

Updated June 2019

TOWN OF BURNS HARBOR, INDIANA

TOWN CODE

CHAPTER 7

TOWN OF BURNS HARBOR, INDIANA VENDORS, HAWKERS, PEDDLERS, & SOLICITORS, ETC. (Ordinance 244-2011)

Sec. 7-1. Definition.

As defined in this chapter:

Peddlers, Hawkers, Itinerant Vendors and Solicitors, (collectively referred to as “Peddlers”) shall include any transient person who engages temporarily in the making or selling of any goods, wares or merchandise of any kind whatsoever, including the sale, or soliciting for sale of photographs and magazine subscriptions within the Town of Burns Harbor, regardless of whether such goods, wares or merchandise is peddled from house to house, sold or hawked upon the streets or other public places, or sold from any room, building, structure or lot rented or leased for the purpose of carrying on such business, for present or future delivery, by telephone or otherwise.

Sec. 7-2. License-Required.

It shall be unlawful for any Peddler to offer goods, wares or merchandise of any kind whatsoever for sale in the Town of Burns Harbor without having first obtained a license therefore.

In the event a Peddler is an agent, representative, employee, or independent contractor of another party, the name, address, telephone of said third party and nature of said relationship between the Peddler and said third party must be disclosed in full.

Sec. 7-3. Application Procedure.

An applicant for a license, as a condition precedent to the issuance of such license, shall furnish to the Clerk Treasurer a written application on a form to be furnished by the Town of Burns Harbor known as the “Peddlers Application,” in which each and every question shall be answered under oath by the applicant, if an individual, and by the applicant and the party to whom the applicant is an agent, representative, employee or independent contractor. By executing the application, both the Peddler individually and, where applicable, the Peddler’s master principal employer or independent contractor agree to be bound by the provisions of this ordinance, including the penalty provision. The Town Marshall shall complete a criminal background check of and finger print the applicant. If the applicant has been convicted of any misdemeanor or felony, the permit application may be rejected.

Sec. 7-4. Fee.

The amount to be paid for a license under this chapter shall be one hundred dollars (\$100.00) payable to the Town of Burns Harbor and submitted to the Town Clerk-Treasurer.

Sec. 7-5. License-Issuance.

The Clerk-Treasurer shall issue all licenses granted to Applicants under this chapter and each license shall be signed by the Clerk-Treasurer and the Town Marshall, when the Clerk-Treasurer has received from the applicant the proper sum for such license and all other terms of this chapter have been complied with.

Sec. 7-6. Term.

No license shall be issued under this chapter for less than one (1) day, or longer than thirty (30) days. Peddlers may not reapply for a new license under this ordinance for a period of six (6) months after expiration of a prior issued license. Further, Peddlers shall not solicit or offer for sale goods of any kind in the Town of Burns Harbor before 9:00 a.m. or past 5:00 p.m. Monday through Friday and may not solicit or offer for sale goods of any kind on Saturday, Sunday or Holidays.

Sec. 7-7. Exhibition upon demand required.

It shall be unlawful for any Peddler to refuse to show his license when requested to do so by any person to whom he offers to sell any goods, wares, or merchandise, or to any Police Officer of the Town of Burns Harbor when so requested.

Sec. 7-8. Violations; penalty.

In the event that any provision of this ordinance is violated, a fine of up to five hundred dollars (\$500.00) per violation may be imposed against either:

- a. the Peddler violating the ordinance;
- b. the Master Principal Employer or Independent Contractor of the Peddler for any violations of itself or of the Peddler

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Section 7-9

The Town of Burns Harbor establishes the following vendor fee for each Food Truck Square vendor for the 2019 Food Truck Square season and future seasons;

- A. Merchant Booth (includes Farmer and Food Truck) \$15.00 per day
- B. Tent rental \$10.00 per day
- C. Electricity usage \$5.00 per day