

Introduced November 10th, 1981 by  
Councilwoman Wood, seconded by  
Councilman Caruso

Item No. 81-11-386

Amended December 8th, 1981 - C, D, F,  
G, & H

ORDINANCE NO. 1459

An ordinance defining, regulating, and licensing peddlers  
and providing penalties for the violation thereof.

BE IT ORDAINED by the Council of the City of Slidell:

SECTION 1. Legislative Intent.

It is the intent of the governing authority of the City of Slidell to assure the safety of the streets and byways of Slidell; to assure the health of its citizens through the maintenance of proper sanitary conditions; to assure the collection of all revenues due via sales tax; and to protect its citizens and businesses from unfair business practices.

SECTION 2. License Required.

It shall be unlawful for any person to engage in the business of peddler as defined in Section 3 of this ordinance within the corporate limits of the City of Slidell without first obtaining a license therefor as provided herein. Farmers selling produce raised by them or on their farms as defined in Louisiana Revised Statutes 33:4833 and Louisiana Revised Statutes 33:4834 shall obtain a fee free license upon signing the appropriate city form attesting to the fact that said produce was indeed raised by them or on their farms. Charitable organizations may obtain a fee free license upon signing the appropriate city form attesting to that fact and having said form duly notarized by a licensed notary of St. Tammany Parish. Said form shall contain a disclaimer statement which shall have the effect of releasing the City from any liability regarding the validity of statements made in same form. Farmers and charitable organizations shall be exempt from the distance and specific location provisions as outlined in Section 10 of this ordinance.

In the case of itinerant markets or mobile vendors dealing in produce, seafood, or any other form of food stuff, the applicant must first secure a permit to operate as a retail food establishment from the local office of the Louisiana Health and Human Resources Administration. Said permit shall be verified by the City of Slidell Finance Department. Furthermore, itinerant markets or mobile vendors dealing in perishable foods shall provide proper refrigeration as required by the Louisiana State Sanitary Code. All liquid wastes from itinerant market must be disposed of in the City sewer system. All solid wastes must be fully

