

TOWN OF LAKE PLACID, FLORIDA
APPLICATION FOR PEDDLERS FLEA MARKET PERMIT

1. Name of applicant responsible _____
2. Name of vendership / business applying for _____
3. Business address _____
4. Applicants permanent address _____
5. Applicants local address _____
6. Business phone number and cell number _____
7. Tax number _____ 8. Driver license number _____ 9. Tag number _____
10. Have you ever been convicted of a crime _____ If yes explain _____
11. List specific goods and/or services to be offered _____
12. Upon order or sale will you demand, accept or receive payment or deposit of money in advance of final delivery _____.
13. Are the goods product of a farm or orchard _____ If yes, re the goods self produced or grown _____ There are approximately _____ acres in production located at _____
14. The last two cities that the permittee has worked. 1. _____ 2. _____
15. How long do you wish to do business in the Town _____ Dates _____
16. Describe the manner in which you will conduct peddling / business if this permit is approved

17. I hereby attest that the above information, to the best of my knowledge, is true and factual and understand that any false information may cause my permit to be revoked. I acknowledge receipt of a copy of the applicable Town Code.
If this is a peddlers permit, I hereby agree to the terms on pages 1 through 3 of this application. All terms of this agreement and/or town ordinances regarding soliciting and peddlers are subject to temporary change upon town council action. Permittees are should refer to the police department webpage at <http://www.lppd.com/code.htm>, one week before special events such as Christmas Parade, town festivals, town events, as any changes will be posted thereon.
If this is a Flea Market permit attach a plan for the geographic location where the event will be held.
Note: Only town council can approve flea market permits.

Signed

Code Enforcement Officer-Approved__Disapproved__Signed by approving authority_____

Reason for disapproval_____

Town Administrator or Town Council Approval Approved__Disapproved__Signed_____

DATE OF TOWN COUNCIL APPROVAL _____

TOWN OF LAKE PLACID SOLICITORS AND PEDDLERS ORDINANCE

Definitions. For the purpose of this chapter, the following definitions shall be used:

Peddler means any person, whether a resident of this town or not, traveling from place to place, from house to house or from street to street for the purpose of selling or soliciting of sale goods, wares, merchandise or services, other than agricultural products produced or processed in this state. The terms also mean and include any person transacting a temporary business within the town at an established place of business. The word "peddler" includes the term "solicitor," "transient or itinerant merchant or vendor," or "transient or itinerant photographer."

§ 117-1. **Soliciting.** The taking of or attempting to take orders for the sale of goods, wares, merchandise, foods, tickets, or other items of personal property or consumer products of any nature whatsoever for future delivery, or for service to be furnished or performed in the future, whether or not such solicitor or peddler carries or exhibits for sale a sample of the subject of such sale. **Public place** means an area owned by a governmental entity or agency or an area reserved for public use, including without limitation, schools, parks, roadways, sidewalks, public buildings and playgrounds. **Person** means a natural person, and not a corporation or other business entity. **Prepared food or drink** means food or drink which have been altered or prepared for consumption (for example, without limitation, hot dogs, hamburgers, sodas), but does not include raw agricultural products. (Ord. No. 93-194, § 1, 6-14-93; Ord. No. 96-237, § 1, 6-3-96)

§ 117-2. **Penalties for violations.** Any person convicted of violating this chapter shall be guilty of a misdemeanor of the second degree, fined five hundred dollars (\$500.00) for each offense, and subject to the penalties provided therefor in the Florida Statutes.(Ord. No. 93-194, § 1, 6-14-93; Ord. No. 96-237, § 2, 6-3-96)

§ 117-3. **Posted residences.** It shall be unlawful for any person to go, for the purpose of soliciting or peddling, in or on the private residence of any person that displays a sign near the place of entrance reading "NO SOLICITING" or "NO PEDDLING" or words of similar meaning.(Ord. No. 93-194, § 2, 6-14-93)

§ 117-4. **Request to leave.** It shall be unlawful for any person to go in or on the private residence of any person for the purpose of soliciting or peddling or to stay and remain on the premises of such residence, or to return thereto for the same purpose after first departing, after having been requested to leave by the occupant thereof.(Ord. No. 93-194, § 3, 6-14-93)

§ 117-5. **Soliciting at certain times prohibited.** It shall be unlawful for any person to go in or on the private residence of any person for the purpose of soliciting or peddling at any time on Sunday, or before 10:00 a.m. or after 6:00 p.m. on any other day.(Ord. No. 93-194, § 4, 6-14-93)

§ 117-6. **Peddler's permit.**(a) **Peddler's permit required.** It shall be unlawful for any person to engage in business as a peddler within the town without first obtaining a peddler's permit. (b) **Issuance restricted.** No peddler's permit shall be issued to a corporation. Each person engaged in the business of peddling within the town shall be required to have a permit, whether acting for himself or as an agent or representative of another. (c) **Issuance of peddler's permit.** A peddler's permit shall be issued by the town clerk upon the clerk's receipt of the following: (1) A peddler's permit application providing the information required in section 117-7 of the Code in the opinion of the town clerk;(2) A peddler's permit fee of twenty-five dollars (\$25.00).(d) **Permit expiration.** Regardless of the date of issuance, every peddler's permit expires on the thirtieth day of September next following its issuance. (Ord. No. 96-237, § 3, 6-3-96)

