

PROCEDURE FOR RECEIVING A PEDDLER/SOLICITOR LICENSE

Persons wishing to solicit and/or peddle in Ann Arbor must first obtain a license from the City of Ann Arbor. Application packets are available from the Community Services Permit Desk. Applicants are asked to carefully review all packet information, which should include the following:

- An Insurance Requirement Form
- An Application Form
- A copy of the Council Resolution prohibiting soliciting and peddling on Saturdays during football games near the University of Michigan Stadium.
- A copy of the Council Resolution prohibiting soliciting and peddling in July during the Ann Arbor Art Fair near and within areas occupied by the Ann Arbor Art Fair.
- A Copy of Chapter 79, Solicitors and Peddlers

Please be aware that you are required to sign an affidavit affirming that you have read and are familiar with the rules and regulations contained within Chapter 79.

1. The permit application must be completely filled out including vehicle information, if applicable.
2. Applicants shall submit a current photograph at the time the application is submitted. Applications will require a minimum of 24 hours for processing.
3. Licenses are only valid for a six (6) month period: May 1 – October 31 or November 1 – April 30 of any calendar year. Applications will not be accepted more than 30 days before the requested starting date. Licenses shall be issued not less than 72 hours after being filed the City.
4. Pursuant to Chapter 79, Section 7:68, applicants for peddler and solicitor licenses must submit evidence of adequate liability insurance coverage consisting of a certificate issued by an authorized agent of the insurance company with the required amendments and/or changes per the attached Insurance Requirement Form. Faxed Copies Will NOT Be Accepted.
5. Fees for peddlers and solicitors are \$45.00 per licensure period (6 months).
6. Before any license can be issued under this chapter involving the sale of food or product for human consumption, a certificate must be received from the County Health Officer.
7. The license must be prominently displayed so that it is visible to the public while conducting activities permitted by this chapter. The permit holder must provide refuse receptacles that cannot be deposited in City refuse containers.
8. The permit holder must conduct business so as to allow free and unobstructed pedestrian traffic along the sidewalk.
9. Completed forms should be returned to:

Community Services Permit Desk
City of Ann Arbor – 6th Floor City Hall
100 N. Fifth Avenue, P.O. Box 8647
Ann Arbor, MI 48107-8647



Community Services Area

CITY OF ANN ARBOR, MICHIGAN

100 North Fifth Avenue, P.O. Box 8647, Ann Arbor, Michigan 48107-8647

<http://www.ci.ann-arbor.mi.us>

Administration (734) 994-2704

City Clerk Services (734) 994-2725

Community Development Services (734) 622-9025

CTN – Public Information Services (734) 769-7422

Parks & Recreation Services (734) 994-2780

Planning & Development Services (734) 994-2674

The City of Ann Arbor requires that you provide evidence of proper liability insurance coverage in order to obtain this permit. You or your insurance company must submit a valid certificate of insurance with the following information:

- _____ The certificate must be issued to the City of Ann Arbor.
- _____ The City of Ann Arbor must be named as additional insured.
- _____ The policy must be current and remain so for the duration of the permitted activity. Insurance that expires during this period may cause the permit to be suspended or revoked.
- _____ The policy must be signed and dated by the authorized agent. If your agent is faxing the information to Community Services, they should send it to the attention of the Permit desk at (734) 994-8460. We will only accept a faxed copy from the insurance agency and **NOT** from the permit applicant’s office.
- _____ The cancellation clause must be amended to meet the City Attorney’s office requirements, including:
 - Remove the words “endeavor to”.
 - Provide for “10 days written notice to the certificate holder named to the left”.
 - Remove all language beginning with “but failure to mail...” to the end of the clause ending with “agents or representatives”.

City Code prescribes the required level of insurance, outlined below.

<u>Chapter-Application</u>	<u>Liability Amounts</u>
14 – City Contractor	\$500,000 per contract
47 – Banner	\$500,000
47 – Excavator (general)	\$500,000
47 – Excavator (single family residence)	\$100,000
47 – House Mover	\$500,000
47 – Sidewalk Occupancy	\$500,000
61 – Sign Owner or Erector	\$50,000
79 – Peddler/Solicitor	\$500,000
93 – Fire Alarm Installer	\$200,000
126 – Parade/Competitive Event	\$250,000 or \$500,000
126 – Non-Competitive Event	\$250,000 or \$500,000

Please submit this information along with your application or processing may be delayed until the necessary information is received. If you have questions or comments, please contact the Community Services Permit Desk at (734) 994-2674.

NOTE TO PEDDLERS, SOLICITORS:

This permit is INVALID between 10 a.m. and 6 p.m. on Saturdays when intercollegiate football games are being played in the University of Michigan stadium within the area surrounded by the following streets and including the public right-of-way:

Beginning at Hoover Avenue and State Street and then south on State to the Ann Arbor Railroad tracks, then northwest along the tracks to the viaduct on Stadium Boulevard, then west on Stadium to Main Street, then north on Main to Keech Avenue, then east on Keech to Greene Street, then north on Greene to Hoover, then east on Hoover to State. Also off-limits is the public right-of-way area on Main Street from Scio Church Road north to Stadium and on Stadium from Main to Prescott Avenue.

