

ORDINANCE NO. 289

AN ORDINANCE OF THE CITY OF MESQUITE, PROHIBITING SOLICITORS, PEDDLERS, ITINERANT MERCHANTS, AND TRANSIENT VENDORS OF MERCHANDISE FROM GOING UPON THE PREMISES OF PRIVATE RESIDENCES WITHOUT AN INVITATION OF THE OWNER OR OCCUPANT THEREOF; PROVIDING THAT A PERMIT BE OBTAINED; PROVIDING FOR A PERMIT FEE; PROVIDING RIGHT OF APPEAL; FIXING A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That after the passage of this ordinance it shall be unlawful for any solicitors of orders for merchandise, peddlers, itinerant merchants, transient vendors of merchandise to go in and upon the premises of a private residence in the City of Mesquite, unless requested so to do by the owner or occupant of said private residence, for the purpose of soliciting orders for the sale of goods, wares and merchandise, or for the purpose of disposing of or peddling the same.

SECTION 2. Every solicitor of orders for the sale of merchandise, peddler, itinerant merchant or transient vendor of merchandise shall obtain a permit from the City Manager of the City of Mesquite before soliciting any orders, offering for sale or selling any goods, wares or merchandise in the City of Mesquite, and it shall be the duty of the City Manager to make investigation of all persons offering so to do to determine their authority for making such sales and taking such orders, and before issuing a permit shall determine that they actually represent the parties they so claim to represent, and that they are an actual bona fide representative of a reliable concern. Unless he so finds, he shall refuse to issue a permit for the taking of orders and the selling of merchandise in the City of Mesquite.

SECTION 3. That the fee for investigation shall be \$10.00 per year, which shall not be prorated, and which shall be paid at the time application is made and shall not be returned to the applicant regardless of whether a permit is issued or denied. Charitable organizations and/or their representatives are hereby required to obtain permits as herein provided, but the fee may be waived at the discretion of the City Manager. Persons engaged in interstate commerce shall not be required to pay a fee as set out above, but such persons, before engaging in such activity in the City of Mesquite, shall first register with and obtain a permit from the City Manager.

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SECTION 4. Each application for a permit shall be in writing under oath and shall set out the following: Name of the applicant, with his permanent residence; name and address of the firm or persons he represents; the kind, type and character of goods or services he proposes to offer for sale; names and addresses of five persons as references; how often the applicant will solicit during the year; the names of any cities where applicant has worked within the previous thirty days; whether or not applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude.

SECTION 5. If the City Manager refuses to issue such permit, the applicant shall have the right to appeal to the City Council at its next regular meeting.

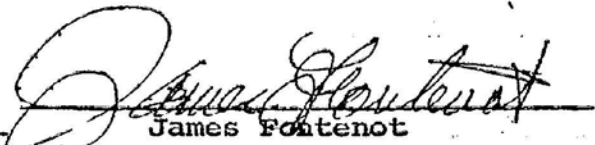
SECTION 6. If, after the permit herein provided for has been issued, the City Manager or other official of the City finds that the permit was obtained by false representation in the application, said permit may be revoked by the City Manager.

SECTION 7. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

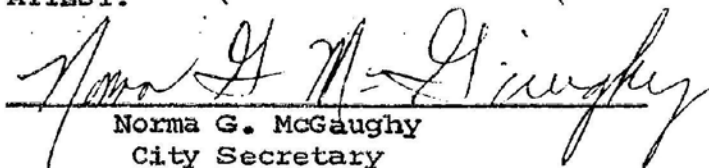
SECTION 8. That this ordinance shall take effect from and after its passage as the Charter in such cases provides.

PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on first reading on the 18th day of April, 1960.

PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on second and final reading on the 2nd day of May, 1960.


James Fontenot
Mayor

ATTEST:


Norma G. McGaughy
City Secretary