

ORDINANCE NO 341
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
NASHUA, IOWA, 2019, AMENDING CHAPTER 122
PEDDLERS, SOLICITORS, and TRANSIENT MERCHANTS

BE IT ENACTED by the City Council of the City of Nashua, Iowa;

SECTION 1. SECTION MODIFIED. Section 122.04 Application for License, 122.05 License Fees, 122.16 Rebates, 122.17 License Exemptions, and Adding a new section 122:19 Insurance to the Code of Ordinances of the City of Nashua, Iowa, 2019 is repealed and the following adopted in lieu thereof:

122.04 APPLICATION FOR LICENSE. An application and completed checklist shall be filed with the Clerk before an event for a license under this chapter. The application shall set forth the applicant's name, permanent and local address, and business address if any. The application shall also set forth the applicant's employer, if any, and the employer's address, the nature of the applicant's business, the last three places of such business and the length of time sought to be covered by the license. An application fee of \$5.00 shall be paid at the time of filing such application to cover the cost of investigating the facts stated therein.

122.05 LICENSE FEES. The following license fees shall be paid to the Clerk prior to the issuance of any license.

1. Solicitors. In addition to the application fee for each person actually soliciting (principal or agent), a fee for the principal of \$25 per day, \$70 per week, \$150 per month, or \$250 per year. Peddlers or Transient Merchants. City approved Special Events have a fee of \$5.00.

- A. For one day.....\$25.00
- B. For one week.....\$70.00
- C. For up to six months.....\$150.00
- D. For one year or major part thereof.....\$250.00
- E. City approved Special Events.....\$5.00

122.16 REBATES. Any licensee, except in the case of a revoked license, shall be entitled to a rebate of part of the fee paid if the license is surrendered before it expires. The amount of the rebate shall be determined by dividing the total license fee by the number of days for which the license was issued and then multiplying the result by the number of full days not expired. In all cases, at least \$10.00 of the original fee shall be retained by the City to cover administrative costs.

122.17 LICENSE EXEMPTIONS. The following are excluded from the application of this chapter.

- 1. Club Members. Members of local civic and service clubs, Boy Scout, Girl Scout, 4-H Clubs, Future Farmers of America, and similar organizations.
- 2. Students. Students representing the Nashua-Plainfield Community School District conducting projects sponsored by organizations recognized by the school.
- 3. Route Sales. Route delivery persons who only incidentally solicit additional business or make special sales.

4. Resale or Institutional Use. Persons customarily calling on businesses or institutions for the purposes of selling products for resale or institutional use.

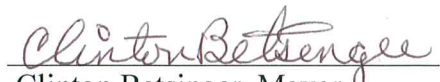
122.19 INSURANCE (NEW) Every mobile vendor shall maintain liability insurance for operation of the mobile **vendor** vehicle, or the tow **vehicle if the mobile vendor vehicle is a trailer**, and provide proof of the following **coverage(s)** in its application for a mobile vendor license and any time **upon** the request by the city clerk.

1. An insurance policy or policies, or certificate of insurance, issued by an insurance company with a high rating. The policy(ies) shall include commercial general liability insurance coverage and automobile liability insurance coverage, or the equivalent thereof, for the owner of the mobile **vendor** vehicle and tow vehicle if applicable, and for the mobile **vendor** business if different from the vehicle owner. The commercial general liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than \$1,000,000 per occurrence and aggregate combined single limit. The automobile liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than \$1,000,000 per occurrence, combined single limit.
2. The certificate of insurance referred to in this section shall provide that the insurance policy or policies have been endorsed to provide 30 days advance written notice of cancellation, 45 days advance written notice of non-renewal, and ten days advance written notice of cancellation due to nonpayment of premium, and that these written notices shall be provided by email, fax, delivery or regular mail to the City Clerk.
3. The cancellation or other termination of any required insurance policy shall automatically revoke and terminate the mobile vendor license, unless another policy(ies) complying with this section shall be provided and in effect at the time of such cancellation or termination. **The City Clerk shall immediately issue written notification of the revocation of the mobile vendor license.**

Section 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 16th day of August, 2021 and approved this 16th day of August ,2021.


Clinton Betsinger, Mayor

ATTEST:


John Ott, City Clerk

Roll Call: 3 Ayes (Anthofer, Johnson, and Kellher), 0 - Nays, Cerwinske Absent, Ludemann - Abstained