

1 CITY OF ST. GEORGE

2
3 BY COUNCIL MEMBER MONACHELLO:

4
5 PROPOSED ORDINANCE NO. 2024-_____

6
7 ORDINANCE TO ENACT CHAPTERS 2 AND 3 OF TITLE 9
8 AND CHAPTER 3 OF TITLE 12 TO REGULATE FARMERS'
9 MARKETS, ITINERANT VENDORS, AND HOUSE-TO-
10 HOUSE PEDDLERS AND TO PROVIDE FOR RELATED
11 MATTERS

12
13 WHEREAS, the St. George City Council desires to regulate the sale of temporary
14 commerce including farmer’s markets, itinerant vendors, and house-to-house peddling, and to
15 provide for related matters.

16
17 BE IT ORDAINED by the St. George City Council, State of Louisiana, Chapters 2 and 3
18 of Title 9 and Chapter 3 of Title 12 are enacted as follows:

19
20 **Section 1. Enactment.**

21
22 **Title 9. LICENSING AND REGULATION OF TRADES AND OCCUPATIONS**
23 **Chapter 2. FARMERS' MARKETS**

24
25 **Sec. 9:201. Definitions.**

26
27 The following words, terms, and phrases, when used in this Chapter, shall have the meanings
28 ascribed to them in this Section, except where the context clearly indicates a different meaning:

29
30 *Agricultural products* mean products grown or produced on farms or in gardens in Louisiana
31 or in an adjacent state including, but not limited to, apiary products, cotton, flowers, fruits,
32 grains, herbs, nuts, plants, seeds, and vegetables. The term "agricultural products" shall not
33 include any live animal, tobacco, or any other plant or product the possession or distribution
34 of which is restricted or prohibited by federal, state, or local law.

35
36 *Farmers' market* means a temporary market consisting of five or more vendors who sell
37 agricultural products, food products, or handicrafts produced in Louisiana or in an adjacent
38 state to consumers from temporary booths, displays, stands, or structures pursuant to a current
39 vendor permit or an occupational license issued by the City of St. George.

40
41 *Food products* mean any food processed by the vendor in accordance with applicable
42 provisions of the sanitary code and federal, state, and local rules or regulations that are intended
43 for consumption by humans or animals such as baked goods, dried fruits and vegetables, jams,
44 jellies, juices, preserves, pickles and canned or packaged products which are in a non-
45 perishable state. The term "food products" shall not include any product containing alcohol,

1 tobacco, or any other food item the possession or distribution of which is restricted or
2 prohibited by federal, state, or local law.

3
4 *Food truck vendor* means a person or entity who prepares, cooks, and vends prepared foods
5 from a vehicle-mounted food establishment designed to be readily movable which complies
6 with all applicable federal, state, and local laws including, but not limited to, the sanitary code
7 and regulations of the East Baton Rouge Parish Board of Health, and the Louisiana Department
8 of Health and Hospitals.

9
10 *Handicraft* means any original art, craft, or product that has acquired a substantial part of its
11 value from the skill of the vendor or a member of the vendor's immediate family including, but
12 not limited to, framed art, jewelry, photography, pottery, textiles, and wearable art. For
13 purposes of this title, the term "handicraft" shall not include any used or second-hand item or
14 any firearm.

15
16 *Labeled* means written, printed, and/or graphic material affixed to packaging which includes a
17 listing of the name and address of the preparer, the contents, and the date and place of
18 packaging.

19
20 *Nonperishable* means items that will not spoil within a few hours without refrigeration or
21 freezing including items rendered nonperishable by processing such as baking, canning, or
22 drying. Nonperishable food products shall not include dairy products, frozen foods, meats,
23 poultry, or shellfish whether cooked or uncooked, or any cooked vegetable, starch, or grain
24 products including rice, pasta, and potatoes which could spoil without refrigeration.

25
26 *Person* means a natural person or legal entity including governmental entities and nonprofit
27 entities.

28
29 *Sanitary code* means Louisiana Sanitary Code promulgated by the Louisiana Department of
30 Health and Hospitals, in Title 51 of the Louisiana Administrative Code.

31
32 *Sanitize* means adequate treatment by the use of chemicals or other processes that will destroy
33 vegetative cells of pathogenic bacteria and will substantially reduce other microorganisms.
34 Such treatment shall not adversely affect products intended for human or animal consumption
35 and shall be safe and non-toxic.

