TITLE 9

BUSINESS, PEDDLERS, SOLICITORS, ETC.¹

CHAPTER
1. PEDDLERS, ETC.

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PEDDLERS, ETC.

SECTION
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9-101. License required. Before any person shall act as a salesperson, solicitor or sales representative within the city, for the purpose of soliciting or obtaining orders or making sales on a door-to-door basis of any goods, wares or merchandise or any other thing tangible or intangible, for which payment is to be made or collected, including, except as otherwise herein exempted, solicitation of charitable sales and contributions, said person shall first obtain a solicitor's license. A solicitor's license shall not be required of persons under the age of eighteen (18) years of age, who are residents of the City of Forest Hills, when they are making charitable solicitations or sales for their schools, places of worship, or other social, charitable or recreational activities in which they are involved, such as athletics or scouting. (Ord. #96-141, Feb. 1997)

9-102. Application. Any person or persons requiring a license under this chapter shall file a written application for a solicitor's license with the city manager, which application shall set out:

(1) The name, age, and residence of the applicant.

¹Municipal code references
Building, plumbing, wiring and housing regulations: title 12.
Liquor and beer regulations: title 8.
The name and address of the person or corporation represented by him or her, if any.

Sufficient facts to show the financial responsibility of the principal, if any.

Evidence of the authority of the applicant and the extent thereof.

The kind, character, and prices of the goods, wares, or merchandise to be offered to the consumers or users of the city.

A copy of the contract used in taking orders or making sales.

The bond required by § 9-103 hereof.

All applications and records relating thereto shall be open to public inspection, and shall be upon forms supplied and approved by the city manager. (Ord. #96-141, Feb. 1997)

9-103. Fee, bond and duration of license. Upon the approval of an application by the city manager, a license shall be issued by the city manager upon the payment of a fee of fifty dollars ($50.00), which shall be placed in the city treasury and disbursed as other city funds. All applicants shall execute and post with the city a bond upon terms and conditions and in a penal sum to be determined in the discretion of the city manager, but not to exceed ten thousand dollars ($10,000.00), except in the case of the sales of books and/or magazines, in which case such bond shall not exceed one thousand dollars ($1,000.00). Such bond shall cover orders and contracts which have been executed and paid in part or in full and which have not been fulfilled or performance commenced within sixty (60) days of the date of order or contract. Said bond shall be issued by a licensed insurance agency within Davidson County or any contiguous county. Any license issued pursuant to this section shall be valid only between the hours of 8:00 A.M. until 6:00 P.M. and for a period of thirty (30) days from the date of its issuance. (Ord. #96-141, Feb. 1997, as replaced by Ord. #2008-182, July 2008)

9-104. Bond claims. The city manager shall establish a procedure by which citizens can file claims against the bond for undelivered products. (Ord. #96-141, Feb. 1997)

9-105. Exhibition of license. Upon demand, the salesperson, solicitor, representative, or peddler shall exhibit this license to any city official, any metropolitan police officer and to any person approached for the purpose of making a sale or obtaining an order. (Ord. #96-141, Feb. 1997)

9-106. Suspension or revocation of license. In event it shall appear to the satisfaction of the city manager that any of the information provided in the permit application was false, or that in the exercise of the permit trespass or violations of any other ordinances or statutes have been committed, or that the principal has become insolvent, or that fraud and imposition has been
practiced upon any of the residents of the city by any salesperson, solicitor, representative, or peddler or by the principal, the city manager may immediately revoke the solicitor's license of such salesperson, solicitor, representative or peddler and retain any fees paid therefor. (Ord. #96-141, Feb. 1997)

9-107. Appeals. Any person aggrieved by the action of the city manager in granting, denying or revoking a license may appeal such action of the city manager to the board of commissioners which shall review the entire proceeding. Notice of the appeal by the person allegedly aggrieved shall be given to the city attorney. The board of commissioners shall hear the appeal within forty-five (45) days of receipt of notice of appeal by the city attorney. (Ord. #96-141, Feb. 1997)

9-108. Violations. Violations of the provisions of this chapter shall be punishable as a Class C misdemeanor. (Ord. #96-141, Feb. 1997, modified)

9-109. Enforcement. This chapter shall be enforceable pursuant to the provisions of § 3-105 of the Forest Hills Municipal Code, which is incorporated herein verbatim. (Ord. #96-141, Feb. 1997)