

**CITY OF WIXOM  
ORDINANCE NO. 2017-04**

**PEDDLERS AND SOLICITORS**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF WIXOM, TO REPLACE IN ITS ENTIRETY CHAPTER 5.10, ARTICLES I THROUGH IV, PEDDLERS, SOLICITORS AND CANVASSERS; AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.**

**THE CITY OF WIXOM ORDAINS:**

**Section 1. Amendment of Chapter 5.10**

Chapter 5.10, Peddlers, Solicitors and Canvassers, shall be replaced in its entirety to read as follows:

**CHAPTER 5.10 PEDDLERS, SOLICITORS AND CANVASSERS**

**Sec. 5.10.010 Purpose.**

The purpose of this Chapter is to provide for the public health, safety and welfare through regulations that promote public safety and help protect residents, businesses and the general public from crime, fraud and undue annoyance and interference with privacy rights that can be caused by peddlers, solicitors and/or canvassers in a manner that does not unlawfully interfere with or burden the exercise of First Amendment and other constitutional rights. To those ends, this Chapter defines and provides procedural requirements for peddling, and general regulations applicable to peddlers, and solicitors and canvassers where applicable, with the peddler licensing regulations intended to: (i) deter persons with criminal or fraudulent intent from posing as legitimate peddlers; (ii) provide a minimal amount of basic information necessary to the City and its Police Department to allow efficient and effective performance of governmental, law enforcement and crime prevention functions; and (iii) provide City residents with a right to know if persons coming upon their property are in compliance with those regulations and a basis for reporting persons that are not in compliance with the these regulations to the City Police Department.

**Sec. 5.10.020. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

Canvass and canvassing means to enter upon private property, without any prior specific invitation or appointment, to inform, educate, advocate, petition, secure petition signatures, request or enlist support or opposition, or to convey any other message regarding religion, philosophy, ideology, politics, including parties, candidates, initiatives and issues, charitable organizations, or other cause or issue, by verbal, written, or other forms of communication, including the distribution of handbills, flyers, or other materials.

Canvasser means a person engaged in canvassing in the City without requesting or accepting the payment, delivery, donation, pledge, or commitment of money, credit, financial assistance, membership, property, goods, services, or other thing of value, and without selling or attempting to sell any property, ticket, emblem, publication, advertisement, subscription, membership, or other thing, whether of value or not.

Charitable purpose means a charitable, benevolent, educational, philanthropic, humane, patriotic, veterans support, religious, youth, fraternal, social, civic, conservation, recreational, or other nonprofit objective of a charitable or religious organization, or political organization. Charitable purpose does not include political campaign fundraising or nonprofit objectives of an individual.

Charitable, religious or political organization means a charitable, religious, political, benevolent, educational, philanthropic, humane, patriotic, fraternal, social, recreational, veterans support, or civic organization, registered and in good standing under Section 501(c) of the Federal Internal Revenue Code, that solicits or obtains contributions from the public of such organization.

City Clerk means the City Clerk for the City of Wixom, or his or her designee.

Parent organization means: (1) the person or organization that a peddler is employed by or represents in the course of peddling, the principal manufacturer and distributor of goods being peddled, or the principal provider of services being peddled; or (2) a charitable, religious or

political organization that a solicitor is employed by or represents in the course of soliciting in the City, or such organization that sends multiple solicitors for purposes of soliciting in areas of the City on its behalf.

Peddle and peddling means traveling by foot or automobile from place to place or from street to street, carrying, conveying or transporting goods, wares, merchandise, including food produces, offering and exposing the same for sale or making sales and delivering articles to purchasers, or taking or attempting to take orders for the sale of goods, wares and merchandise, books or magazines, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether the subject is collecting advanced payments on such sales or not.

Peddler means any person engaged in peddling. The term "peddler" shall not include a person who conducts such activities at a social gathering within a home at the invitation of the owner or an occupant of the home.

Person means any individual, firm, partnership, corporation, company, association or joint stock association, nonprofit corporation, church, religious sect, religious denomination, society, organization or league, political party or organization, and includes any trustee, receiver, assignee, agent or other similar representative thereof.

Police Chief means the Police Chief for the City of Wixom, or his or her designee.

Public way shall mean all areas legally open to public use such as public streets, sidewalks, roadways, highways, alleys and public parking lots.

