

9-201. Definitions. Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meaning given to them in this section:

- (1) "Peddler" means any person, firm or corporation, either a resident or a nonresident of the city, who has no permanent regular place of business and who goes from dwelling to dwelling, business to business, place to place, or from street to street, carrying or transporting goods, **sale of goods, wares** or merchandise and offering or exposing the same for sale.
- (2) "Solicitor" means any person, firm or corporation who goes from dwelling to dwelling, business to business, place to place, or from street to street, taking or attempting to take orders for any goods, wares or merchandise, or personal property of any nature whatever for future delivery, except that the term shall not include solicitors for charitable and religious purposes and solicitors for subscriptions as those terms are defined below.
- (3) "Solicitor for charitable or religious purposes" means any person, firm, corporation or organization who or which solicits contributions from the public, either on the streets of the city or from door to door, business to business, place to place, or from street to street, for any charitable or religious organization, and who does not sell or offer to sell any single item at a cost to the purchaser in excess of ten dollars (\$10.00). No organization shall qualify as a "charitable" or "religious" organization unless the organization meets one of the following conditions.
 - (a) Has a current exemption certificate from the Internal Revenue Service issued under Section 501(c)(3) of the Internal Revenue Service Code of 1954, as amended.
 - (b) Is a member of United Way, Community Chest or similar "umbrella" organization for charitable or religious organizations?
 - (c) Has been in continued existence as a charitable or religious organization in Wilson County for a period of two (2) years prior to the date of its application

- (4) "Solicitor for subscriptions or book sales" means any person who solicits subscriptions from the public, either on the streets of the city, or from door to door, business to business, place to place, or from street to street, and who offers for sale subscriptions to magazines or solicits the sale of books or other materials protected by provisions of the Constitution of the United States.
- (5) "Transient vendor" means any person who brings onto temporary premises stocks of merchandise and offers to sell said merchandise to the public. "Transient vendor" does not include any person selling goods by sample, brochure, or sales catalog who does not remain at one location. For purposes of this definition, "merchandise" means any consumer item that is offered for sale, whether said item is new or used, and "temporary premises" means any public or quasi-public place including a motel, hotel, rooming house, storeroom, building or part of a building, tent, vacant lot, parking lot, railroad car, motor vehicle or along any public street within twenty-five (25') feet of the roadway which is temporarily occupied for the purpose of exhibiting stocks of merchandise to the public for sale. Premises are not temporary if the same person or organization has conducted business at those premises for more than six (6) consecutive months.
- (6) "Street barker" means any peddler who does business during recognized festival or parade days in the city and who limits his business to selling or offering to sell novelty items and similar goods in the area of the festival or parade.
- (7) "Food Truck" means a vehicle from which edible food products are cooked, prepared, and/or assembled with the intent to sell such items to the general public. Said vehicle shall be capable of movement, including a trailer or cart capable of being pushed or pulled by a vehicle, person, animal, or other mechanical means, regardless of whether such trailer or cart is mobile or stationary. Towable smokers or towable grills transported by a vehicle shall not be considered Food Trucks.
- (8) "Ice Cream Vending Units" means any motor vehicle containing a commercial freezer from which a Vendor sells or gives away frozen food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, and similar desserts, whether prepackaged, prepared, or prepared on-site. Ice Cream Vending Units are a specialized Food Trucks for permitting proposes.
- (9) "Ag Vendor" means any person who, or organization that, brings onto temporary premises agricultural products and offers them for sale to the public. For purposes of this chapter, "agricultural products" shall mean any fruits, vegetables, processed byproducts of fruits and vegetables (such as jellies, jams, and canned vegetables), or any other fruit or vegetable byproduct produced or grown by the Ag Vendor seeking a permit. "Ag vendor" does not include any person or organization selling agricultural products by sample, brochure, or sales catalog who does not remain at one location. Premises are not temporary if the same person or organization has conducted business at those premises for more than six (6) consecutive months. (as amended by Ord. #95-1303, § 1, May 1995; further amended by Ord. #95-1327, §§ 1 and 2, July 1995; further amended by Ord. #15-4983, § 7, August 2015; and further amended by Ord. #18-5628, May 2018)