

CHAPTER 12.

PEDDLERS, TRANSIENT MERCHANTS AND SOLICITORS.

For state law as to itinerant, temporary or transient merchants, See W.S., 1977, §§ 33-20-101 to 33-20-210. As to powers of town not being limited by state law provisions, see W.S., 1977, § 33-20-210. As to streets and sidewalks generally, see ch. 15 of this Code.

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Article I. In General.

Sec.'s 12-1 to 12-5. Reserved.

Article II. Temporary or Transient Merchants.

Sec. 12-6. "Transient merchants and peddlers" defined.

The words “transient merchants and peddlers”, for the purposes of this article, shall include all persons, both as principal and agent, who shall engage in, do or transact any temporary or transient business in the town, selling goods, wares or merchandise, and who, for the purpose of carrying on such business, exhibit or sell such goods, wares or merchandise.

Sec. 12-7. Applicability of article.

The provisions of this article shall not apply to sales made to dealers by commercial travelers, selling in the usual course of business, to public officers selling goods on execution according to law or to any person selling fruits, vegetable, dressed meats or farm produce raised and produced by himself and not bought for the purpose of peddling or sale.

Sec. 12-8. License - - Required.

It shall be unlawful for any temporary or transient merchant or peddler to engage in, do or transact any business as such within the corporate limits, without first having obtained a license as hereinafter provided.

As to licenses generally, see ch. 7 of this Code.

Sec. 12-9. Same - - Application; fee.

Any temporary or transient merchant, peddler, or mobile vendor desiring to engage in or transact business in the town shall file with the town clerk-treasurer an application for such license for such purpose. Such application shall state his name, his proposed place of business, the kind of business proposed to be conducted and the length of time he desires to conduct such business.

- 1) The business license fees for the Town of Meeteetse, Wyoming for local business and/or individuals and transient business and/or individuals shall be as follows:
 - A) Local merchants, firms, and/or individuals.....\$ no charge
 - B) Transient merchants, firms, and/or individuals.... \$25.00 annual fee.... \$5.00/day fee....10 day/\$150.00 annual electric use fee subject to first come first serve conditions, \$25.00/day electric use fee...\$10.00 breaker trip reset fee.
- 2) No refund of all or any part of any license fee shall be made at any time following the issuance thereof:
- 3) The Town Council will review the fees for business licenses annually and any changes will be adopted at their first meeting in January of each year.

Sec. 12-10. Same- -Restrictions.

No license issued under the provisions of this article shall be good for more than one person, unless such person shall be a member of a co-partnership, or for more than one place of business.

Article III. Solicitation.

Sec. 12-11. Solicitation without invitation.

The practice of going in and upon private residences, business establishments, public buildings, public or town property or offices in the town, by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, books, pictures, periodicals or anything whatsoever, not having been requested or invited to do so by the owner, manager or occupant of such private residence, business establishment, public building or office, or by the wares, merchandise or anything whatsoever, or for the purpose of disposing of or peddling or hawking the same, is hereby declared to be a nuisance and punishable as such as a misdemeanor. (Ord. No. 20, § 1.)

Sec. 12-12. Solicitation of invitation.

Any attempt by any person referred to in section 12-11 to obtain an invitation to visit any private residence, business establishment, public building or office, advantage or any gift, shall be deemed a violation of the terms and provisions of this article.

Sec. 12-13. Police to abate.

The town marshal and the police force of the town are hereby required and directed to abate any nuisance referred to in section 12-11 or any other violation of this article. (Ord. No. 20, § 2.)

Sec. 12-14. Exceptions to article.

Any person who sells at wholesale directly to the dealer, for the ultimate purpose of resale by such dealer, is hereby declared to be within the right of interstate commerce and is excluded from the provisions of this article.

Article IV. Mobile Vending.

Sec. 12-15. Definitions.

Mobile catering/caterer. A mobile vendor invited as a guest to a property to provide food, drink or other products intended to be consumed at an event, picnic, bazaar, fair, rodeo, special holiday, activity or similar private gathering where the attendees or patrons do not pay additional individual costs.

Mobile vending court. A group of two or more mobile vendors renting, leasing or using private property for the purpose of providing a location for mobile vendors to make sales.

Mobile vending units.

(1) A motorized vehicle, as defined by W.S. Section 31-1-101(a)(xv), from which a vendor offers for sale or sells goods, products, services or food to the public; or

(2) A trailer that is pulled by a motorized vehicle and has no power to move on its own from which a mobile vendor offers for sale or sells goods, products, services or food to the public.

(3) A mobile vending unit includes tables and other means of product display provided the goods are transported or delivered to the sale location by a mobile vending unit.

Mobile vendor. Any person that sells or offers for sale goods, products, services or food from a mobile vending unit within the Town, excluding raw agricultural fruit, vegetables, and grains sold by the individual(s) growing the product.

Neighborhood mobile vendor. A vendor operating on streets, sidewalks, alleys or other areas generally accessible to the public in residential zoning districts which provides a retail sale or service of only ready-to-eat or packaged food in individual servings from a mobile vehicle or pushcart licensed for such use.