§ 117-7. **Peddler's permit application.** The application for a peddler's permit shall contain the following information under oath:(1) A statement as to whether the applicant has been convicted of any crime, misdemeanor, or felony, or violation of any state or federal law or municipal ordinance or code; the nature of the offense; the punishment or penalty assessed therefor, if previously convicted; and the place of conviction.(2) Whether the applicant, upon any sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery.(3) The period of time the applicant wishes to engage in business within the town.(4) The local and permanent address of the applicant.(5) The local and permanent address and the name of the person, if any, whom the applicant represents, if other than self.(6) The local and permanent address and telephone number and the name of every person, if any, who represents, owns an interest in the peddler's business if other than self.(7) The kind of goods, wares, merchandise or services used in such business within the town.(8) The last two (2) cities or towns wherein the applicant has worked before coming to this town, if any.(9) Where goods to be sold are products of farm or orchard, peddlers must state whether such goods are self-produced or grown and, if so,

how many acres are in production and where the acreage is located.(10) Applicant must furnish sales tax I.D. number, Florida driver's license, and State of Florida motor vehicle tax number.(Ord. No. 96-237, § 4, 6-3-96)

§ 117-8. False information. It shall be unlawful for any person to give any false or misleading information in connection with his application for a peddler's permit.(Ord. No. 96-237, § 5, 6-3-96)

§ 117-9. Reserved.

§ 117-10. Permit display. Every peddler doing business within the town shall display the peddler's permit upon the request of any person.(Ord. No. 96-237, § 6, 6-3-96)

§ 117-11. Peddler's permit prohibited . A peddler's permit shall not be issued to any person who has been convicted of violating this chapter or has been convicted of a crime (misdemeanor or felony) under the laws of any state or the United States (unless proof is provided that civil rights have been restored).(Ord. No. 96-237, § 7, 6-3-96)

§ 117-12. Revocation. Upon sworn complaint and hearing before the town council, a peddler's permit may be revoked for the violation by the permittee of any provision of this chapter, or the violation of any other town ordinance or law of Florida. Upon such revocation, the permit shall be surrendered to the town clerk or police officer of the town.(Ord. No. 96-237, § 8, 6-3-96)

§ 117-13. Exceptions. This chapter shall not apply to the following; however, they must register yearly with the town:(1) Charitable, religious, fraternal, youth, civic, service or other such organization when the organization makes occasional sales or engages in fund raising projects provided that: (1) the sales are performed exclusively by or for the members thereof; and (2) the net proceeds derived from the sales are used exclusively in the charitable, religious, fraternal, youth, civic and service activities of the organization.(2) Representatives of established and recognized newspapers making regular house-to-house deliveries.(3) Persons engaged in the selling of farm, aquacultural, grove, horticultural, floricultural, tropical floricultural or tropical fish farm products, or products manufactured therefrom, except intoxicating liquors, wine, or beer, when such products were grown or produced by such natural person in the State of Florida.(4) Fairs and festivals such as the Lake Placid Arts & Crafts Country Fair, Pioneer Week, Heritage Days, and the Caladium Festival, if the sponsoring organization files with the town clerk a list of the peddlers and solicitors participating therein.(Ord. No. 96-237, § 9, 6-3-96)

§ 117-14. Sale of prepared food or drink. Foods or drinks shall not be sold on town property, except as authorized by resolution of the town council.(Ord. No. 96-237, § 10, 6-3-96)

§ 117-15. Credentials. It shall be the duty of all persons, organizations, societies, and associations applying for a permit as provided by this chapter to furnish proper credentials to the town clerk. Such credentials maybe in the form of a letter, card, or memorandum, signed by the person or official directly in charge of such solicitation, certifying that the bearer thereof is authorized to represent the person or organization conducting the solicitation.(Ord. No. 96-237, § 11, 6-3-96)

§ 117-16. Roadside peddling prohibited. It is unlawful for any person or firm to sell goods from any permanent, semi-permanent or temporary location including roadside stands along any street, highway or right-of-way or in any public place, unless the seller meets the requirements of all town/county/state permitting and licensing requirements.(Ord. No. 96-237, § 12, 6-3-96)

§ 117-17. Conveyances prohibited. No person or firm shall park or stop any motor vehicle, pushcart or animal-drawn conveyance in any street, highway or right-of-way, sidewalk or in any public place for the purpose of making or soliciting sales for a period of time longer than is necessary to complete a sales transaction. This prohibition is intended to prevent the use of public streets or public places as permanent, semi-permanent or temporary commercial locations but not to prohibit the vendor who makes frequent stops merely for the purpose of making a sale and then continuing travel upon the streets. Ord. No. 96-237, § 13, 6-3-96)

§ 117-18. Roadside stands prohibited. No person or firm shall sell goods from any temporary, semi-permanent or permanent road side stand, including mobile stands, on any parcel of private property, unless the roadside stand is located within a parcel on which such use is expressly or by reasonable implication permitted, and unless (1) the peddler owns the parcel or has the written permission of the owner, (2) the roadside stand meets the requirements of the town Code, (3) the peddler has complied with all town permitting and licensing requirements, and (4) the sub-parcel provides adequate parking.(Ord. No. 96-237, § 14, 6-3-96)

§ 117-19. Food or goods within 500 feet of roads and public places. Notwithstanding section 117-17 it is

unlawful to sell, solicit sales, vend or serve any goods or food by any means in the public right-of-way including streets, sidewalks or other public property or within five hundred (500) feet of any property owned or operated for public or private school purposes. This section shall not prohibit custodians or managers of public schools or other public facilities or private facilities from sales conducted by those custodians or managers on the property under their control.(Ord. No. 96-237, § 15, 6-3-96)

§ 117-20. Violation and penalties. Violation of this chapter is unlawful and punishable as provided by general law.(Ord. No. 96-237, § 16, 6-3-96)

§ 117-21. Duties of police officers. It shall be the duty of any police officer/code enforcer of the town to:(1) Require any person seen peddling and who is not known by such officer to have been issued a permit to produce his identification card and peddler's permit.(2) Enforce the provisions of this chapter against any person found to be violating this chapter.(Ord. No. 96-237, § 17, 6-3-96)