1 removed by the vendor from the City of Slidell every twenty-four (24) hours.  
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3 Toilet and hand washing facilities as stipulated by the Louisiana Sanitary Code  
4 shall be provided on the premises. Itinerant markets or mobile vendors dealing  
5 in produce, seafood, or any other form of food stuff sold by weight shall be in  
6 possession of a legal scale duly authorized and inspected by the Division of  
7 Weights and Measures of the Louisiana Department of Agriculture. The City Building  
8 Inspector shall, from time to time, inspect said scales and be empowered to suspend  
9 the peddler's license of any peddler not in compliance with this provision. Said  
10 scale shall be used for the purpose of weighing all such produce, seafood, or  
11 any other form of food stuff sold by weight within the City of Slidell.  
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21 In case of itinerant markets or mobile vendors dealing in any form of  
22 seafood, the applicant must be in possession of a current commercial fisherman's  
23 license. The number of permits issued under this section shall be limited to  
24 one (1) per Louisiana Commercial Fisherman's License, but in no event shall any  
25 person receive more than one (1) permit. A Louisiana Commercial Fisherman's  
26 License is required in order to obtain a permit from the City of Slidell.  
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32 SECTION 3. Definitions.  
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34 (a) The word "person" as used herein shall include the singular and  
35 the plural and shall also mean and include any person, firm, or corporation,  
36 association, club, co-partnership, or society, or any other organization.  
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41 (b) The word "peddler" as used herein shall include any person, whether  
42 a resident of the City of Slidell or not, traveling by foot, wagon, automotive  
43 vehicle, or any other type of conveyance, from place to place, from house to house,  
44 from business establishment to business establishment, or from street to street,  
45 carrying, conveying, or transporting goods, wares, merchandise, meats, fish,  
46 vegetables, fruits, garden truck, farm products or provisions, offering and  
47 exposing the same for sale, or making sales and delivering articles to purchasers,  
48 or who, without traveling from place to place, shall sell or offer the same for  
49 sale from a wagon, automotive vehicle, railroad car, or other vehicle or conveyance,  
50 and further provided that one who solicits orders and as a separate transaction  
51 makes deliveries to purchasers as a part of a scheme or design to evade the  
52 provisions of this ordinance shall be deemed a peddler subject to the provisions  
53 of this ordinance. The word "peddler" shall include the words "hawker" and  
54 "huckster".  
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1 (c) The word "food stuff" as used herein shall include any substance  
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3 with food value and shall be further defined as the raw material of food before  
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5 or after processing.  
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7 (d) The words "perishable foods" as used herein shall be defined as  
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9 food stuff which would deteriorate or spoil if left unrefrigerated for a period  
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11 of forty-eight (48) hours, to the extent that consumption of said food stuff by  
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13 human beings would be dangerous to the health of human beings.  
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15 (e) The words "itinerant markets" as used herein shall be defined as  
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17 markets which travel from place to place and, more specifically, as markets  
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19 which are not housed in a permanent structure as defined in Section 9.5 of the  
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21 Slidell Zoning Ordinance.  
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23 SECTION 4. Application.  
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25 Applicants for license under this ordinance must file with the Director  
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27 of Finance a sworn application in writing (in duplicate) on a form to be furnished  
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29 by the Director of Finance which shall give the following information:  
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- 31 a. Name and description of the applicant;  
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33 b. Address (legal and local);  
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35 c. A brief description of the nature of the business and the goods to  
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37 be sold in the case of products of farm or orchard, whether produced or grown by  
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39 the applicant;  
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41 d. The specific location where business is to be conducted, accompanied  
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43 by a notarized lease or rental agreement. Said location shall be verified by the  
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45 City Engineering Department prior to the issuance of a license in order to  
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47 ascertain whether it complies with the distance requirements set forth in Section  
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49 10 of this ordinance. This section shall not apply to bona fide farmers and  
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51 charitable organizations as described in Section 2 of this ordinance.  
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53 e. If employed, the name and address of the employer, together with  
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55 credentials establishing the exact relationship;  
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57 f. The length of time for which the right to do business is desired;  
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59 g. A photograph of the applicant, taken within sixty (60) days  
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61 immediately prior to the date of the filing of the application, which picture  
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63 shall be 2" by 2" showing the head and shoulders of the applicant in a clear  
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65 and distinguishing manner.  
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1 SECTION 5.

2 The Director of Finance shall keep a permanent record of all licenses  
3 issued.  
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5 SECTION 6. Fees.

6 a. Computation of Fees.

7 1. \$50.00 per week, \$100.00 per month, or \$200.00 per year for  
8 each person proposing to peddle on foot;

9 2. \$50.00 per week, \$100.00 per month, or \$200.00 per year for  
10 each person proposing to peddle by using hand cart or push cart;

11 3. \$75.00 per week, \$150.00 per month, or \$300.00 per year for  
12 each person proposing to peddle from a wagon, motor vehicle, railroad car, or  
13 other vehicle conveyance;

14 4. \$10.00 per week, \$20.00 per month, or \$50.00 per year for  
15 each helper, or assistant to those using vehicles, which helpers must produce  
16 the permit and license as herein provided for peddlers.  
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18 b. Basis of Fees.

19 For the purpose of this ordinance any period of seven (7) calendar days  
20 or less shall be considered one (1) week; any period of more than seven (7) calendar  
21 days and not more than thirty (30) calendar days shall be considered one (1) month;  
22 any period of more than thirty (30) calendar days and not more than one (1)  
23 calendar year shall be treated as a year. The annual fees herein provided for  
24 shall be assessed on a calendar year basis and on and after July 1st, the amount  
25 of the fee for such annual license shall be one-half ( $\frac{1}{2}$ ) the amount stipulated  
26 for the remainder of the year.  
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28 SECTION 7. Badges.