Special event. A special event as used by this chapter is defined as an event, farmers market, expo, parade, celebration, protest, rodeo, fair, or similar type activity where a permit is obtained.

Sec. 12-16. Mobile Vending Permit, Mobile Vending Court Permit.

As to Application;fee, see Sec. 12-9 of this code.

Sec. 12-17. Locations on Private Property, Public Property.

Private Property

(a) This section shall apply to any mobile vendor located on private property.

(b) Any mobile vendor located on private property shall have permission from the owner to conduct sales and business from the location.

Public Property

(a) Mobile vendors and neighborhood mobile vendors shall not operate within a two hundred

ft. radius of a primary school, measured from the property boundary lines of the property where sales occur, unless as granted by the school for a special event.

(b) Mobile vendors shall only be permitted to make sales on State Street, Park Avenue or other Wyoming Department of Transportation (WYDOT) controlled rights-of-way during special events and may remain at the location only for the duration of the event. WYDOT approval shall be required with the special event.

(c) Mobile vendors shall not operate on public property in residential zones. This prohibition shall not apply to mobile catering vendors or neighborhood mobile vendors who are selling while in transit.

(d) Mobile vendors and neighborhood mobile vendors shall be allowed within a public park only when permitted during special events and may remain at the location only for

the duration of the event. The mobile vending unit must be located so as to avoid creating conflicts with pedestrian or motor vehicle traffic or creating other safety problems.

Sec. 12-18. Hours of Operation.

(a) Mobile vendors may operate on public property in nonresidential zones from 6:00 A.M.—12:00 A.M. All mobile vending vehicles and equipment must be removed from public property by 12:00 A.M. each day and shall not return prior to 6:00 A.M. unless otherwise approved with a special event permit.

(b) Mobile vendors within 200 feet of a residential zoning must cease operation by 10:00 P.M. Sunday—Thursday and by 12:00 A.M. on Friday and Saturday unless approved otherwise with a special event.

(c) Neighborhood mobile vendors operating within a residential zone must cease operation by 8:00 P.M. unless otherwise approved with a special event.

Sec. 12-19. Operation and sales.

(a) The mobile vending unit shall be properly secured and open flames extinguished when the unit is unoccupied.

(b) Mobile vendors serving food or related items with disposable material shall provide waste containers that can hold a minimum of fifty gallons. All trash shall be properly disposed of off-site at the end of the sales day.

(c) Customers shall not be permitted to receive goods from the street side of the vehicle. All sales and service shall occur on the sidewalk or away from designated traffic ways.

Sec. 12-20. Parking and Pedestrian Access.

(a) Mobile vending units are subject to and must comply with all applicable Town of Meeteetse parking regulations including ADA parking and accessibility requirements and may not operate in a manner that impedes vehicular traffic.

(b) Mobile vendors must operate their mobile vending unit in a manner that does not impede pedestrian access along a sidewalk or public right-of-way. The vendor must maintain a clear pedestrian pathway along the public sidewalks at all times.

(c) The mobile vending vehicle and associated equipment shall not encroach into a vision clearance triangle formed by lines extending twenty-five feet from the corner in each direction from the intersection.

(d) Mobile vending vehicles and associated equipment shall be a minimum of ten feet from fire hydrants

Sec. 12-21. Noise, Lighting, Signage, and Fire Prevention.

(a) Mobile vendors shall adhere to all chapters of the Meeteetse Municipal Code including but not limited to those regarding noise, lighting, signage and fire prevention

standards, and may be inspected by Town officials to ensure municipal code compliance for the health, safety, and general welfare of the public.

(b) Signs shall not impede or obscure the visibility for pedestrian or vehicular traffic.

Sec. 12-22. Public Utilities.

(a) The mobile vending unit must be self-contained and may not connect to Town of Meeteetse water during operation while located on the public right-of-way. Mobile vending units may take power from a private property outlet with permission of the owner; connections and cords must be properly sized for the intended use. Cabling and other devices or equipment must be properly secured and marked across pedestrian ways to avoid tripping and other hazards to the public.

(b) Mobile vending units may receive pre-approval from the Clerk Treasurer or designee to connect to Town owned power sources in public parks or other public areas of the Town of Meeteetse.

Sec. 12-23. Enforcement.

(a) In addition to the provisions of this chapter, mobile vendors must comply with all other applicable local, state and federal laws, including, but not limited to, motor vehicle licensing laws, motor vehicle dimension standards pursuant to state law, health department permitting requirements, fire and safety regulations, and the Meeteetse Municipal Code.

(b) A permit may be revoked for violation of any provision of this chapter, state law, or federal law upon order of the court. Upon revocation, the permit shall be immediately surrendered, and the vendor and its associated companies, partners, owners, or shareholders shall be prohibited from operating a mobile vending unit until reinstatement by court order.

(c) Any violation of this chapter shall be considered a misdemeanor subject to the sentencing provisions of Section 9-1 of the Meeteetse Municipal Code.