Subchapter Two: Regulation and Prohibition of Certain Business Activities

4.02.010 Purpose.

The purpose of this subchapter is to regulate the conduct of door-to-door peddling and soliciting in order to protect the residents of the Town from fraudulent, irresponsible or criminal conduct of persons posing as door-to-door peddlers and solicitors and to provide for the free and uninhibited flow of foot traffic on public sidewalks and vehicular traffic on public streets as well as to protect the property rights of owners and lessees of private property.

[*History*: formerly § 4.201; ORD. 369, 05/11/88; ORD. 638, 12/14/05]

4.02.020 Definitions

(a) *Peddler*. For purposes of this subchapter, peddler means any person not having a regularly established place of business in the Town of Colma who travels from house to house within the Town of Colma selling or offering for sale any goods, wares or merchandise in his possession.

(b) *Solicitor*. For purposes of this subchapter, the term solicitor means any person not having a regularly established place of business in the Town of Colma who travels from house to house, or place to place, within the Town of Colma selling or taking orders for, or offering to sell or take orders for goods, wares, merchandise, advertising, services or any other thing of value for future delivery.

(c) *Street Vendor*. For purposes of this subchapter, street vendor means any person not having a regularly established place of business in the Town of Colma who is not a peddler or solicitor as defined herein and who, in any public place or place open to the general public, sells, offers for sale any goods, wares, merchandise, advertising, services or any other thing of value for future delivery.

(d) *Fixed Place of Business*. For purposes of this subchapter, fixed place of business shall mean the premises occupied in the Town of Colma for the particular purpose of conducting a business thereat and regularly kept open for that purpose.

[*History*: formerly § 4.202; ORD. 369, 05/11/88; ORD. 638, 12/14/05]

4.02.030 Peddlers and Solicitors to Register.

It shall be unlawful for any person to do business as a peddler or solicitor without having first registered with the Chief of Police. In registering with the Chief of Police, the peddler or solicitor shall provide the following information which shall be subject to verification:

(a) Name, address and telephone number of the solicitor or peddler;

(b) Name, address and telephone number of the employer or sponsor of the solicitor;

(c) An identification of the goods, wares, merchandise, advertising or services to be offered for sale;

(d) The date or dates that the peddling or soliciting will be undertaken;

(e) The areas of the Town where the peddling or soliciting will be undertaken.

[*History*: formerly § 4.203 ; ORD. 369, 05/11/88; ORD. 638, 12/14/05]

4.02.040 Street Vendors Prohibited.

(a) It shall be unlawful for any street vendor to do business in or on any public street or sidewalk or in any area of doorway or entranceway immediately abutting thereon within the Town of Colma.

(b) It shall be unlawful for any street vendor to do business on any privately owned property without the express written permission of the owner or lessee of the property.

[*History*: formerly § 4.204; ORD. 369, 05/11/88; ORD. 638, 12/14/05]

4.02.050 Exemption.

(a) This subchapter shall not apply to a vending vehicle as that term is defined in subsection (g) of Section 4.04.010 of the Colma Municipal Code, provided said vending vehicle has fully complied with Subchapter Four of Chapter Four of this Code.

(b) This subchapter shall not apply to persons who are acting as volunteers for the exclusive benefit of any church, religious society, non-profit educational organization or benevolent society, or for any other charitable purpose.

[*History*: formerly § 4.205; ORD. 369, 05/11/88; ORD. 638, 12/14/05]

4.02.060 Misdemeanor.

Any person violating any of the provisions of this subchapter shall be guilty of a misdemeanor, which shall be punishable as set forth in section 1.05.010 et seq.

[*History*: formerly § 4.206; ORD. 369, 05/11/88; ORD. 638, 12/14/05, ORD. 643, 4/12/06]