

**AN ORDINANCE TO AMEND
SANFORD CITY CODE
CHAPTER 10 – BUSINESSES
ARTICLE VII. - PEDDLERS**

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina, in regular session assembled, hereby amends the following sections of the Sanford Code of Ordinances to read as follows:

Sec. 10-211 – License.

Every person proposing to conduct, carry on or pursue the business of soliciting, peddling, or hawking, of an itinerant merchant, or of a transient vendor, within the City, shall make application to the City for a license to do so. The applicant shall pay the currently required nonrefundable application fee at the time of the application, and a fee at the time the license is issued. The application may remain on file for a minimum of 30 days before the license is issued. The license shall be valid for the remainder of the fiscal year (July 1 – June 30). No license fee shall be required for nonprofit groups or organizations.

Sec. 10-212 – Going on private residences.

It is a violation of this Section for a solicitor, peddler, hawker, itinerant merchant, or transient vendor (collectively, “Solicitor”) to go onto or into any private residence in the city for the purpose of soliciting orders for the sale of, disposing of, or peddling or hawking of goods, wares and merchandise if the residence has a visible sign posted that says “no soliciting” or that has comparable language indicating that solicitation is unwelcome.

If a residence’s “no soliciting” sign or comparable sign is not visible from the adjoining public street but is visible to one approaching the residence’s front entrance, it shall not be a violation of this Section if the Solicitor promptly leaves the residence’s property upon seeing the sign and does so without having rung the doorbell, knocked on a door or window of the residence, or otherwise sought to obtain the attention of anyone inside the residence.

If, at the entrances to a neighborhood with a property owners’ association, a visible sign that says “no soliciting” or that has comparable language indicating that solicitation is unwelcome has been posted by the association pursuant to authority granted to it, it shall be a violation of this section for a Solicitor to go onto or into any private residence in that neighborhood, regardless of whether that particular residence has a “no soliciting” or comparable sign posted, for the purpose of soliciting orders for the sale of, disposing of, or peddling or hawking of goods, wares and merchandise.

Regardless of whether a residence has a "no soliciting" sign or comparable sign posted, it shall be a violation of this Section if a Solicitor does not immediately leave a residence's property after being told to do so by any owner or occupant of the residence.

If a Solicitor violates this Section more than two (2) times within any twelve (12) month period, the Solicitor's license shall be revoked by the City, and the Solicitor may not apply for another license for twelve (12) months.

Sec. 10 – 213 – Sales on city property prohibited.

No person shall use any part or parcel of city property, or property that is under the jurisdiction or control of the city, as a stand or place from which to sell commodities, goods or produce.

Sec. 10 – 214 – Sales on Private Property.

No person shall sell any goods, commodities or produce from any private property, or property over which the City does not have jurisdiction or control, without first having obtained permission of the property owners and a license under the provisions of this chapter.

Sec. 10 – 215 – Enforcement.

In addition to any other remedy contained herein, a violation of this Article shall subject the offender to a civil penalty of \$50.00, and each day any single violation continues shall be considered a separate violation. If not paid within fifteen (15) days of the issuance of a citation, it may be recovered by the filing of a civil action in a nature of debt, but is not enforceable under NCGS 14-4.

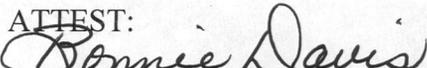
Sec. 10 – 216 – Severance.

If any section or provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, that shall not affect the validity of this ordinance as a whole or any part other than the part so declared to be unconstitutional or invalid.

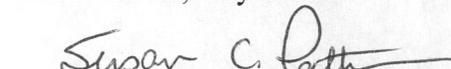
Adopted this 19th day of April 2016.



T. Chet Mann, Mayor

ATTEST:


Bonnie Davis, City Clerk



Susan C. Patterson, City Attorney