Solicit and soliciting means a direct or indirect request by or on behalf of a charitable, religious, or political organization to any person in the City for the payment, delivery, donation, pledge, or commitment of money, credit, financial assistance, membership, property, goods, services, or other thing of value, on the plea or representation what is requested will be used for charitable purposes of the charitable, religious or political organization, and includes sales and sales offers of any property, ticket, emblem, publication, advertisement, subscription, membership, or other thing, whether of value or not, on the pleas or representation that the proceeds of the sale will be used for charitable purposes of the charitable, religious, or political organization.

Solicitor means any person engaged in soliciting in the City.

Special event shall mean any occasion including, but not limited to parades, golf tournaments, fairs, shows, exhibitions, City-wide celebrations, festivals, etc., within a specifically defined area of the City.

Stand shall mean any newsstand, table, bench, booth, rack, handcart, pushcart or any other fixture or device which is not required to be licensed and registered by the Department of Motor Vehicles, and is used for the display, storage or transportation of goods and/or services offered for sale by a peddler.

Street and curb soliciting means soliciting on any street, road, highway, lane, sidewalk, curb, road edge, alley, public parking lot and/or driveway in a manner that requires the solicitor, when engaged in the transaction, to stand within the limits of streets, roads, highways, lanes, sidewalks, curbs, road edges, alleys, public parking lots and/or driveways within the City.

Street soliciting means soliciting for charitable purposes where solicitors are allowed to be within the travelled portion of a street and areas of the street abutting the traveled portion.

#### **Sec. 5.10.021           Waivers, modifications and variances.**

A person claiming that application of one or more provisions of this Chapter to activities that person desires to engage in violates a constitutional right, may request that the City Council waive, modify or vary such provision by filing a written request and statement of that position and basis for it to the City Clerk who shall place the request on the next City Council Agenda that is at least five (5) days after receipt of the request.

#### **Sec. 5.10.022           Violations and sanctions; Civil Infraction.**

Unless otherwise specified, a violation of this Chapter is a civil infraction punishable as provided in the Code.

**Sec. 5.10.023 through Sec. 5.10.029. Reserved.**

**ARTICLE I. PEDDLERS.**

**Sec. 5.10.040. Peddler licensing.**

- (a) No person shall be a peddler or engage in peddling in the City without first obtaining a peddler license from the City Clerk, unless such person is specifically exempt from this licensing requirement under Sec. 5.10.060 below.
- (b) To obtain a peddler license required by this Chapter, a peddler shall apply for said license upon forms prescribed and furnished by the City Clerk. The information provided by the applicant shall include all the following:
  - (1) The name of the applicant who proposes to peddle within the City, including his or her business street address, website address (if any) and telephone number, and the applicant's home address and telephone number, driver's license number and physical description including height, weight, and color of hair and eyes.
  - (2) The complete name, street address, website address (if any) and telephone number of the parent organization and where and when the parent organization was established or incorporated and the form of its organization.
  - (3) A detailed description of the type of peddling to be undertaken and the method to be used in conducting the peddling.
  - (4) The dates and times when, and locations where, peddling will occur, giving the proposed dates for the beginning and ending of such peddling and the hours of the days thereof.
  - (5) The types of goods, wares, merchandise and services to be sold or for which the peddling will be made.
  - (6) Whether the applicant or parent organization has ever been denied a license for peddling, had a license for peddling suspended or revoked, or been prohibited from peddling in the City of Wixom or in any other community.
  - (7) Whether the applicant, or any officer, partner, member or director of the parent organization has been convicted of a felony or any misdemeanor within the past ten (10) years of a violation of federal, state or local laws, ordinances, or regulations reflecting adversely on the applicant's ability to conduct the business for which the license is being sought in an honest and legal manner, including, but not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, any form of actual or threatened physical harm against another person, or any type of criminal sexual conduct, and if so, a brief description of the crime or violation, including its location and date, and an explanation of the reason therefore.
  - (8) Two (2) color photographs of the applicant, one (1) being a photograph taken within sixty (60) days prior to the date of filing of the application and the other photograph being from the applicant's driver's license, a copy of such driver's license to be attached to the applicant's application. The photograph that is not from the applicant's driver's license shall be at least two (2) inches by two (2) inches and shall show the head and shoulders of the applicant in a clear and distinguishing manner. If the applicant has not been issued a driver's license or it has been revoked, then the applicant shall submit a second separate photograph with the application, such photograph being at least two (2) inches by two (2) inches and shall show the head and shoulders of the applicant in a clear and distinguishing manner.
  - (9) The applicant's State of Michigan sales tax license number.
  - (10) A criminal background report of the applicant's criminal history. Such reports shall be obtained by the applicant through the Internet Criminal History Access Tool (ICHAT) for applicants residing in Michigan and/or through another state-sponsored or authorized criminal history access source for applicants who reside in other states or have resided in other states within five (5) years prior to the date of the application. The applicant is responsible for all charges incurred in requesting and receiving the ICHAT report or other criminal history report and the

report must be dated within thirty (30) days of the date of the application.

