

## **CHAPTER 6-7 – PEDDLERS – HAWKERS**

### **6-7-1 Definitions**

***Peddler*** – A person, firm or corporation who sells or solicits the sale of any merchandise or trade from house to house, place to place, or upon the public street or public place within the City Limits of Mobridge

***Transient Merchant***- A person, firm, or corporation that engages in a temporary business of selling and delivering goods, services, and/or merchandise within the city limits of Mobridge and lease, use, or occupy any building, structure, motor vehicle or tent for the sale or display of such goods or services either privately or at a public auction. Associating temporarily with any local dealer or merchant does not constitute exemption from this definition.

***Public Market***- A place where persons may stand and offer for sale from vehicles, stands or other receptacles, farm or orchard produce within city limits of Mobridge. Persons offering for sale produce raised by them and living within the local trade area of Mobridge are exempt from this definition.

### **6-7-2 Permits and Fees**

Any person engaging in the sale or transfer of goods as defined in section 6-7-1 shall make application in writing to the City Finance Officer. Listed on the application shall be the legal name of person(s), firm, or corporation conducting business, nature of sale, duration of business and any applicable South Dakota sales tax and/or business license number. A signed permit will be issued providing the form is correctly completed, and all licensing in place.

A fee in the amount of \$20 per day, \$75 for a 30-day permit, or \$250 for an annual permit shall be collected prior to issuance of the permit.

### **6-7-3 Trespassing**

No person, firm or corporation, as defined in section 6-7-1, or representatives thereof, shall engage in the practice of being in and upon private residences in the City of Mobridge unless they are invited or requested to do so by the owner(s) for the purpose of selling goods, services, or merchandise. Such violations shall be declared nuisances and punishable as a misdemeanor.

### **6-7-4 Enforcement**

Any person, firm or corporation as defined in section 6-7-1 shall, upon demand of the Chief of Police of Mobridge, display evidence of compliance with above requirements. Failure to secure permit prior to start of sale shall be punishable by a fine not to exceed \$100 for each violation.

### **6-7-5 Supervision of Open Markets**

Person(s), firms, or corporations engaging in open markets shall be subject to the control and supervision of the Mobridge Police Department. Such open markets shall be kept

in a clean and sanitary manner, free from rubbish and decaying debris. Violations shall be punishable by a fine not to exceed \$100 per violation.

#### **6-7-6 Exceptions to Section Provisions**

The provisions of this section shall not apply to solicitations, sales or distributions made by charitable, civic, educational or religious organizations which have their principal place of activity in the city. (2003 ORD 799)

### **CHAPTER 6-8 – MOBILE HOME PARKS**

#### **6-8-1 Definitions**

- A. **"Mobile Home"** is any moveable or portable unit constructed and designed to be towed on its own chassis and designed to be connected to utilities for human occupation and habitation as a permanent residence.
- B. The term **"person"** shall be construed to import both plural and singular and shall include natural persons, firms, partnerships, associations, companies and corporations.
- C. **"Mobile Home Park"** means any park, trailer park, trailer court, camp, site, lot, parcel or tract of land designed, maintained or intended for the purpose of supplying a location or accommodation by the owner, tenant or lessee, or third persons for any trailer coach or coaches and upon which any trailer coach or trailer coaches are parked and shall include all buildings used or intended to be used as a part of the equipment thereof, whether a charge is made for the use of the trailer park and its facilities or not. "Mobile Home Park" shall not include automobile or trailer sales lot on which unoccupied trailers are parked for purposes of inspection and sale.
- D. **"Mobile Home Site"** shall mean any site, lot, parcel or tract of land upon which is located or parked, temporarily or permanently a trailer coach to be used and occupied, or which is used and occupied for dwelling or sleeping quarters, or both, for one or more persons, whether the site, lot, parcel, or tract of land is owned by the owner of the trailer coach or not, and whether or not the same is occupied by the owner thereof or by a tenant.

#### **6-8-2 Administration**

The administration of Chapter 6-8 shall be under the supervision and jurisdiction of the Mayor and the City Council. The Mayor and City Council or their duly authorized representatives shall have the right and are hereby empowered to enter upon any premises on which any mobile homes are located, or about to be located and inspect the same and all accommodations connected therewith at any reasonable time; and are further empowered to issue orders granting, renewing, and revoking such permits or licenses as provided for in accordance with the provisions of this ordinance.