

**VILLAGE OF SUTHERLAND
Peddler's Permit Application**

Name of Business: _____ Date: _____

Owner: _____

Business Address: _____

Business Phone #: _____ Cell Phone #: _____

Vehicle Description: _____

License Plate #: _____ Social Security #: _____

Driver's License #: _____ Date of Birth: _____

(MUST PROVIDE PICTURE IDENTIFICATION)

Have you ever been convicted of a misdemeanor or felony? YES NO

(Please Explain) _____

Electric Deposit: \$50.00 Date Paid: _____ Number of People: _____

Permit Fee: \$25.00 Per Person (valid for 30 days) Date Paid: _____

Mobile Food Vendor: \$25.00 (valid for 1 year with copy of valid State of Nebraska food permit)

Date(s) and Hours of Operation: _____

Goods/Services to be Offered: (If food vending, please list ALL products offered)

Peddler's Permit Requirements

- 1.) All vendors not operating a commercial business in a permanent location, and not currently paying an occupation tax within the Village of Sutherland must obtain a Peddler's Permit from the Village Clerk before conducting any business in the Village of Sutherland.
- 2.) Any vendor requiring electrical hookup will be required to make a \$50 deposit to the Village Clerk, \$40 of which will be refunded after the date(s) of operation, provided that the premises is left in satisfactory condition upon inspection by designated Village Officials.
- 3.) Violation of any Village, County or State Regulations will result in the revocation of Peddler's Permit, and is punishable by any and all applicable penalties.
- 4.) The Village of Sutherland is not responsible for any damages to property, injuries, theft, accidents or liabilities to any vendor holding a Peddler's Permit, their owners or employees, customer or other citizens.

I have read the foregoing Rules and Regulations and the attached Ordinance, and I agree to the terms and conditions.

Signature of Applicant

Date

Received in Office by: _____

Date: _____

Permit #: _____

ORDINANCE NO. 671

AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, LINCOLN COUNTY, NEBRASKA, TO REVOKE IN ITS ENTIRETY AND REPLACE CHAPTER 10, ARTICLES 4 OF THE MUNICIPAL CODE BOOK (ORDINANCE NO. 570), TITLED "SALES AND ADVERTISING"; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEROF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF SUTHERLAND; AND TO PROVIDE THE DATE THAT THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES OF THE VILLAGE OF SUTHERLAND THAT:

SECTION 1

Chapter 10, Article 4 of the Code of the Village of Sutherland (Ordinance No. 570) is hereby revoked, replaced and adopted and shall read as follows:

**CHAPTER 10
BUSINESS REGULATIONS
ARTICLE 4: SALES AND ADVERTISING**

10-401 DEFINITIONS.

1. Products: All goods, chattels, wares, merchandise, food and services of any kind whatsoever.
2. Peddler: An uninvited person offering products for immediate sale and delivery
3. Solicitor: An uninvited person offering products for future delivery or seeking donations in return for products
4. Mobile food vendor: a person who by traveling from place to place upon the public ways who sells or offers for sale food from public or private property to consumers for immediate delivery and consumption upon purchase. Mobile food vendor and Mobile food unit shall have the same meaning pursuant to this definition. The following activities are excluded from such definition, and, alone, do not subject a vendor to being covered by such definition: (a) the sale or offer for sale of farm products produced or raised by such a vendor from land occupied and cultivated by him/her.
5. Food: any raw, cooked, or processed edible substance, beverage, ingredient, ice, or water used or intended for use or for sale in whole or in part for human consumption.

10-402 PEDDLERS AND SOLICITORS: PERMIT REQUIRED. All peddlers and solicitors, other than persons exempted by §10-406, shall be required to obtain a Village Sales and Solicitation permit prior to making sales or solicitations within the Village of Sutherland. Sales

and Solicitations permits shall be valid for thirty (30) days and shall be issued by the Village Clerk upon compliance with the requirements of this chapter.

10-403 SALES AND SOLICITATION PERMIT: APPLICATION. Application for a Village Sales and Solicitation permit shall be made between the hours of eight o'clock (8:00) A.M. to four o'clock (4:00) P.M., Monday through Friday, excluding holidays, to the Village of Sutherland Municipal Office, on a form furnished by the Village. Incomplete Applications shall be rejected. Convicted felons and persons convicted of crimes involving dishonesty or moral turpitude shall not be issued a permit.