- (11) If under eighteen (18) years of age, the applicant must provide a copy of a valid work permit issued by the applicant's school, school district offices or other authorized issuing agency to the applicant for purposes of the peddling activity proposed to be undertaken in the City.
  - (12) If the applicant will be engaging in peddling from or out of a motor vehicle in the streets and roads of the City, the applicant must provide information to verify that the applicant has a valid driver's license, has not been convicted of a misdemeanor or felony moving violation within the last three (3) years, or has not been found responsible for three (3) or more motor vehicle moving violations under the Michigan Motor Vehicle Code or local ordinances within the last three (3) years.
  - (13) If the applicant will be engaging in peddling from or out of a motor vehicle in the streets and roads of the City, the vehicle from which the peddling is to occur shall be brought to the City and inspected by a designated representative of the police department and must be found to meet any safety standards adopted by the police department and any standards adopted by the State of Michigan, and the police department's checklist form signed by the designated police department representative verifying such compliance shall be submitted with the application.
  - (14) If the applicant will be engaging in the sale of food or beverages, a health license issued by the Oakland County Health Department. Such peddler's equipment shall be subject to inspections by the Oakland County Health Department at the time of application, as required by the state public health code.
- (c) An administrative processing and license fee for a peddler license application shall be established by resolution of the City Council and such fee shall be paid when the application is filed with the City. City Council shall also establish fees for licenses issued for special events.
- (d) The City Clerk and Police Chief shall examine all peddler license applications and shall make or cause to be made such further investigation of the application or applicant as the City Clerk and/or Police Chief shall deem necessary. If the City Clerk and Police Chief both find the application to be complete and satisfactory in consideration of the purpose, intent and applicable provisions of this Chapter, the City Clerk shall approve and issue the license. The City Clerk may deny issuance of a license if he or she finds that:
- (1) The applicant failed to truthfully provide in his or her application the information required in this chapter;
  - (2) The applicant has engaged in a fraudulent transaction or enterprise;
  - (3) The applicant has been convicted within the past ten (10) years of a violation of federal, state or local laws, ordinances, or regulations reflecting adversely on the applicant's ability to conduct the business for which the license is being sought in an honest and legal manner, including, but not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, any form of actual or threatened physical harm against another person, or any type of criminal sexual conduct;
  - (4) The applicant is listed on any criminal sex offender registry or has any outstanding warrants for any misdemeanor or felony;
  - (5) If the applicant will be engaging in peddling from or out of a motor vehicle in the streets and roads of the City, the applicant does not have a valid driver's license, has been convicted of a misdemeanor or felony moving violation within the last three (3) years, or has been found responsible for three (3) or more motor vehicle moving violations under the Michigan Motor Vehicle Code or local ordinances within the last three (3) years;
  - (6) The applicant has had a license to conduct peddling or soliciting suspended or revoked within the past ten (10) years.
- (e) A peddler license shall bear the name, address and photograph of the peddler; the date issued; the dates within which the license holder may peddle; the expiration date of the license; and a statement that the license does not constitute an endorsement by the City of the purpose or products involved or of the persons or parent organization conducting the peddling. All peddler licenses shall be signed by the City Clerk.

- (f) A peddler license shall be valid for a period of up to one hundred and twenty (120) days as determined by the City Clerk with consideration of the application, except for special events, which shall be limited to the period of the special event. Peddler licenses issued under this Chapter are nontransferable.

