

STATE OF GEORGIA)
)
COUNTY OF ELBERT) ORDINANCE

To impose regulation, prohibitions and license fees on peddlers, transient or itinerant dealers and solicitors operating within said city; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of Bowman, Georgia and it is hereby ordained by authority thereof;

SECTION 1. Definitions

A. A peddler is defined as one who goes from place to place and from house to house carrying for sale and exposing to sale goods, wares and merchandise which he carries with him.

B. A transient or itinerant dealer is one who establishes himself in business in a locality with one intention to remain here for a limited time and who for such time occupies a place for the exhibition and sale of his wares.

C. A solicitor is a person who goes from person to person, house to house and who orders, subscriptions or any other kind of support, or who distributes literature handbills and the like for information, advertising etc.

SECTION 2. The practice of going in and upon the public property of the City of Bowman, State of Georgia, to utilize its streets, parks and sidewalks by solicitors, peddlers, itinerant merchants and transients vendors of merchandise, not having been requested or invited by the Mayor and Council of the City of Bowman, for the purpose of soliciting orders for sale of goods, wares and merchandise and/or for the purpose of demonstrating or advertising the same or for the sale of goods; wares and merchandise is declaimed a public nuisance and is prohibited . All law enforcement and city personell are required to abate any such nuisance.

SECTION 3. The Mayor and Council in their discretion may from time to time designate certain areas or times which during such designation may be used by solicitors, peddlers, intineant merchants in transit merchants for the purpose of conducting their trade. In the event such designation is made a fee may be charged as determined by the Mayor and Council for the conducting of trade.

SECTION 4. In the event the Mayor and Council designate certain areas and or times for the operation of such trade business. the Mayor and Council may establish rules and regulations attributable to the operation of the designated area which rules shall be posted at City Hall and at the designated area. No person shall have exclusive rights to any location and shall not operate in a congested area or impede the flow of traffic. The judgment of city officials exercised in good faith, shall be deemed conclusive as to whether the area is congested or traffic impeded.

SECTION 5. In the event the Mayor and Council designate certain areas for use as herein contemplated an application must be made for a permit and license fee paid. The application shall be in such form as designated by Mayor and Council and applicable fees, if any, paid at the time of application, to the City Clerk.

SECTION 6. This ordinance shall become effective on the _____ day of _____, 19____.

SECTION 7. In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of Bowman, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

SECTION 8. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

ORDAINED this 5th day of December, 1994,
by the Mayor and Council of the City of Bowman, Georgia.

THE CITY OF BOWMAN, GEORGIA

BY: [Signature] Mayor

Attest: Betty Jo Maxwell
City Clerk