29 The Director of Finance shall issue to each licensee at the time of  
30 delivery of his license a badge for each individual licensed under this ordinance.  
31 The badges shall bear the words "Licensed Peddler", the number of the license in  
32 letters, and figures plainly discernable, and the expiration date of said license.  
33 Such badge shall be worn constantly by the licensee on the front of his hat or  
34 outer garment in such a way as to be conspicuous during such time as said licensee  
35 is engaged in peddling.  
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1 SECTION 8. Transfer.

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3 No license or badge issued under the provisions of this ordinance shall  
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5 be used or worn at any time by any person other than the one to whom it was issued.  
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7 SECTION 9. Loud Noises and Speaking Devices.

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9 Peddlers, or any persons acting in their behalf, shall comply with  
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11 Article 79 of the City of Slidell Criminal Code.  
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13 SECTION 10. Use of Streets.

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15 No peddler shall have any exclusive right to any location in the public  
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17 streets nor shall he be permitted to operate in any congested area where his  
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19 operations might impede or inconvenience the public. For the purpose of this  
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21 ordinance, the judgment of a police officer, exercised in good faith, shall be  
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23 deemed conclusive as to whether the area is congested or the public impeded or  
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25 inconvenienced. In no event shall the permittee or anyone else be allowed to  
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27 peddle their wares within five-hundred (500) feet of the front door of any  
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29 retail outlet that sells similar wares or a like product. Under no condition  
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31 may a permittee locate on any public property or public right-of-way. Soliciting  
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33 from business establishment to business establishment shall be prohibited under  
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35 the provisions of this ordinance. Soliciting upon private residences is prohibited  
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37 in accordance with Article 80 of the City of Slidell Criminal Code.  
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39 SECTION 11. Duty of Police and City Building Official to Enforce.

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41 It shall be the duty of any police officer of the City of Slidell and  
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43 of the City Building Official to require any person seen peddling to produce his  
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45 peddler's license. The City Police Department and the City Building Official  
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47 shall enforce the provisions of this ordinance against any person found to be  
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49 violating the same.  
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51 SECTION 12. Records.

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53 The Chief of Police and the City Building Inspector shall report  
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55 violations of this ordinance where a citation was issued to the Slidell City Council.  
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57 SECTION 13. Violations.

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59 a. Fraud, misrepresentation, or false statement contained in the  
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61 application for license;

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63 b. Fraud, misrepresentation or false statement made in the course  
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65 of carrying on his business as peddler;

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67 c. Any other violation of this ordinance.  
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SECTION 14. Expiration of License.

All annual licenses issued under the provisions of this ordinance shall expire on the 31st of December in the year when issued. Other than annual licenses shall expire on the date specified in the license.

SECTION 15. Penalty.

Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not to exceed five hundred (500) dollars or by imprisonment not to exceed sixty (60) days or both such fine and imprisonment. Upon conviction the revocation of a peddler's license shall be automatic.

SECTION 16. Severance Clause.

The provisions of this ordinance are declared to be severable and if any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance but they shall remain in effect, it being legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

SECTION 17. Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance, specifically Ordinance No. 1160 as amended by Ordinance No. 1362, be and the same are hereby repealed.

SECTION 18. Effective Date.

This ordinance shall take effect on January 1st, 1982.

SECTION 19. Regulations for Mardi Gras and Other Officially Recognized Parade Days.

Peddlers doing business only on these specific days shall obtain a license valid only for the day of the given parade and shall be exempt from distance and specific location provisions as outlined in Section 10 of this ordinance. Fee for said license shall be \$25.00 for each person.

ADOPTED this 8th day of December, 1981.

**DELIVERED** 12-10-81  
2:00 P to the Mayor

**RECEIVED** 12-11-81  
10:30 A from the Mayor

*Joe Martinez*  
Joe Martinez  
Councilman-at-Large  
President of the Council  
*M. W. "Webb" Hart*  
M. W. "Webb" Hart  
Mayor

*Emily M. Mills*  
Emily M. Mills  
Clerk of the Council