36
37 *Sponsor* means a person with a current permit to operate a farmers' market within the City of
38 St. George.

39
40 *Vendor* means any person who displays agricultural products, food products, or handicrafts for
41 the purpose of selling such items or securing orders for the sale of such items who does not
42 have a fixed place of business within the City of St. George.

1 **Sec. 9:203. Farmers' market sponsor permit required.**

- 2
- 3 (a) It shall be unlawful for any person to conduct a farmers' market within the City of St.
- 4 George without a valid farmers' market sponsor permit.
- 5
- 6 (b) No farmers' market sponsor permit shall be issued unless the location:
- 7 (1) Is open to the public;
- 8 (2) Is at least 1,000 square feet in area;
- 9 (3) Has adequate parking for patrons in accordance with St. George Unified Development
- 10 Code;
- 11 (4) Has access to restroom facilities;
- 12 (5) Has adequate ingress and egress to the market which does not unduly impede the flow
- 13 of traffic on public roads in the immediate vicinity; and
- 14 (6) Has adequate garbage receptacles for the collection of garbage and waste.
- 15
- 16 (c) Each applicant for a farmers' market sponsor permit shall complete the application
- 17 provided by the City which shall include, but not be limited to, the applicant's physical
- 18 business and/or home address, the phone number of the individual responsible for receiving
- 19 information regarding the farmers' market, the date, time and location of the proposed
- 20 farmers' market and shall submit the following:
- 21 (1) Documentation evidencing ownership of the property where the farmers' market will
- 22 be conducted or evidence of the property owner's written consent to the conduct of a
- 23 farmers' market and compliance with the provisions of this Title.
- 24 (2) A certificate of insurance evidencing liability coverage in an amount not less than
- 25 \$250,000 per incident covering any damages or injuries that may occur as a result of
- 26 the operation of the farmers' market and indicating the City of St. George will be
- 27 notified electronically if the policy of insurance is to be canceled for any reason prior
- 28 to the expiration of the term listed on the certificate.
- 29 (3) A drawing showing the number and arrangement of booths, parking areas, ingress and
- 30 egress, and location of restroom facilities and garbage receptacles.
- 31 (4) A fee of \$125 for a six-month permit or a fee of \$250 for an annual permit.
- 32
- 33 (d) Sponsors shall:
- 34 (1) Display the farmers' market sponsor permit in a conspicuous place at the location
- 35 during all hours of operation;
- 36 (2) Conduct sales only on Saturdays and Sundays from dawn to dusk;
- 37 (3) Be responsible for verifying that all vendors comply with the requirements of this title;
- 38 (4) Be responsible for verifying that all booths, displays, stands, or structures where
- 39 agricultural products or food products are sold are sanitized;
- 40 (5) Remove all garbage, litter, temporary structures, and signage at the end of each day the
- 41 farmers' market is conducted;
- 42 (6) Cancel any scheduled farmers' market when requested by the director of the
- 43 Department of Public Works, the Fire Chief, or any law enforcement official who
- 44 determines that cancellation is in the best interest of the public health and welfare.
- 45 (e) Farmers' market sponsor permits are not transferrable. Sponsor permits are valid only
- 46 for the location listed on the permit and for use by the person listed on the permit.

1
2 **Sec. 9:205. Farmer's market vendor permit required.**
3

4 (a) It shall be unlawful for any person to sell or offer for sale any item in a farmers' market
5 without a valid vendor permit or a valid occupational license issued by the City of St.
6 George except any trucker, farmer, or producer of fruits, vegetables, grains, or meats in
7 Louisiana, or any employee of such farmer or producer that sells the produce or products
8 directly to consumers.

