

ORDINANCE NO. 5.

An Ordinance Relative to Traveling Shows, Street Hawkers, Peddlers, Auctioneers, Dancing Places, and the Licensing Thereof.

THE VILLAGE OF DECATUR ORDAINS:

Sec.1. That it shall not be lawful for any circus, theater, menagerie, minstrel, comedy or concert troupe or other traveling exhibitions or shows that demand or receive an admission fee or pay in any way for such entertainment to exhibit in said village without first obtaining a license therefor from said village.

Sec.2. It shall not be lawful for any street hawker or peddler to cause to be erected, any stand, table or other device or thing and sell goods therefrom or to sell from any wagon, vehicle or other device or thing in the village of Decatur, without first obtaining license therefor from said village.

Sec.3. Nothing contained in the two last preceding sections of this ordinance shall be construed as prohibiting any farmer from selling in the usual manner the products of the farm nor shall any of the provisions of this ordinance be construed as in any way prohibiting any tradesman living in the said village from selling their goods, wares or merchandise or other things, or in front of their stores in the ordinary manner.

Sec.4. It shall be unlawful for any peddler, hawker, huckster, solicitor, or other person, weather a resident of Decatur or not, to travel either on foot or by vehicle from place to place within the Village offering or exposing goods, wares, or merchandise for sale or selling and delivering the same to purchasers or taking or attempting to take orders for future delivery thereof (Including magazines or other publications) or for services to be furnished or performed in the future, without first having obtained a license to do so from the Village Clerk, the cost of such license (Not to exceed the sum of Fifty Dollars) to be fixed by the Village Council; nor shall it be lawful for any person to sell or offer for sale such goods, wares, or merchandise at auction within the Village of Decatur without first obtaining such a license unless such sale be carried on in some store or other building; provided, however, that the provisions of this Section shall not apply to any person selling property by legal process or under a mortgage nor to any person who is a resident of this County and selling a product of this County.

(Sec. 5 Repealed Aug 1954)

Sec.5. It shall not be lawful for any person to use for the purpose of generation or for any purpose connected therewith or necessary to secure any stallion or jack or other animal in said village, except at a place or places to be designated by the Common Council of said village for such purpose, and the person obtaining such designation or permit if he use the same for hire shall pay a license of three dollars per annum therefor.

Sec.6. It shall not be lawful for any person to erect or cause to be erected any bowery, shed or tent for the purpose of conducting a dance therein within the limits of said Village without having a license therefor. Any person who shall desire to obtain a license for any of the purposes mentioned in this ordinance shall apply to the Village Marshal who shall have authority to issue the same, but before any such license shall be issued the person applying for the same shall pay over the sum determined by the Council to be the price of the same which shall not be less than One Dollar nor more than Fifty Dollars for such show, entertainment, or menagerie and not less than One Dollar nor more than Fifty Dollars for auctions. Nor less than One Dollar nor more than Fifty Dollars for peddlers. Nor less than One Dollar nor more than Fifty Dollars for dances, as such Marshal

shall determine from a scale furnished him by the Council. Such license shall be signed by the officer granting the same and countersigned by the Clerk of said Village.

Sec.7. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than five and not exceeding one hundred dollars and costs of prosecution, or by imprisonment not exceeding ninety days, or both such fine and imprisonment in the discretion of the court. And upon failure to pay such fine may be imprisoned for any time not exceeding sixty days unless payment thereof be sooner made, and the person so convicted and imprisoned shall be kept at labor inside or outside such place of imprisonment under the direction of the Village Marshal of said village. And if imprisonment be adjudged in any case, it may be in the village prison or in the county jail of Van Buren County or in any other place of confinement provided by said Village for such person.

(Ord 9 July 1885) Renumbered and section 5 repealed August 12, 1954