

ORDINANCE NO.1839

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS, AMENDING ARTICLE I. SOLICITORS, CANVASSERS, PEDDLERS, OF CHAPTER V. BUSINESS REGULATIONS, OF THE CODE OF THE CITY OF WAMEGO, KANSAS, ESTABLISHING NEW FEES FOR LICENSING OF SOLICITORS, CANVASSERS AND PEDDLERS, ESTABLISHING INVESTIGATION PROCEDURES RELATIVE TO SAID PERSONS, EXEMPTING ITINERANT MERCHANTS FROM LICENSING AND FEE REQUIREMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS:

Section 1. That Paragraphs 5-102 through 5-106 of the Code of the City of Wamego, Kansas, be and the same are hereby amended to read as follows:

"5-102 LICENSE REQUIRED. (a) It shall be unlawful for any person to engage in the business of a peddler, solicitor or canvasser, as defined under Paragraph 5-101, within the corporate limits of the City without then having an unrevoked and unexpired license therefor in his or her possession and issued by the City Clerk.

(b) No license shall be required to engage in the business of a transient merchant, itinerant merchant or itinerant vendor as defined under Paragraph 5-101, however, the City Clerk may request from such merchant or vendor proof of authorization by the owner of property whereon such business is conducted, and shall notify such owner of property in the event that said proof of authorization is not forthcoming. In the event that such owner cannot be contacted, the City Clerk shall notify the Chief of Police who shall order the merchant or vendor to vacate such property until authorization can be provided to the City Clerk. Failure to comply with such order shall be enforced as a criminal trespass offense.

5-103 SAME; APPLICATION REQUIRED. Before the City Clerk may issue any license required by this article, he or she shall require a sworn application in writing prepared in duplicate on a form to be supplied by the City Clerk which shall give the following information: (a) Name and description of each person to be engaged in soliciting or peddling;

(b) Permanent home address and full local address of each person;

(c) Identification of each person, including a valid U.S. driver's license or identification card, containing date of birth, and description of the applicant;

(d) Identification of all vehicles to be employed by each person while engaged in soliciting or peddling, including each vehicle license tag number;

(e) A brief description of the nature of the business to be carried on or the goods to be sold;

(f) If employed, the name and address of the employer, together with credentials establishing such relationship,

(g) The length of time which business is proposed to be carried on;

5-104 SAME; INVESTIGATION FEE. At the time of filing the application, a fee of \$25 for each person engaged in door to door soliciting or peddling shall be paid to the City Clerk to cover the cost of investigation of the facts stated in the foregoing application.

5-105 SAME; INVESTIGATION AND ISSUANCE. (a) Upon receipt of the above application, the City Clerk shall refer the same to a professional investigation firm, contracted by the City, which shall cause an investigation of the facts stated therein to be made within three (3) business days.

(b) If as a result of the investigation, the character or business responsibility of each or any person engaged in soliciting or peddling is found to be unsatisfactory or the facts stated in the application are untrue, the City Clerk shall endorse on such application his or her disapproval of the application and the reasons for the same and shall notify the applicant regarding said findings and that no license will be issued.

(c) If however, the investigation of such application discloses that the character and business responsibility and facts stated in the application are satisfactory and true, the City Clerk shall endorse his or her findings and approval on such application and shall immediately upon payment of the license fee prescribed hereafter, issue a license to each person to engage in the business described in the application. Such license shall be in such form as required by ordinance and shall show the name of the licensee, the date of issuance and the length of time the license shall be operative.

(d) The City Clerk shall keep a permanent record of all such licenses issued.

(e) Each licensee shall carry the license at all times and show it upon request.

5-106 SAME; LICENSE FEE; EXEMPTIONS. (a) Except as provided under Subparagraph (c) below, the fee for the license required pursuant to Paragraph 5-102 shall be in the amount of \$25 per person per each day, or portion thereof, that the licensee shall be engaged in soliciting or peddling within the city limits, provided that no licensee shall be required to pay daily fees totaling in excess of \$100 in any thirty (30) day period.

(b) Except as provided under Subparagraph (d) below, any such license granted upon application as required above shall be limited to and effective only on the days set out in the license between the hours of 8 a.m. and 8 p.m. unless by specific invitation by the homeowner.

(c) Except as provided under Subparagraph (c) below, no license fee shall be required of any eleemosynary organizations providing to the City Clerk suitable proof of the nonprofit nature of the organization. No license fee shall likewise be required of any person selling products of the farm or orchard actually produced by the seller; any businesses, trades or occupations which are part of fairs or celebrations sponsored by the City or any other governmental subdivision, or the state, or when part or all of the expenses of the fairs or celebrations are paid for by the City, and other governmental subdivision, or the state.

(d) The fee for the license required pursuant to Paragraph 5-102 for itinerant fireworks vendors shall be \$250. Hours of operation shall be unlimited during the dates established by the Rules and Regulations of the State Fire Marshall as set out in the Kansas Administrative Regulations at 22-6-5."

Section 2. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3. That this Ordinance shall take effect and be in force from and after its passage and publication in the City's official paper, The Times Pottawatomie County.

The above and foregoing Ordinance passed and adopted by the Governing Body of the City of Wamego, this 21st day of April, 2026.



ATTEST:

Michele Jacobs

Michele Jacobs, Mayor

Shanda Jahnke

Shanda Jahnke, City Clerk