9 (1) Each applicant for a farmers' market vendor's permit shall complete the application
10 form provided by city services which shall include but not be limited to the physical
11 address of the applicant's business and residence;

12 (2) Description of the items the applicant intends to sell or offer for sale;

13 (3) The physical location of the farmers' market vendor seeks to participate in;

14 (4) Evidence of approval by the farmers' market sponsor for the vendor to participate;

15 (5) Evidence of registration with the East Baton Rouge Parish Finance Department for
16 sales and use tax collection; and

17 (6) A fee of \$25 for a six-month permit or a fee of \$50 for an annual permit.
18

19 (b) Vendors shall:

20 (1) Display the current farmers' market vendor permit or occupational license in a
21 conspicuous place;

22 (2) Not sell any products other than those authorized in this Title;

23 (3) Comply with the provisions of this Chapter and all applicable federal, state, and local
24 laws including, but not limited to, the sanitary code and rules and regulations of the
25 East Baton Rouge Parish Board of Health, the Louisiana Department of Health and
26 Hospitals, and the Louisiana Department of Agriculture and Forestry regarding the
27 preparation, transportation and sale of any item offered for sale;

28 (4) Remit all applicable sales and use taxes to the East Baton Rouge Parish Finance
29 Department;

30 (5) Prior to each farmers' market, sanitize all booths, displays, stands, and structures and
31 containers for agricultural products or food products;

32 (6) Keep all booths, displays, stands, and structures sanitary and free from excessive
33 garbage and litter during each farmers' market;

34 (7) Sell only labeled food products;

35 (8) Clearly display prices for items offered for sale; and

36 (9) Maintain a record of its sales made at the farmers' market for a period of at least three
37 years which shall be subject to audit by the City of St. George.
38

39 (c) Farmers' market vendor permits are not transferrable. Vendor permits are valid only for the
40 location listed on the permit and for use by the person listed on the permit.
41

42 (d) Food truck vendors who obtain a farmers' market vendor permit shall be authorized to
43 prepare, cook, and vend prepared food products.

1 **Sec. 9:207. Zoning requirements.**

2
3 Farmer's markets shall be permitted to operate only within zoning districts which permit the sale
4 of the type of items to be offered for sale. Farmer's markets shall maintain building setback lines
5 and sight triangle requirements of the Development Code for the zoning district in which the
6 farmer's market is permitted.

7
8 **Sec. 9:209. Enforcement and penalty.**

- 9
10 (a) Violations of any provision of this Title may be enforced pursuant to the administrative
11 procedures set forth in Title 4 of the City of St. George Code or by a court of competent
12 jurisdiction.
13
14 (b) Any permit issued pursuant to this Chapter may be suspended or revoked for failure to
15 comply with the provisions of this Title.
16
17 (c) Any person who violates any provision of this Chapter may be fined up to \$500 per
18 violation. Each day of the violation shall constitute a separate violation.
19

20 **Title 9. LICENSING AND REGULATION OF TRADES AND OCCUPATIONS**

21 **Chapter 3. ITINERANT VENDORS**

22
23 **Sec. 9:300. Sales from temporary structures or vehicles.**

24
25 Except as set forth in Section 9:301, it shall be unlawful for any person to sell any
26 merchandise, wares, goods, food, food products, plants, flowers, paintings, mirrors, or any artifact
27 or saleable product from any temporary structure, including, but not limited to, any stand, table,
28 mobile unit, cart, motor vehicle, portable or movable container or display case, whether closed or
29 enclosed, operating on a permanent, temporary, or seasonal basis either upon:

- 30 (1) Any public rights-of-way such as a street, boulevard, highway, roadway, emergency lane,
31 neutral ground, or shoulder of a road used for vehicular traffic or any other public property
32 dedicated for specific use; or
33 (2) On any private property, unless authorized by this Chapter.
34

35 **Sec. 9:301. Exceptions.**

36
37 Section 9:300 shall not apply to:

- 38 (1) Sales by charitable organizations provided the sale takes place on private property with the
39 permission of the landowner or occupant thereof and said sale is conducted for a period of
40 not more than 72 hours. For the purpose of this Section, the term "charitable organization"
41 shall include a nonprofit board, association, corporation, or other organization domiciled
42 in this state and qualified with the United States Internal Revenue Service for an exemption
43 from federal income tax under Section 501 (c)(3), (4), (5), (6), (7), (8), (10), or (19) of the
44 Internal Revenue Code or organization of at least five individuals which has as its purpose
45 a benevolent, civic, recreational, educational, voluntary, health, law enforcement, social

1 service, philanthropic, fraternal, humane, patriotic, religious, or eleemosynary
2 organization;

3 (2) Temporary outdoor sales of merchandise, other than food items, shall be permitted by a
4 business lawfully operating in an enclosed building or space provided any such temporary
5 outdoor sales are conducted in an area adjacent to the enclosed building or space. In no
6 case shall such sales be conducted on any area of the private property within ten feet of the
7 property line or within 20 feet of any public right-of-way such as a street, boulevard,
8 highway, roadway, emergency lane, or shoulder of a road which is used for vehicular
9 traffic;

