at his/her permanent address as shown on the application at least five days prior to the date set for hearing.

B. Section 610.110 Appeal

Any person aggrieved by the action of the Chief or City Clerk's Office in the denial of an application for a permit as provided in said sections above or in the decision with the revocation of a permit or license in Section 610.090 shall have the right of appeal to the Board of Aldermen. Such appeal shall be taken by filing with the City Clerk, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Board shall set a time and place for hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in section 610.100.