

any other business as in this ordinance or named in the case of require-
acted.

ORDINANCE NO. 218

AN ORDINANCE TO DEFINE THE TERM "PEDDLER" AND TO
REGULATE AND LICENSE PEDDLERS IN THE VILLAGE OF
SPENCER AND TO DECLARE AN EMERGENCY

BE IT ORDAINED by The Council of the Village of Spencer,
County of Medina and State of Ohio:

SECTION 1. Whoever shall advertise, canvas, solicit in anyway
or sell or offer for sale within the Village of Spencer, Ohio, any goods
or chattels of any kind or description by going from house to house, or
from place to place through the streets of said Village whether or not
taking such goods or chattels with him, or who advertises, solicits or
sells upon the streets, square, or other public place within the Village from
a wagon, truck, automobile, cart or stand, shall be deemed to be a peddler;
excepting, however, those persons, firms and corporations mentioned in
Section 1-C.

SECTION 1 - A. That before any person, firm, or corporation,
except those mentioned in 1-C hereof, shall exercise the occupation of a peddler
within the Village of Spencer, he, she or it, shall pay the proper fee and
procure a license therefor from the Mayor of the Village, or in his absence
or disability, from the Clerk of the Village.

SECTION 1 - B. That before issuing any such license, the Mayor
shall require such applicant to pay a license fee as follows: A daily license
which shall entitle such peddler to do business for a period of one day
only, the sum of \$10.00 per day.

SECTION 1 - C. That it is hereby expressly provided that it shall
not be necessary for any person, firm or corporation, to procure a license,
under this ordinance, to sell, as a peddler, any produce raised by such
person, firm or corporation. Also it will not be necessary to procure a
license to peddle milk, wood or ice.

SECTION 1 - D. That any license granted or issued under the
provisions of this ordinance shall not be in any manner assignable or trans-
ferrable, nor shall any such license authorize any person, firm, or corporation
other than the one therein named to do business as a peddler or authorize

any other business than is therein mentioned or named to be done or trans-
acted.

SECTION 1 - E. That all licenses issued under the authority of
this ordinance shall be numbered consecutively, and each person, firm, or
corporation procuring a license shall be furnished with two license tags,
or certificates bearing a number to correspond with the number upon such
license. While engaged in peddling within said Village under such a license,
the licensee, shall carry his, her, or its said licenses with him, her
or it, and shall produce the same for examination whenever so requested so
to do by any police officer in said Village or by an prospective purchaser
or contact. In the event that such peddler shall transport his, her, or
its products by vehicle of any kind, he, she or it, shall have attached to
each side of such vehicle one of said two license tags or certificates in
a conspicuous place so as to be easily seen.

SECTION 2. That such licenses shall not authorize the license
holder to sell his, her or its goods by public outcry or from any stand,
table, bench, or any other temporary structure, or from a wagon, or other
vehicle, located at any one place, but only by going from house to house,
or from place to place within said Village, provided, however, that the
Mayor, or in his absence or disability, The Clerk of said Village, may
designate in the license the right to sell from a stand, table, bench or
other temporary structures, or from a truck or other vehicle located at
any one place designated by the Mayor or Clerk of said Village.

SECTION 3. That all peddling done under such license by virtue
of this ordinance shall be done between the hours of 9:00 o'clock A. M.
and 5:00 o'clock P. M. on week days; and no such peddling shall be done on
Sunday.

SECTION 4. That Ordinance No. 48 of the Village of ...
hereby repealed.

SECTION 4 - A. That whoever violates any of the provisions or requirements of this ordinance shall be fined not to exceed \$50.00 and the costs of prosecution and each sale, offer of sale, advertisement, solicitation or contact made by any person, firm or corporation, ⁱⁿ violation of the provisions of this ordinance shall be deemed a distinct and separate offense. In the event that a person is thus convicted, who then has a peddlers license, or who is an officer, agent or employee of a firm or corporation having such a license, and the Mayor of said Village deems it to be advisable, he may also revoke such license.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary to for the preservation of the public peace, health, safety and welfare and for the further reason that it is immediately necessary to have proper regulation of peddlers in the Village, and as such it shall be in full force from and after its passage.

PASSED: *April 24*, 1969

Donald L. Brouse
Donald L. Brouse - Mayor

ATTEST:

Milford L. Taylor
Milford L. Taylor, Clerk