**Sec. 5.10.041. Exempt persons.**

- (a) The following shall be exempt from the licensing, registration and fee requirements of this Article II, but shall be subject to the other sections of this Chapter:
- (1) Persons engaged in the occupation of distribution of newspapers.
  - (2) City of Wixom merchants and representatives engaging in year-round business with a permanent location in the City.
  - (3) Any honorably discharged veteran who is a resident of this state and who has obtained a veteran's license from a county clerk within the state of Michigan.
  - (4) Any person who proposes to sell produce which he has raised himself. Produce may only be sold on the site where it is raised.
  - (5) Persons peddling or soliciting to fellow members of the peddler's or solicitor's parent organization.
  - (6) Persons peddling or soliciting by telephone, email or mail.
  - (7) Recognizing that the City maintains or has available to it the information otherwise required for licensing under this Chapter, City public safety personnel shall be exempt from the fee and licensing requirements set forth in this Chapter, provided the City Clerk is provided advanced notification describing the peddling activity and its duration and verification that the peddling activity is for a recognized, legitimate and valid charitable police or fire association project. Such persons shall be subject to all other regulations set forth in this Chapter.
  - (8) An individual or organization entering upon private property to inform, educate, advocate, petition, secure petition signatures, request or enlist support or opposition, or to convey any other message regarding religion, philosophy, ideology, politics, including parties, candidates, initiatives and issues, charitable organizations, or other cause or issue, by verbal, written, or other forms of communication, including the distribution of written materials.
  - (9) Solicitations made to a congregation or group in attendance at one location and made by the person or organization inviting the individuals composing the congregation or group.
  - (10) Solicitations made over the radio, television or telephone.
  - (11) Any peddler traveling on an established route at the request, express or implied, of their customers.
  - (12) Salespersons calling on regularly-licensed business establishments.
  - (13) The distribution of written materials where the individual distributing them does not accept payments, orders or contributions.
  - (14) Persons under eighteen (18) years of age engaged in peddling or soliciting within three (3) miles of their residence for a bona fide school, charity, religious or youth organization.
  - (15) Solicitors and Canvassers.

**Sec 5.10.042. Peddler License Renewals.**

Peddler licenses may be renewed provided an application for renewal and license fees are received by the City no later than the expiration date of the current license. Applications received after that date shall be processed as new applications. The City shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this Chapter. If the City finds that the new application meets the above requirements, the City shall issue a new license.

**Sec. 5.10.043. Peddler License Suspension.**

- (a) The City Clerk may suspend a peddler license upon determining that any of the following circumstances exists:
  - (1) The licensee failed to truthfully provide in his or her application the information required in this Chapter, or that the licensee has engaged in a fraudulent transaction or enterprise;
  - (2) The licensee has been convicted of a violation of federal, state or local laws, ordinances, or regulations reflecting adversely on the licensee's ability to conduct the business for which the license has been issued in an honest and legal manner, including, but not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, any form of actual or threatened physical harm against another person, or any type of criminal sexual conduct;
  - (3) The licensee is listed on any criminal sex offender registry or has any outstanding warrants for any misdemeanor or felony;
  - (4) If the licensee will be engaging in peddling from or out of a motor vehicle in the public ways of the City, the licensee's driver's license has been suspended or revoked or the licensee has been convicted of a misdemeanor or felony moving violation; or
  - (5) The licensee has, during peddling in the City, engaged in conduct that is contrary to the peace, privacy, safety, health and welfare of the residents, businesses and persons in the City.
  - (6) Intervention by the state or county health department due to uncorrected health or sanitation violations.
- (b) A licensee shall be given written notice of the cause and term of the suspension. A licensee shall have the right to appeal the suspension within thirty (30) days of the date of suspension. A licensee shall provide written notice and request for a reversal of the suspension, and a hearing shall be conducted by the City Council no later than fifteen (15) days following receipt of a written request by the licensee, unless a later date is set by agreement of the licensee. At the hearing, the licensee shall have the right to hear the evidence relied upon by the City Clerk and the right to present evidence and witnesses on his or her behalf. At the hearing, or at an adjourned date, the City Council shall determine whether to reverse, modify or affirm the suspension and shall put its decision and the reasons therefore in the form of a resolution, which the City Clerk shall forward to the licensee. The City Council's decision may be appealed and reviewed by a court of competent jurisdiction.

**Sec. 5.10.044. Peddler License Revocation.**

- (a) The City Council may revoke a peddler license upon the recommendation of the City Clerk and after a hearing at which it is shown that any of the circumstances listed in Sec. 5.10.080(a) (1) - (6) exists.
- (b) Reasonable written notice of the hearing shall be given to the licensee not less than ten (10) days prior to the hearing date. The written notice shall be mailed by regular mail to the license holder at the business address provided on the licensee's application and shall set forth the alleged reason or reasons for considering revocation of the license and also the date, time and place of the hearing. At the hearing, the licensee shall have the right to hear the evidence relied upon by the City Clerk and the right to present evidence and witnesses on his or her behalf. At the hearing, or at an adjourned date, the City Council shall determine whether the license should be revoked or suspended and shall put its decision and the reasons therefore in the form of a resolution, which the City Clerk shall forward to the licensee. The City Council's decision may be appealed and reviewed by a court of competent jurisdiction.