10-404 SALES AND SOLICITATION PERMIT: FEE; PERMIT. There is a \$25 fee required at the time of application for each individual peddler or solicitor. The Clerk shall review the information on the application and if found to be proper, issue a permit no later than seven (7) days following the application for the permit. Mobile food vendors who receive an annual Sales and Solicitation permit pursuant to §10-407 shall pay a fee of \$25 which shall be good for one (1) year from issuance.

10-405 PEDDLERS AND SOLICITORS: REVOCATION OF PERMIT.

1. A Sales and Solicitation Permit may be revoked by the Village Clerk for the following reasons:
 - a. Complaints of high pressure sales
 - b. Providing incomplete or false information about their company or their sales agent, supervisors, products or services
 - c. After hours operation violations
 - d. Indicating a fictitious affiliation with groups or companies
 - e. Enter upon any private premises when the same is posted with a sign stating "No Peddlers Allowed", "No Solicitation Allowed", or other words to the effect of disallowing sales at the private premises
 - f. Conviction of a felony or other crime involving dishonesty or moral turpitude
 - g. Improper transfer of a permit
 - h. Other solicitor misconduct as determined by the Lincoln County Sheriff's Department.
2. A denial or revocation of a Sales and Solicitation permit may be appealed to the Village Board of Trustees within (10) days of such revocation. Such appeal must be in writing and shall be considered and decided by the Village Board of Trustees within thirty days. The Village Board may consider such appeals at any regular or specially called meeting, and may conduct a hearing according to such rules the Village Board may establish.

10-406 PEDDLERS AND SOLICITORS: HOURS. It shall be unlawful for an uninvited peddler or solicitor to visit any house, dwelling, or residence for the purpose of making sales or soliciting order or donations before eight o'clock (8:00) A.M. or after sunset.

10-407 PEDDLERS AND SOLICITORS: DISPLAY OF PERMIT. Every peddler and solicitor must carry on his or her person and display the sales and solicitation permit issued by the Village Clerk while engaged in sales or solicitations. Sales and Solicitation permits are not

transferable. Upon request from any person residing within the Village upon who the licensed peddler or solicitor is soliciting, the peddler or solicitor shall provide a copy of the issued permit.

10-408 PEDDLERS AND SOLICITORS: EXCEPTIONS. Unpaid volunteers or other individuals who are not paid or otherwise compensated to sell or solicit on behalf of a non-profit organization, such as schools, scout troops, churches and other nonprofits organizations, shall be exempt from the requirements set forth in the Article except for such requirements identified in §10-406. Organizations sponsoring or directing such sales or solicitations shall, upon request, provide documentation of the non-profit status of the organization. Nothing herein shall be construed to apply to persons canvassing residents within the Village for religious, political or other noncommercial purposes.

10-407 PEDDLERS AND SOLICITORS: MOBILE FOOD VENDORS. Mobile food vendors shall provide the Village Clerk a copy of a valid food permit issued by the State of Nebraska. A Mobile Food Vendor may, in addition to the thirty (30) day permit established herein, apply for an annual Sales and Solicitation permit for the sale of food.

10-408 PEDDLERS AND SOLICITORS: PENALTY. Any individual violating any of the provisions of this article shall be subject to a minimum fine of \$100 for the first offense \$250 for the second offense, and \$500 for the third and successive offenses in any twenty-four hour period with a maximum of \$500 per offense and each day that maintenance of the same continues shall constitute a separate offense. In addition, the individual's permit shall be revoked.

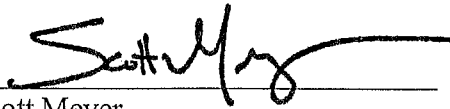
SECTION 2

Said Ordinance is hereby amended and all conflicting ordinances, resolutions and conflicting sections of ordinances and resolutions to this ordinance are hereby repealed.

SECTION 3

This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed, approved and adopted on this 11th day of October, 2023.



Scott Meyer,
Village Board Chairperson

Attest:



Danette Jorgensen, Village Clerk