



PEDDLER, SOLICITOR AND CANVASSER DEFINITIONS & EXCEPTIONS

Definitions as used in this application, the following words have the meaning indicated:

A. "Peddler" is one who either:

1. For profit to himself/herself or his/her principal, locates temporarily at one place or goes from place to place to sell any good or service, or seeks donations for any cause of a profit-making or commercial character, or
2. Attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of attempting to sell a good or service. A "peddler" does not include a person who distributes handbills or flyers for a commercial purpose, advertising an event, activity, good or service that is offered to the resident for purchase at a location away from the residence or at a time different from the time of visit. Such a person is a "solicitor".

B. "Solicitor" is one who either:

1. Solicits at any location within the City for a charitable, political or religious purpose, even if incidental for such purpose there is the sale of some good or service; or
2. Attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of (1) attempting to obtain a donation to a particular patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, charitable, political or religious purpose, even if incidental to such purpose there is the sale of some good or service, or (2) distributing a handbill or flyer advertising a commercial event or service.

"Canvasser" is a person who attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of (1) attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause, or (2) distributing a handbill or flyer advertising a non-commercial event or service.

C. Exceptions:

1. This ordinance shall not apply to a federal, state, or local government employee or a public utility employee in the performance of his/her duty for his/her employer; or
2. To a licensed itinerant vendor within the meaning of Section 150.380 RSMo. or
3. The applicant demonstrates they have a peddler license from the County and State as required by Section 150.470, RSMo. or
4. The applicant demonstrates he is exempt from said requirement.

D. Fees: The fee for the issuance of each identification card shall be as follows:

1. For a peddler acting on behalf of a merchant otherwise licensed to do business within the City, no fee as long as the peddler is operating on the merchant's licensed premises.
2. The applicant shall deposit with the City Clerk a bond in the amount of one hundred dollars (\$100) (cash or surety) per card to secure collection and payment to the Missouri Department of Revenue all sales tax due and payable by reason of sales made within this City. Said bond shall be forfeited to the City if the applicant does not, within ninety (90) days of the expiration or surrender of the peddler's card, demonstrate by affidavit or otherwise that sales tax has been paid.

3. For a solicitor (including a commercial solicitor advertising an event, activity, good or service for purchase at a location away from the solicitors premises – no fee.
4. For a charitable organization recognized by the Internal Revenue Service (IRS) as a 501(c) (3) exempt organization – no fee.
5. For a canvasser requesting an identification card – no fee.

E. Distribution of Handbills and Commercial Flyers. In addition to the other regulations contained herein, a solicitor or canvasser leaving handbills or commercial flyers about the community shall observe the following regulations.

1. No handbill or flyer shall be left or attached to any sign, utility pole or other structure within the public right of way. Police officers are authorized to remove any handbill or flyer found within the right of way.
2. No handbill or flyer shall be left at, or attached to any privately owned property in a manner that causes damage to such privately owned property.
3. No handbill or flyer shall be left at, or attached to any of the property having a “no solicitor” sign.

F. General Prohibitions. No peddlers, solicitor or canvasser shall:

1. Enter upon any private property where the property has clearly posted in the front yard a sign visible from the right of way (public or private) indicating a prohibition against peddling, soliciting and/or canvassing. Such sign need not exceed one square foot in size and may contain words such as “no soliciting” or “no solicitors” in letters of at least two inches in height. (The phrase “no soliciting” or “no solicitors” shall also prohibit peddlers and canvassers).
2. Remain upon any private property where a notice in the form of a sign or sticker is placed upon any door or entranceway leading into the residence or dwelling at which guests would normally enter, which sign contains the Words “No Soliciting” or “No Solicitors” and which is clearly visible to the peddler, solicitor or canvasser.
3. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right of way to the front or main entrance, except by express invitation of the resident or occupant of the property.
4. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.
5. Enter upon the property of another for the purpose of engaging in peddling, soliciting or canvassing, except between the hours of 9:00 a.m. and 8:00 p.m.
6. Prohibited from setting up in a fixed location unless all requirements of the Zoning Code of the City have been met.
7. The above prohibitions shall not apply when the peddler, solicitor, or canvasser has an express invitation from the resident or occupant of a dwelling allowing him/her to enter upon any posted property.

City of Osage Beach
City Clerk
1000 City Parkway
Osage Beach, MO 65065
573-302-2000 Phone – 573-302-0528 FAX

Date Received: _____

Date Issued: _____



PEDDLER, SOLICITOR AND CANVASSER APPLICATION

A. Applicant Name: _____

B. Number of Identification cards required: _____

C. Type of card requested: Peddler - \$500 Solicitor - No Fee Canvasser - No Fee

D. If you request an identification card you must provide the following information: _____

1. Permanent address of the applicant: _____

2. If applicable, local address of applicant: _____

3. Permanent address for each person requesting an identification card: _____

4. Date of birth: _____

5. Place of birth: _____

6. Description of activity proposed with this identification card: _____

7. List all infractions, offenses, including felony and misdemeanor convictions for each person requesting an identification card: _____

8. Provide the motor vehicle make, model, year, color and state license plate number of any/all vehicle(s) to will be used by each person for whom a card is requested: _____

E. Additional Requirements for a Peddler's Identification Card.

1. A copy of a valid retail sales tax license (individual, agent or principal) issued by the State Director of Revenue as required by RSMo 144.083; said license shall contain "Osage Beach" as the licensee's address.
2. Proof must be attached to this application that the applicant is a licensed itinerant vendor within the meaning of RSMo.150.380; **OR**
3. Proof must be attached to this application that the applicant is exempt from said requirement.
4. The applicant must produce written permission from the property owner where the proposed activity is to take place.

5. Peddlers are specifically prohibited from setting up in a fixed location unless all requirements of the Osage Beach Zoning Code have been met.

F. Additional Requirements for a Canvasser or Solicitor's Identification Card.

1. Name and permanent address of the organization, person or group for whom donations or proceeds are accepted.
2. The web addresses for this organization, person or group (or other address) where residents having subsequent questions can go for more information.
3. Each identification card shall be worn on the outer clothing of the peddler or solicitor when the individual for whom it was issued is acting as a peddler or solicitor.
4. An identification card is valid for a period of six months from its date of issuance.

G. No person having a canvasser's, solicitors or peddler's identification card shall:

1. Enter upon any private property where the property has clearly posted in the front yard a sign visible from the right of way (public or private) indicating a prohibition against peddling, soliciting and/or canvassing.
2. Remain upon any private property where a notice in the form of a sign or sticker is placed upon any door or entranceway leading into the residence or dwelling at which guest would normally enter, which sign contains the words no soliciting or no solicitors.
3. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk leading to the front entrance except by express invitation of the resident or occupant of the building.
4. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.

H. Time Limits. No person shall enter upon the property of another for the purpose of engaging in peddling, soliciting or canvassing, except between the hours of 9:00 AM and 8:00 PM.

I. Notary Information.

Applicant Name:

Date:

Applicant Signature

State of Missouri, County of Camden, subscribed and sworn to before me, this _____ day of _____, 20_____.

Notary Public

My Commission Expires: _____

City of Osage Beach
 City Clerk
 1000 City Parkway
 Osage Beach, MO 65065
 573-302-2000 Phone – 573-302-0528 FAX
clambert@osagebeach.org
durlicks@osagebeach.org