10 (3) Garage sales conducted by the property owner, provided no more than four garage sales
11 per calendar year shall be conducted upon any property. No garage sale shall begin prior
12 to sunrise on Friday or continue after sunset on Sunday;

13 (4) Sales in a permitted farmers' market by a person possessing an unexpired 2024
14 occupational license issued by East Baton Rouge Parish, or a current occupational license
15 issued by the City of St. George after 2025 or by a current farmers' market vendor permit;
16 or

17 (5) Sales by mobile food vendors consistent with Section 9:302-9:307 of this Chapter.

18
19 **Sec. 9:302. Definitions.**

20
21 The following words, terms, and phrases, when used in this Chapter, shall have the meanings
22 ascribed to them in this Section, except where the context clearly indicates a different meaning:

23
24 *Commissary* means a catering establishment, restaurant, or any other properly equipped place
25 in which food, containers, or supplies are kept, handled, prepared, packaged, or stored and is
26 subject to health inspections with an operating base location to which a mobile food truck or
27 transportation vehicle returns at least once daily for such things as vehicle and equipment
28 cleaning, discharging liquid or solid wastes, refilling potable water tanks and ice bins, and
29 storing food and supplies. Initial food preparation and storage cannot be done in the mobile
30 vendor's home or other private residence.

31
32 *Licensee* means the recipient of a mobile vending license under the terms and provisions of
33 this division.

34
35 *Mobile food truck* means a trailer or double-axle, self-propelled vehicle that is completely
36 mobile with no permanent fixed location designed and/or intended to be mobile and readily
37 moveable, the vendor of which stores foods and makes initial food preparations in a state-
38 licensed commissary, and cooks or heats all or most of its food on board the vehicle to serve
39 or distribute to customers, in a form suitable for immediate ingestion or consumption. Food
40 trucks shall not be utilized as an extension of an existing building or business to circumvent
41 these regulations. This definition excludes vendors selling only fresh, uncooked, or unprepared
42 produce or seafood, or farmers selling their own produce or value-added products (oils, jams,
43 jellies, etc.) directly to customers from motor vehicles or at farmer's markets. This definition
44 also excludes snow cone stands selling only snow cones and ice cream trucks.
45

1 *Mobile vendor* means a person, natural or juridical with a valid occupational license to operate
2 a mobile food truck to serve or distribute food on privately owned commercial property with a
3 valid lease.
4

5 *Public right-of-way* means any city street, alley, road, sidewalk, parking lot, neutral ground, or
6 other passageway whereby pedestrians or vehicles traverse.
7

8 **Sec. 9:303. Occupational license required.**
9

- 10 (a) It shall be unlawful for any mobile food vendor to transact any phase of business without
11 a current occupational license from the City. The fee for this license shall be \$200 per
12 annum.
13 (b) No occupational license shall be issued until all requisite approvals and permits by the
14 Louisiana State Department of Health, Office of Public Health, Sanitation Division are
15 finalized and received by the City.
16 (c) All licensees shall comply with all applicable state laws and regulations and the Code of
17 the City of St. George.
18 (d) Licenses shall be issued on an annual basis and shall expire on December 31 of every year.
19 (e) Occupational licenses and all requisite approvals shall be conspicuously displayed and
20 affixed to the food truck in a place clearly visible from outside the mobile food truck at all
21 times during operation.
22 (f) Mobile vendors shall provide the City with the dates, hours of operation, and locations for
23 mobile food truck operations within the City.
24

25 **Sec. 9:304. Lease requirements.**
26

- 27 (a) Mobile food vendors shall operate on private commercial property either owned by the
28 mobile food vendor or pursuant to a valid lease agreement for the use of a specified area
29 of the private commercial property, all of which shall be defined in the lease agreement.
30 (b) Before an occupational license is issued by the City, the mobile food vendor applicant will
31 be required to furnish a signed letter of permission or copy of a signed lease for the use of
32 the property where sales are proposed. (The rent amount in said lease(s) may be redacted.)
33 This letter or lease must indicate who is responsible for liability on said property.
34

35 **Sec. 9:305. Insurance requirements.**
36

37 Before a license is issued by the City, the mobile food vendor applicant will be required to
38 furnish proof of a policy of general liability insurance in the amount of \$200,000 per incident
39 covering any damage to person or property caused by mobile food truck or by the mobile food
40 truck products or merchandise. The policy must include a provision that the City will be notified
41 within 30 days if this policy of insurance is to be canceled for any reason.