**Sec. 5.10.045 through Sec. 5.1.049. Reserved.**

**ARTICLE II. SOLICITORS**

**Sec. 5.10.050. Voluntary Notification.**

- (a) In the interest of the general public, and to protect against the potential for crime or

fraud, the City requests that solicitors voluntarily notify the City Clerk's Office that soliciting will be taking place the City. It is further requested that the following information be voluntarily provided:

- (1) The names of the individuals who will be soliciting in the City and the identity of the organization associated with the solicitation efforts.
- (2) A description of the type of soliciting to be undertaken and the method to be used in conducting the soliciting.
- (3) The dates and times when and locations where the soliciting will occur, giving the proposed dates for the beginning and ending of such soliciting and the hours of the days thereof.

**Sec. 5.10.051. Failure to Provide Notification.**

The failure of a solicitor to provide the voluntary notification shall not be deemed a violation of this Chapter.

**Sec. 5.10.052 through Sec. 5.10.059. Reserved.**

**ARTICLE III. CANVASSERS.**

**Sec. 5.10.060. Voluntary Notification.**

(a) In the interest of the general public, and to protect against the potential for crime or fraud, the City requests that solicitors voluntarily notify the City Clerk's Office that soliciting will be taking place the City. It is further requested that the following information be voluntarily provided:

- (1) The names of the individuals who will be soliciting in the City and the identity of the organization associated with the solicitation efforts.
- (2) A description of the type of soliciting to be undertaken and the method to be used in conducting the soliciting.
- (3) The dates and times when and locations where the soliciting will occur, giving the proposed dates for the beginning and ending of such soliciting and the hours of the days thereof.

**Sec. 5.10.061. Failure to Provide Notification.**

The failure of a solicitor to provide the voluntary notification shall not be deemed a violation of this Chapter.

**Sec. 5.10.062 through Sec. 5.10.069. Reserved.**

**ARTICLE IV. GENERAL REGULATIONS FOR PEDDLERS/SOLICITORS/CANVASSERS.**

**Sec. 5.10.070. Material Change to Application Information.**

- (a) While any peddler license issued pursuant to this Chapter is in effect, a peddler shall, within seven (7) calendar days, report to the City Clerk in writing any material change in any information previously provided on the application form.
- (b) It shall be a violation of this Chapter for any person knowingly to file or to cause to be filed an application for a peddler license containing one or more false statements.

**Sec. 5.10.071. Inferred Endorsement by the City.**

A peddler, solicitor or canvasser shall not represent that its activities or speech are endorsed by the City or by any department, officer or employee thereof.

**Sec. 5.10.072. Hours for Peddling.**

No peddling shall take place in the City after 8:00 p.m. or sunset (whichever is earlier) or before 10:00 a.m., prevailing time.

**Sec. 5.10.073. Display of Peddlers License.**

While carrying on peddling in the City, a peddler shall visibly display on the exterior of his or her

clothes at all times a valid peddler license issued under this Chapter and shall tender such license, upon request, to any police officer, City employee, or any person dealing with the peddler.

**Sec. 5.10.074            Obstructing Traffic.**

Notwithstanding any other provision of this Chapter to the contrary, a peddler, solicitor or canvasser shall not block, obstruct, impede or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public highway, public parking lot, street, road, alley, drive or sidewalk or within public buildings and other public areas within the City by means of a barricade, object or device, or with his person.

**Sec. 5.10.075            Harassment and Noise.**

No peddler, solicitor or canvasser shall threaten or harass any resident of the City in the course of their activities or in any way engage in any conduct that would tend to threaten the health and safety of another.

**Sec. 5.10.076            Misrepresentation.**

No fraudulent or misleading representations to any person shall be made in connection with any peddling, soliciting or canvassing, including, but not limited to, any misleading representation concerning the product or service involved, the purposes for which contributions solicited will be used, the name of the peddler, the trade name and nature of the parent organization, or the purposes for which the parent organization was organized.

