



City of Mosinee

FEE IS NON-REFUNDABLE Date Received ___/___/___ Peddlers and Transient Merchants License \$25.00
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LICENSE APPLICATION FOR PEDDLERS AND TRANSIENT MERCHANTS LICENSE

SECTION 1 – APPLICANT INFORMATION

Applicant Name (Last, First, MI)			Maiden	
Permanent Address: Street Address		City	State	Zip
Temporary Address: Street Address		City	State	Zip
Driver's License Number			State License Issued In:	
Date of Birth	Sex	Home Phone Number	Cell phone Number	
Height	Weight	Color Hair	Color Eyes	

SECTION 2 – CONVICTION RECORD

Have you EVER had a Peddlers/Transient Merchants License? YES / NO
 If Yes; where? _____

Have you EVER been convicted of a felony? YES / NO
 If Yes; when, where and what type of violation? (Please be specific)_____

Have you EVER been convicted of any Peddlers/Transient Merchant ordinance violations in the past 5 years? YES / NO
 If Yes; when, where and what type of violation? _____

SECTION 3 – BUSINESS INFORMATION

Business Name:		Telephone No:		
Street Address	City	State	Zip	
Nature of Business/Product(s):	Method of Delivery of Product:	Most recent Cities where applicant has conducted business:		
Year/Make of Vehicle used to conduct business:	Color of Vehicle:	License Plate No:	State Vehicle Licensed In:	

SECTION 4 – PENALTY NOTICE

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.
 Signature _____

FOR OFFICE USE ONLY

POLICE DEPT	Approve	Deny	By	Reason
Date sent to MPD _____/_____/____	Common Council _____/_____/____	Date Issued _____/_____/____	Expiration Date _____/_____/____	License Number

PEDDLERS AND TRANSIENT MERCHANTS

LICENSE INFORMATION

- License fees are non-refundable and are to be paid at the time of filing the application form.
- Questions? – Please call the City Clerk’s office at: 715-693-2275

Merchandise means personal property of any kind, and shall include merchandise, goods or materials provided, incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or prospective customer.

Permanent merchant means any person who, for at least six months prior to the consideration of the application of this article to such merchant, has continuously operated an established place of business in the local trade area among the communities bordering the place of sale and now does business from his residence.

Transient merchant means any individual who engages in the retail sale of merchandise at any place in this state temporarily, and who does not intend to become and does not become a permanent merchant of such place. For purposes of this article, sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm, or the sale of produce or other perishable products at retail or wholesale by a resident of this state.

Exemptions - The following shall be exempt from this article:

- (1) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes.
- (2) Any person selling merchandise at wholesale to dealers in such merchandise.
- (3) Any person selling agricultural products which the person has grown.
- (4) Any permanent merchant or employee thereof who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant within this county and who delivers such merchandise in their regular course of business.
- (5) Any person who has an established place of business where the merchandise being sold is offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested, a home visit by such person.
- (6) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer.
- (7) Any person selling or offering for sale a service unconnected with the sale or offering for sale of merchandise.

- (8) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law.**
- (9) Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of such organization, provided that there is submitted to the clerk proof that such charitable organization is registered under Wis. Stats. § 440.41. Any charitable organization engaging in the sale of merchandise and not registered under Wis. Stats. § 440.41, or which is exempt from that statute's registration requirements, shall be required to register.**
- (10) Any person who claims to be a permanent merchant, but against whom complaint has been made to the clerk that such person is a transient merchant, provided that there is submitted to the clerk proof that such person has leased for at least one year, or purchased, the premises from which he has conducted business in the market area for at least six months prior to the date the complaint was made.**
- (11) Any individual licensed by an examining board as defined in Wis. Stats. § 15.01(7).**
- (12) This article does not apply to transient merchants while doing business at special events authorized by the council.**

Prohibited practices.

- (a) A transient merchant shall be prohibited from calling at any dwelling or other place between the hours of 9:00 p.m. and 9:00 a.m. except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning; calling at the rear door of any dwelling place; or remaining on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.**
- (b) A transient merchant shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or characteristics of any merchandise offered for sale, the purpose of his visit, his identity or the identity of the organization he represents. A charitable organization transient merchant shall specifically disclose what portion of the sale price of the merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting. Such portion shall be expressed as a percentage of the sale price of the merchandise.**
- (c) No transient merchant shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.**
- (d) No transient merchant shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a 100-foot radius of the source.**
- (e) No transient merchant shall allow rubbish or litter to accumulate in or around the area in which he is conducting business.**

Disclosure requirements.

- (a) After the initial greeting and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose his name, the name of the company or organization he is affiliated with, if any, and the identity of merchandise or services he offers to sell.**
- (b) If any sale of merchandise is made by a transient merchant, or any offer for the later delivery of merchandise is taken by the seller, the buyer shall have the right to cancel such transaction if it involves the extension of credit or is a cash transaction of more than \$25.00, in accordance with the procedure as set forth in Wis. Stats. § 423.203. The seller shall give the buyer two copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of Wis. Stats. § 423.203(1)(a), (b) and (c), (2) and (3).**
- (c) If the transient merchant takes a sales order for the later delivery of merchandise, he shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement; the amount paid in advance whether full, partial or no advance payment is made; the name, address and telephone number of the seller; the delivery or performance date; and whether a guarantee or warranty is provided and, if so, the terms thereof.**

REGISTRATION

It shall be unlawful for any transient merchant to engage in sales within the city without being registered for that purpose as provided in this division.

Revocation.

- (a) Registration may be revoked by the common council after notice and hearing, if the registrant made any material omission or materially inaccurate statements in the application for registration; made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in transient sales; violated any provision of this article; or was convicted of any crime or ordinance or statutory violation which is directly related to the registrant's fitness to engage in selling.**
- (b) Written notice of the hearing shall be served personally or pursuant to section 14-769 on the registrant at least 72 hours prior to the time set for the hearing. Such notice shall contain the time and place of hearing and a statement of the acts upon which the hearing will be based.**

SECTION 6 – ORDINANCE SUMMARY

Under penalty of law, I swear that I have read/or have received information regarding the City of Mosinee Peddlers and Transient Merchants Ordinance and Prohibited practices.

Signature _____