1 **Sec. 9:306. Regulations for mobile food vendors.**

2
3 In addition to all other applicable laws pertaining to licenses and franchises, all mobile vendors
4 operating pursuant to this division shall be subject to the following provisions:

- 5
6 (1) All mobile food trucks shall be registered and licensed in the State of Louisiana. Any driver
7 of a mobile food truck shall possess a valid Louisiana Driver's License and provide a copy
8 of the same to the business license department.
- 9 (2) All mobile vendors shall comply with all applicable parking, traffic, and vehicle safety
10 laws, regulations, and restrictions, and with the Louisiana Highway Regulatory Act, but in
11 no event shall any mobile vendor remain in any one location for more than five hours.
- 12 (3) No mobile vendor shall operate within six feet of any public or private driveway,
13 wheelchair ramp, or bicycle ramp.
- 14 (4) No mobile food truck shall be more than 26 feet in length or eight feet in width. A
15 photograph of the vehicle [indicating] the dimensions shall be provided at the time of
16 application for a vendor permit.
- 17 (5) No mobile vendor shall sell alcoholic beverages, controlled substances, or any other item
18 the possession or use of which is deemed illegal under any federal, state, or local law.
- 19 (6) No mobile vendor shall sell goods, wares, or other items of merchandise other than food
20 and non-alcoholic beverages.
- 21 (7) No mobile vendor shall place any tents, awnings, or other fixtures or furniture around
22 a mobile food truck. Mobile food vendors at an event may place tables and chairs on site
23 provided no street, sidewalk, pedestrian path, or right-of-way is obstructed or any other
24 traffic and parking laws or regulations are violated.
- 25 (8) All mobile vendors shall provide a trash receptacle within three feet of the front or back of
26 the mobile food truck, which shall be large enough to contain all refuse generated by the
27 operation. The location shall be kept clean and free of trash and debris. All mobile vendors
28 shall be responsible for cleaning all debris and refuse generated by such operation within
29 a 50-foot radius of the mobile food truck upon ceasing operation. It shall be unlawful for
30 any mobile vendor to leave any location without first picking up, removing, and properly
31 disposing of all trash or refuse remaining at a location. Any trash, garbage, refuse or other
32 debris generated by the mobile vendor or relating to the operation of the mobile vendor
33 shall be disposed of at approved locations. Any tables and chairs must also be removed.
34 The trash receptacle shall be removed after the area cleanup has been completed.
- 35 (9) No mobile vendor shall operate any horn, sound amplification system, or other sound-
36 producing device or music system that can be heard outside the mobile food truck when
37 such mobile food truck is moving, stopped, standing, or parked, or is being operated as
38 allowed under this division.
- 39 (10) No advertising shall be allowed on any mobile food truck, except to post prices and to
40 identify the name of the product or the name of the mobile vendor.
- 41 (11) Mobile vendors must comply with all other applicable conditions and requirements
42 imposed upon mobile vendors by law, all applicable City and state health laws and
43 regulations, and shall make such sales tax returns and other reports as required by the Code
44 of the City of St. George.

1 (12) No mobile food vendor shall operate or conduct business in or on any street, public right-
2 of-way, or residentially zoned property.

3 (13) No mobile food vendor shall operate or conduct business in or on any public property
4 without written permission of the governmental entity that owns the property.

5
6 **Sec. 9:307. Exemptions.**

7
8 Mobile food trucks and other mobile food vendors located at fairs, festivals, parades,
9 school or church-sponsored events, holiday events, sponsored fundraising events, antique district
10 events, or privately catered events, shall be permitted to remain at any one location (for the purpose
11 of selling food) for the duration of the event. Mobile food vendors at an event may place tables
12 and chairs on site provided no street or pedestrian right-of-way is obstructed or any other traffic
13 and parking laws or regulations are violated.

14
15 **Sec. 9:308. Penalty.**

- 16
17 (a) Violations of any provision of this Chapter may be enforced by the City pursuant to the
18 administrative procedures set forth in Title 4 of the Code of Ordinances for the City of St.
19 George or by a court of competent jurisdiction.
20 (b) Any person violating any provision of this Chapter shall be fined up to \$500 per violation.
21 Each day of the violation shall constitute a separate violation.
22 .