**Sec. 5.10.077            Peddling on Public Property.**

- (a) Peddling is prohibited within a public right-of-way, including any street corner or intersection road, and on any highway, street, road, lane, sidewalk, driveway, alley, public parking lot any or publicly-owned property, except for peddling conducted as provided in subsections (b) and (c), below.
- (b) For special events conducted by or with the approval of the City, a peddler shall apply for a peddler's license at least thirty (30) days prior to the scheduled special event and provide the information required in Sec. 5.10.040, unless exempt under Sec. 5.10.041. If the peddler license is approved by the City, the term of the license shall be limited to the period of the special event. If the peddler license is approved by the City, a peddler may conduct activities only on the specific public property in the location identified and approved by the City for the special event. If the special event is to take place in the Village Center Area on any of the public parks and/or adjacent public property, roads or parking lots, a peddler license shall be obtained under this Chapter, and the peddler shall not be required to also obtain a permit from the Parks and Recreation Department under Chapter 12 of the Code of Ordinances for events in the Village Center Area.
- (c) Peddlers of food products from a vehicle approved by the police department may engage in peddling on residential public streets and rights-of-way only, and may not peddle on streets considered major thoroughfares or public parking lots, provided such peddlers comply with all otherwise applicable requirements of this Code, including provisions relating to noise and hours of operation, and otherwise applicable laws and regulations. In the case of ice cream trucks, the ringing of an unamplified bell is permitted so long as it does not unreasonably disturb the peace and quiet of the surrounding neighborhoods or structures.

**Sec. 5.10.078.            Fixed Stands Prohibited; Miscellaneous.**

- (a) No peddler, solicitor, or canvasser shall establish a fixed stand and/or store for peddling upon any street, road, highway, lane, sidewalk, driveway, alley, public parking lot or publicly-owned property.
- (b) Peddler temporary stands shall not impede access to the entrance, parking lot or driveway of any adjacent building. Such stands shall be located on private property within the City, only when permission of the property owner has been obtained, unless permission to be located on public property is granted by the City for a special event in accordance with Sec. 5.10.077(b). Nothing herein shall be construed as relieving an applicant from applying for any other approvals that may be required by the City Code.
- (c) All peddlers selling food or beverages must provide trash receptacles adjacent to or as a part of their stands.

**Sec. 5.10.079. Posted Property; Access to Premises Restricted.**

- (a) No peddler, solicitor, or canvasser shall enter into or upon any property that has posted a "no peddling," "no solicitation," "no soliciting", "no canvassing" or "no trespassing" sign, or similar notice in accordance with subsection (c), below.
- (b) No peddler, solicitor, or canvasser shall engage in peddling, soliciting, or canvassing in any residential subdivision, condominium or other neighborhood that has a privately posted "no peddling," "no solicitation," "no soliciting", "no canvassing" or "no trespassing" sign, or similar notice at each entrance to the subdivision, condominium or other neighborhood, in accordance with subsection (c), below.
- (c) A sign posted under subsection (a), above, must be a weatherproof sign measuring a minimum of three (3) inches by four (4) inches, the letters must be at least one-third (1/3) inch in height, and the sign must be exhibited upon or near a main entrance door to the main structure, building or residence on the property. A sign posted under subsection (b), above, must be a weatherproof sign measuring a minimum of two (2) square feet, the letters must be at least two (2) inches in height, and the sign must be exhibited in a location visible to the drivers of vehicles at each entrance to the subdivision, condominium or other neighborhood. A sign posted under subsection (b), above, must comply with all otherwise applicable requirements of this code and City standards, including, without limitation, the requirement to obtain a permit if the sign is to be located within a public right-of-way.

**Sec. 5.10.080. Request to Leave.**

No peddler, solicitor, or canvasser shall remain on private property after having been asked or directed to leave the premises by any person lawfully in possession of the premises. In addition, no person shall remain on public property during a special event when asked or directed to leave the premises by any police officer.

**Sec. 5.10.081. Contracts.**

The City reserves the right to contract with individual vendors to provide limited vending services in public areas.

**Sec. 5.10.082 through Sec. 5.10.089. Reserved.**

**Section 2. Savings Clause.**

Nothing in this Ordinance hereby adopted shall be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 3. Severability.**

The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**Section 4. Adoption.**

This Ordinance is hereby declared to have been adopted by the City of Wixom City Council at a meeting thereof duly called and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and ordered to be given effect upon publication as mandated by Charter and statute.

\_\_\_\_\_  
Kevin W. Hinkley, City Mayor

\_\_\_\_\_  
Catherine Buck, City Clerk

Notice of adoption published in the \_\_\_\_\_ on \_\_\_\_\_, 2017.

**CERTIFICATION OF CLERK**

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Wixom, County of Oakland, State of Michigan, at a regular meeting of the City Council duly called and held on \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Catherine Buck, City Clerk