

**VALLEY TOWNSHIP  
HAWKERS, PEDDLERS, AND TRANSIENT MERCHANTS  
REGISTRATION APPLICATION**

Date: \_\_\_\_\_

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Name of Applicant	Permanent Address	City	State	Zip
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Local Address	Home Phone No.	Work Phone No.
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Date of Birth \_\_\_\_\_ Eye Color \_\_\_\_\_ Weight \_\_\_\_\_ Height \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Hair Color \_\_\_\_\_

1. Name two reliable property of Allegan County who will certify as to applicant's good character and business responsibility:

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Name	Address	City	State	Zip
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Name	Address	City	State	Zip
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2. Has the applicant ever been convicted of any crime, misdemeanor or violation of any Municipal Ordinances? Yes No

2a. If yes, explain fully the nature of the offense and punishment/penalty assessed:

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3. State place or places where applicant has conducted business within the past six months, stating the nature thereof:

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4. Briefly describe the nature of the business and goods to be sold: \_\_\_\_\_

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5. Are the goods to be sold/produced by the applicant? \_\_\_\_\_

If yes, state where goods are produced: \_\_\_\_\_

6. From what address/location do you expect to do business: \_\_\_\_\_

7. Quality of goods to be sold: \_\_\_\_\_ Invoice Value: \_\_\_\_\_

8. If goods are not delivered at time of sale, explain proposed method of delivery: \_\_\_\_\_

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**VALLEY TOWNSHIP**  
**ALLEGAN COUNTY, MICHIGAN**

**ORDINANCE NO: 241**

**HAWKERS, PEDDLERS, AND TRANSIENT MERCHANTS**  
**REGISTRATION ORDINANCE**

**ADOPTED: August 10, 2010**

**EFFECTIVE: September 25, 2010**

An ordinance to require Hawkers, Peddlers, and Transient Merchants to register with Valley Township in order to conduct their business within the Township.

**THE TOWNSHIP OF VALLEY**  
**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**TITLE AND PURPOSE**

The title of this ordinance shall be "The Valley Township Hawkers, Peddlers, and Transient Merchants Registration Ordinance." The purpose of the ordinance is to require all Hawkers, Peddlers, and Transient Merchants to register with the Township in order to conduct any business therein.

**SECTION II**

**DEFINITIONS**

The term "**hawker**" or "**peddler**" as used in this article, shall be construed to mean any person who travels from house to house or place to place, or who, on the streets or alleys or open places, or in public grounds or places, sells or offers for sale, or exposes for sale, any goods, wares or merchandise to any person not a dealer therein, or who takes orders for the purchase of goods, wares or merchandise by samples, lists,

or catalog, or subscription for magazines and books from any person not a dealer therein.

The term "**hawker**" or "**peddler**" as used in this article, shall not be applicable to any party selling the products of his/her own farm, orchard or garden.

The term "**transient merchant**," as used in this article, shall be construed to mean and to include all persons, associations, firms, and corporations, and their agents, servants, and employees, who engage temporarily in a retail sale of goods, wares or merchandise within the limits of the Township and, specifically, such terms shall include the taking and sale of photographs at retail. The transaction of such business by any person for a period of time of less than part of two separate days of each week for six consecutive months shall be *prima facie* evidence that such person was or is a transient merchant within the meaning of this article.

### **SECTION III**

#### **ASSOCIATION WITH LOCAL MERCHANTS**

Hawkers, Peddlers, and Transient Merchants shall not be exempt from the provisions of this article by reason of associating him/herself temporarily with any merchant, tradesperson, or other person doing business permanently within the Township, or by conducting his/her business in connection with or as a part of the business of, or in the name of, any merchant, tradesperson or other person doing business permanently in the Township.

### **SECTION IV**

#### **REGISTRATION REQUIRED**

All persons who follow the business or occupation of a hawker, peddler, or transient merchant within the limits of the Township, shall register with the Township. No person shall act as a helper or assistant to a licensed peddler, unless he/she has a helper's license.

### **SECTION V**

#### **APPLICATION**

Any person desiring to engage in business as a Hawker, Peddler, or Transient Merchant within the limits of the Township shall do so strictly between the hours of 9

a.m. and 8 p.m. and shall make a written application and file it with the Township Clerk to engage in said business.

**SECTION VI**  
**PENALTIES FOR VIOLATIONS**

Any person or entity that violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.

Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ, order or injunctive relief necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.

A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

\*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Valley Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

**SECTION VII**  
**SEVERABILITY**

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

**SECTION VIII**  
**EFFECTIVE DATE**

This ordinance shall take effect 30 days after publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**VALLEY TOWNSHIP**  
Brandee Ellis, Clerk  
2054 N. M-40  
Allegan, MI 49010  
(269) 673-5962