23 **Title 12. NUISANCES**
24 **Chapter 3. TRESPASS**
25 **PART 1. GENERAL PROVISION**
26

27 **Sec. 12:300. Definitions.**

28
29 The following words, terms, and phrases, when used in this Chapter, shall have the meanings
30 ascribed to them in this Section, except where the context clearly indicates a different meaning:

31
32 *Enclosed immovable property* means any immovable property surrounded by a three-strand
33 cattle-proof fence or an equivalent cattle-proof fence.
34

35 *Posted immovable property* means any immovable property designated as such by the owner,
36 lessee, or other person lawfully authorized to take such action, provided the following
37 requirements are satisfied. The owner or person seeking to post the property shall place and
38 maintain signs along the boundaries of the property or area to be posted, which signs shall be
39 written in the English language, shall contain the word "Posted" and shall consist of letters
40 written, printed, or painted in black, at least three inches high on a white background, and the
41 bottom of the signs shall be placed between four and six feet above the ground at intervals of
42 not less than one-eighth or more than one-fourth of a mile along the properties bounded by a
43 three-strand cattle-proof fence or an equivalent cattle-proof fence. At the main entrance and
44 at the four extreme corners of the property, there shall likewise be a sign equal in size and
45 according to the specifications heretofore set out indicating that the property is "Posted" and

1 in addition thereto, shall give the name and mailing address of the person owning or leasing
2 the property.

3
4 *Trespass* means:

- 5
6 (1) The unauthorized entry upon the premises or within the house, premises or enclosure of
7 another person, without the consent or permission of the owner, agent, or possessor of
8 said house, premises, or enclosure.
- 9 (2) The unauthorized and intentional taking possession of any tract of land or structure
10 thereon without the consent of the owner thereof.
- 11 (3) The unauthorized and intentional entry upon any:
- 12 a. Enclosed and posted immovable property;
 - 13 b. Posted lands belonging to public institutions;
 - 14 c. Structure, watercraft, or movable; or
 - 15 d. Building or structure condemned by order of the City Council.
- 16 (4) The unauthorized and intentional entry, for purposes of solicitation, canvassing, or
17 peddling, upon residential premises posted "No Soliciting" by the owner or occupant;
18 provided the sign shall be legible and visible at the entranceway to the premises. For
19 purposes of this Subsection, the term "canvassing" includes, but is not limited to, the
20 solicitation of votes, subscriptions, or opinions, the distribution of literature, the collection
21 of signatures for petitions, the dissemination of views and the solicitation of funds.
- 22

23 **Sec. 12:301. Trespass prohibited.**

24
25 It shall be unlawful for any person to:

- 26 (a) commit trespass within the City; or
 - 27 (b) erect or place any posted signs on land belonging to another without the consent of the
28 owner.
- 29

30 Violations may be enforced pursuant to the administrative procedures set forth in Title 4 of the
31 City of St. George Code or by a court of competent jurisdiction. Whoever is found violating the
32 provisions of this Section shall be fined up to \$500.

33

34 **PART II. HOUSE-TO-HOUSE PEDDLERS**

35
36 **Sec. 12:320. House-to-house peddling as nuisance.**

37
38 (a) Definitions.

39
40 The following words, terms, and phrases, when used in this Chapter, shall have the meanings
41 ascribed to them in this Section, except where the context clearly indicates a different meaning:

42

43 *House-to-house peddling* means the practice of going in and upon private residences in the
44 City, by solicitors, peddlers, hawkers, or itinerant merchants and transient vendors of
45 merchandise, not having been required or invited to do so by the owner or owners, occupant
46 or occupants of the private residences, for the purpose of soliciting orders for the sale of goods,

1 wares or merchandise, and/or for the purpose of disposing of and/or peddling or hawking the
2 same, and/or for the purpose of sale of services. Religious, political, or charitable solicitation
3 is not considered to be peddling.
4

5 *Peddler* means all solicitors, peddlers, hawkers, itinerant merchants, and transient vendors
6 referenced in the above definition of "House-to-house peddling".
7

8 (b) Prohibition. House-to-house peddling is hereby declared to be a nuisance and punishable as a
9 misdemeanor except under the following circumstances:
10