BY ORDER OF THE CITY COUNCIL

G-52 5/14/81

(effective Oct. 29, 1980)

NOTE TO PEDDLERS, SOLICITORS:

Be it resolved that licenses for peddling and soliciting are not valid in the areas listed below during the July Ann Arbor Art Fair.

The licenses will not be valid in the Art Fair areas and will not be valid within an area starting at Hill and Washtenaw, Hill east to Oxford, Oxford north to Geddes, Geddes west to Washtenaw, Washtenaw north to Huron Street, Huron Street west to Division, Division north to Catherine, Catherine west to Miller, Miller west to First, south on First to Madison, east on Madison to Packard, south on Packard to Hill to point of beginning.

BY ORDER OF THE CITY COUNCIL

G-52 Revised 3/10/82

(effective June 15, 1981)

From: CHAPTER 79 OF CITY CODE, SOLICITORS AND PEDDLERS:

7:73. License validity.

The city council may determine by resolution that on certain dates congestion in the city or a part of the city will be too great to permit peddling and soliciting. Following the adoption of such a resolution, all licenses shall contain a notice that they are invalid for the times and places stated in the council resolution. No person shall engage in peddling or soliciting at a time or location for which the city council has determined that licenses are invalid. If the license issued to a person does not contain notice which would inform the person that it is not valid for a time or place in question, the person shall be first warned prior to initiation of prosecution under this section.

(Ord. No. 44-75, 2-17-76; Ord. No. 64-80, 10-6-80; Ord. No. 61-95, § 1, 2-5-96)

Note: Formerly § 7:69.

GUIDELINES FOR HOLDERS OF PEDDLERS/SOLICITATION PERMITS
Ann Arbor City Code, Chapter 79, SOLICITORS AND PEDDLERS

7:61. License required.

It shall be unlawful for any solicitor or peddler as defined in section 7:62 of this chapter to engage in such business within the corporate limits of the City of Ann Arbor without first obtaining a license therefore in compliance with the provisions of this chapter. (Ord. No. 44-75, 2-17-76)

7:62. Definitions.

- (1) *Solicitor.* A solicitor is any person traveling either by foot, motor vehicle or any other type of conveyance, from place to place seeking to obtain orders for the purchase of goods or services for future delivery or performance.
- (2) *Peddler.* A peddler is any person, who travels by foot, motor vehicle or any other type of conveyance, from place to place, selling or offering for sale goods or services.
- (3) *Travel from place to place.* Travel from place to place means progressing from 1 street address to another street address and not returning within a 2-hour period to any such address to solicit or peddle.

(Ord. No. 44-75, 2-17-76; Ord. No. 64-80, 10-6-80; Ord. No. 61-95, § 1, 2-5-96)

7:63. Application.

At least 72 hours before a license can be issued, application for a license under this chapter must be filed with the city on a form available in the Building Department, providing the following information:

- (1) Name, age and physical description of applicant.
- (2) A 2-inch by 2-inch (2" × 2") photograph of the applicant taken within 60 days immediately prior to the date of the filing of the application showing the head and shoulders of the applicant in a clear and distinguishable manner.
- (3) Permanent home address and local address, if different.
- (4) Address of place of residence during the past 3 years if other than present address.
- (5) A brief description of the nature of the business and the goods to be sold.
- (6) If employed, the name and address of the employer and the exact nature of the business.
- (7) Drivers license number including issuing state or social security number.

Licenses may be issued for periods not to exceed 6 months, being either the period of May 1 through October 31 or the period of November 1 through April 30. An applicant may submit an application for a license no sooner than 30 days in advance of the period during which a permit is desired.

(Ord.No.44-75, 2-17-76; Ord.No.57-94,§1, 10-17-94; Ord.No.61-95,§1, 2-5-96; Ord.No.61-95,§1, 2-5-96; Ord.No.19-99,§1, 4-19-99)

7:64. Issuance of license.

The City Administrator or designee, upon timely receipt of a completed application form, evidence of required insurance, and payment of the prescribed license fee, shall issue to the applicant the appropriate license. The license shall contain the signature of the issuing officer and shall show the name, address and photograph of the licensee, the type of license issued and the kind of goods or services to be sold there under and the date of issuance and expiration. Before any license is issued to an applicant proposing to sell or solicit for sale any food or product for human consumption, certification must be received from the County Health Officer. (Ord. No. 44-75, 2-17-76; Ord. No. 61-95, § 1, 2-5-96; Ord. No. 19-99, § 1, 4-19-99)

7:65. Showing of license.

All persons licensed under this chapter shall display their license in a prominent manner so the license is visible to the public while conducting activities permitted by this chapter. (Ord. No. 44-75, 2-17-76; Ord. No. 61-95, § 1, 2-5-96)

7:66. Prohibited conduct.

