

**Village of Lake Nebagamon, Douglas County, Wisconsin
Amendment to the Municipal Code**

**Chapter 11, Section 11.02 of the Municipal Code of the Village of Lake Nebagamon
entitled "Licenses and Permits" is hereby adopted to provide as follows:**

§11.02 TRANSIENT MERCHANTS (Amended 8/20/2024)

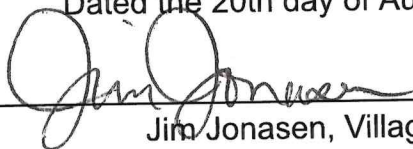
- A. License Required No person shall engage in the business of transient merchant within the Village of Lake Nebagamon without first obtaining a license from the Village Administrator in compliance with the provisions of this section.
- B. Exemptions This section or any part thereof shall not apply to the following: newsboys; merchants delivering goods in the regular course of business; vendors of milk, bakery goods groceries or ice distributing products to only regular customers on established routes; farmers and truck gardeners; religious, charitable, patriotic or philanthropic organizations selling property at wholesale to dealers; person holding a State license issued pursuant to Wis. Stat. § 129.02.
- C. Application The application shall be sworn by the applicant and filed with the Village Administrator and shall contain such information as the Village Administrator shall require for the effective enforcement of this section and the safeguarding of the residents of the Village from fraud, misconduct or abuse. Application shall be submitted 72 hours in advance for the right to investigate.
- D. Investigation and Issuance Upon receipt of each such application, the Village Administrator shall immediately institute such investigation of applicant's business and moral character as deemed necessary for the protection of the public good, and shall endorse their approval or disapproval upon said application within 72 hours after it has been filed. The occurrence of local events and established local businesses will be considered when approving or disapproving applications. The Village Office will incorporate assistance from the Village Marshall if necessary to conduct proper background checks.
- E. Fee The fee for a transient merchant license shall be \$15 per day; \$60 per week; \$150 per month; \$500 per year. Annual licenses issued on or after July 1st shall be issued for ½ the required fee annually. No license will be awarded prior to the proper fee being paid.
- F. Expiration: Renewal: Transfer The Village Administrator shall date all licenses issued hereunder and shall specify thereon the fee paid and date of expiration. Annual Licenses shall be issued on a calendar year basis and expire December 31st of the year issued. Applications for renewals shall be handled in the same manner as original applications. Licenses issued under this section are personal and may not be transferred.
- G. Regulations and Restrictions
 - 1. Consent Required No transient merchant, as herein defined, shall go in or upon any private residence, business establishment or office in the Village for the purpose of soliciting orders for goods, wares and merchandising or peddling or hawking the same or soliciting subscriptions for magazines or other periodicals without having been requested or invited to do so by the owner or owners, occupant or occupants of said place.
 - 2. License Possession Persons licensed under this section shall carry their license with them while engaged in licensed activities and shall display such licenses to any Police Officer, Village Marshall, or citizen upon request.

3. Misrepresentation Prohibited No licensee shall intentionally misrepresent to any prospective customer the purpose of his visit or solicitation, nor the name or business of his principal, if any, nor the source of supply of the goods, wares or merchandise which he sells or offers for sale nor the disposition of the proceeds or profits of his sales.
4. Loud Noises and Speaking Devices No licensee, nor any person in his/her behalf shall shout, cry out, blow a horn, ring a bell or use any sound amplifying device upon any of the streets, alleys, parks or other public places of the Village or upon private premises where sound of sufficient volume emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attraction of attention to any goods, wares or merchandise which such licensee proposes to sell.
5. Use of Streets No licensee shall have any exclusive right to any location in the public streets, nor shall any licensee be permitted a stationary location thereon nor be permitted to operate in a congested area where such operation might impede or inconvenience the public use of such streets. For the purpose of this ordinance, the judgment of a Police Officer or Village Marshall, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced.
- H. Suspension or Revocation of License Licenses issued under the provisions of this section may be revoked or suspended by the Village President for a period not to exceed five days pending hearing by the Village Board for fraud, misrepresentation or incorrect statement contained in the application or made in the course of carrying on business; conviction of licensee of any crime or misdemeanor or conduction of the licensed business in an unlawful or disorderly manner or in such manner as to menace the health, safety or general welfare of the public.
- I. Penalty The penalty for violation of any provision of this section shall be a penalty as provided in § 15.04 of this code. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

This Ordinance shall take effect upon approval and publication:

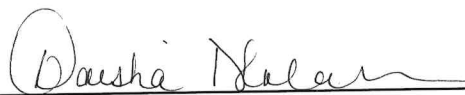
Dated the 20th day of August, 2024

BY:



Jim Jonassen, Village President

ATTEST:



Daisha Nolan, Village Clerk/Administrator

Adopted: 8/20/2024

Notice Published: 9/16/2024