11 (1) *Hours.* House-to-house peddling shall be allowed between the hours of 9:00 a.m. and 5:00
12 p.m. with the following exceptions:

13 a. A "No Solicitation" sign has been posted at the residence in accordance with Section
14 12:300; or

15 b. By resolution of the board of the homeowner's association, a sign has been posted at
16 each entrance to a recognized single-family residential subdivision designating the
17 subdivision as a no-peddling area. A certified copy of the resolution shall be provided
18 to the City Clerk of the City of St. George. The sign shall clearly state that house-to-
19 house peddling or solicitation is prohibited in the subdivision and shall be legible and
20 visible from the public street. No sign shall be posted pursuant to this Subsection
21 without the approval of the Director of Public Works.

22 (2) *Meat and poultry.* The peddling of meat and poultry products must be in compliance with
23 the requirements promulgated by the health department regarding the slaughter and sale of
24 meat and poultry.
25

26 (c) Permit required:
27

28 (1) House-to-house peddlers must obtain a permit from the City required by Subsections
29 12:320(c) and (d).

30 (2) All persons engaged in house-to-house peddling must have a valid permit for the time
31 period in which they are peddling.

32 (3) All persons engaged in house-to-house peddling must have a valid permit on their person
33 and produce said permit and suitable identification to demonstrate the solicitor is the person
34 identified by the permit upon demand by an occupant or law enforcement officer or agent.

35 (4) Minor children engaged in house-to-house peddling must receive permits through their
36 parents or legal custodians.

37 (5) Minor children engaged in house-to-house peddling must be accompanied by an adult, at
38 least 18 years of age, while engaging in house-to-house peddling.
39

40 (d) Permit requirements.
41

42 (1) Applicants for a permit under this Section shall complete a written application and pay a
43 fee of \$10.00, with the City. The permit application must contain the following
44 information:

45 a. Name and address of the applicant.

46 b. Name and address of company, employer, or other commercial enterprise represented.

- c. A brief description of the nature of the peddling.
- d. If a vehicle is being used, a description of the make and model vehicle and a license plate number.
- e. A criminal records background check (right to review) must be attained from the Louisiana State Police (at the applicant's cost) verifying:
 - i. That the applicant is not registered on the National Sex Offender Registry.
 - ii. That the applicant has not been convicted of a crime of violence as defined by R.S. 14:2 et seq. within the past seven years.
 - iii. That the applicant has not been convicted of an offense against property as defined by R.S. 14:51 et seq. within the past seven years.

(2) Applications must include a copy of a valid state or federal identification card, passport, or official school identification (for minors) with the application.

(e) Issuance of permit.

Upon receipt of the completed application, the City shall issue a permit to the applicant. Permits issued under this Section shall be made available upon request by any person or law enforcement officer or agent during the door-to-door peddling, whether on the premises or while in transit from one location to another for purposes of peddling.

Sec. 12:321. Selling goods, wares, and merchandise from private property.

Entering private property without consent of the owner or occupant and using said immovable property as a site to sell goods, merchandise, or other wares, is hereby declared a nuisance. It shall be prima facie evidence that entry was unauthorized and uninvited if said vendor or merchant does not have the written consent of the owner or occupant in his or her possession.

Sec. 12:322. Penalty.

Violations of this Section may be enforced pursuant to the administrative procedures set forth in Title 4 of the City of St. George Code or by a court of competent jurisdiction. Any person who violates any provision of this Chapter may be fined up to \$500 per violation. Each day of the violation shall constitute a separate violation.

Section 2. Conflicts. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 4. Effective Date. This Ordinance shall be effective upon publication.

1 This Ordinance having been submitted to a vote, the vote thereon was:

2

3 For:

4 Against:

5 Absent:

6 Abstained/Recused:

7

8 Adopted this ____ day of November, 2024.

9

10 Signed this ____ day of November, 2024.

11

12 Delivered to Mayor on the ____ day of November, 2024:

13

14

15 _____
Lorraine Beaman, City Clerk

16

17 Approved:

18

19

20

21 _____
Dustin Yates, Mayor

22

23 Received from Mayor on the ____ day of _____, 2024:

24

25

26

27 _____
Lorraine Beaman, City Clerk

28

29 Adopted Ordinance published in *The Advocate* in the ____ day of November, 2024.