

Conditions of Licensure and Unlawful Acts Relating to Chapter 24 of the Code of Ordinance of the City of Manhattan, Kansas

Sec. 24-2. Unlawful acts.

- (a) It shall be unlawful for any person, solicitor, or peddler to occupy or use the public streets, sidewalks, plazas or other city property to sell, or offer for sale, any goods, wares, merchandise, food or services, except as permitted by a special events license issued pursuant to Sec. 31-156 or a sidewalk display or café permit issued pursuant to Sec. 30-110, or as authorized by the parks and recreation department in parks and recreation facilities.
- (b) It shall be unlawful for any canvasser, solicitor, or peddler:
 - (1) To canvass, solicit or peddle within the city between the hours of one-half hour before sunset and 8:00 a.m. the following morning, or at any time on Sundays.
 - (2) To enter upon the private premises of any dwelling when the premises are posted with a sign stating “No Peddling”, “No Solicitations” or any other words to such effect.
 - (3) To canvass, solicit or peddle upon, or to refuse to leave, any premises after having been asked by the owner or occupant thereof to leave the premises.
- (c) It shall be unlawful for any solicitor or peddler to make false or fraudulent statements concerning the quality or nature of the peddler’s or solicitor’s goods, wares, merchandise or services for the purpose of inducing another to purchase the same.

Sec. 24-23. Conditions of licensure.

The city clerk, or an officer of the Riley County Police Department, may suspend or revoke a license if the solicitor or peddler:

- (a) Fails to carry, at all times while engaging in peddling or soliciting, a copy of the city license issued under this chapter.
- (b) Fails to produce the city-issued license upon the request of the city, any law enforcement officer, or any person to whom the licensee is soliciting or peddling.
- (c) Fails to prominently display on his/her person the city-issued badge at all times while engaging in peddling or soliciting.
- (d) Fails to provide, at the request of the purchaser, a written receipt for purchases exceeding five dollars (\$5.00) in cash or tangible property, which receipt shall be signed by the person making the sale and shall set forth a brief description of the goods or services sold, the total purchase price thereof, amount of cash payment, if any, and the balance due and terms of payment.
- (e) Commits any unlawful act described in section 24-2 or any other violation of the law while soliciting or peddling.

If the solicitor or peddler is notified, in person or in writing, that he or she has violated a condition of licensure resulting in a suspension or revocation, the solicitor or peddler shall immediately cease soliciting or peddling upon the receipt of such notification.