In addition to other provisions of this chapter, no person shall:

- (1) Enter a private residence under pretenses other than for soliciting or peddling.
- (2) Remain in a private residence or on the premises thereof after the owner or occupant thereof has requested any such person to leave.
- (3) Enter upon the premises of a private residence to solicit or peddle when the owner or occupant thereof has displayed a "no soliciting" or "no peddling" sign on such premises.
- (4) Conduct business or any activities permitted by this chapter in such a manner as to obstruct the free and uninterrupted passage of the public along the sidewalk. A violation of this subsection shall be a civil infraction, which shall be punishable by a fine of not more than \$1,000.00 plus costs.
- (5) Solicit or peddle at a private residence prior to 10:00 a.m. and after official sunset time, or at any time on a Sunday or on a state or national holiday.

(6) Solicit or peddle on a street or within an area which has been closed by City of Ann Arbor Council Resolution for an art fair, street fair or other special event, except where special permits are issued in accordance with standards established by City Council.

(7) Remain or keep a vehicle stand or any form of conveyance at 1 place on a street or other public property for selling or offering for sale goods or services for longer than 5 minutes within a 2-hour period unless issued a street use permit for that location pursuant to Chapter 47 of this Code. Solicitors and peddlers shall travel from place to place.

(Ord. No. 44-75, 2-17-76; Ord. No. 64-80, 10-6-80; Ord. No. 61-95, § 1, 2-5-96; Ord. No. 25-04, § 7, 8-2-04)

7:67. Fees.

The license fees shall be established by resolution of city council upon the recommendations of the city administrator. The fee charged for any license required by this chapter shall be reduced by 75% provided the applicant and legal guardian of the applicant provide affidavits that the applicant is under 14 years old and reasonably anticipates less than \$100.00 profit from the activity. (Ord. No. 44-75, 2-17-76; Ord. No. 60-91, § 1, 10-21-91; Ord. No. 61-95, § 1, 2-5-96; Ord. No. 61-95, § 1, 2-5-96)

7:68. Insurance.

An applicant for a license under this chapter shall provide evidence of proper public liability and personal injury insurance in the amount of not less than the following:

(1) On account of injury to, or death of, any person in any 1 accident . . . \$500,000.00

(2) On account of damage to property in any 1 accident . . . 50,000.00

The insurance shall name the City of Ann Arbor as an insured party and evidence of the insurance shall consist of certification executed by an authorized agent of the insurance company indicating the amount and type of insurance, the location of coverage and it shall certify that the insurance shall not be cancelled unless notice of intent to cancel shall be filed with the city planning and development services unit at least 10 days prior to said cancellation.

(Ord. No. 61-95, § 1, 2-5-96; Ord. No. 43-04, § 31, 1-3-05)

7:69. Indemnification.

Application for a license under this chapter shall be deemed as agreement by the applicant to observe all pertinent laws and regulations of the city and defend, indemnify, and save harmless the city from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the licensee's activities under this chapter.

(Ord. No. 61-95, § 1, 2-5-96)

7:70. Refuse.

The licensee shall provide refuse receptacles, which shall be used for all refuse generated by the licensee's activities conducted under this chapter. Such refuse shall not be deposited in city refuse containers. The licensee shall remove the refuse receptacles at the end of the licensee's business day and leave the public right-of-way clean and free of all refuse.

(Ord. No. 61-95, § 1, 2-5-96)

7:71. Revocation of license.

A license issued under this chapter may be revoked by the city administrator as provided under Chapter 76 of this Code.

(Ord. No. 61-95, § 1, 2-5-96)

7:72. Exempt persons.

Persons soliciting or peddling as the duly authorized representative or agent of any church, charitable, educational or fraternal organization (subject to the provisions of Chapter 81 of the Code), or of any political group seeking funds or membership shall be exempt from the licensing requirements of this chapter.

Note: Formerly § 7:68.

(Ord. No. 44-75, 2-17-76; Ord. No. 61-95, § 1, 2-5-96)

7:73. License validity.

The city council may determine by resolution that on certain dates congestion in the city or a part of the city will be too great to permit peddling and soliciting. Following the adoption of such a resolution, all licenses shall contain a notice that they are invalid for the times and places stated in the council resolution. No person shall engage in peddling or soliciting at a time or location for which the city council has determined that licenses are invalid. If the license issued to a person does not contain notice which would inform the person that it is not valid for a time or place in question, the person shall be first warned prior to initiation of prosecution under this section.

Note: Formerly § 7:69.

(Ord. No. 44-75, 2-17-76; Ord. No. 64-80, 10-6-80; Ord. No. 61-95, § 1, 2-5-96)

7:74. Penalties.

Except as otherwise specifically provided in this chapter, violations of this chapter shall be punishable by a fine of not more than \$500.00 plus costs or by imprisonment for not more than 90 days, or both.

(Ord. No. 61-95, § 1, 2-5-96)