

ORDINANCE NO. 85

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF ITINERANT VENDORS OPERATING IN THE VILLAGE OF CHOUDRANT; TO DEFINE THE TERM ITINERANT VENDOR; TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the Village of Choudrant, Louisiana, convened in Regular Session this 2nd day of October, 2006, that the following Ordinance is hereby enacted:

SECTION 1.

Itinerant Vendors.

- A. It shall be unlawful for any peddler, hawker, itinerant vendor, and every person who displays sample models, goods, maintenance services, wares, or merchandise on a temporary basis in any hotel, motel, store, storehouse, house, vehicle, or any other place, for the purpose of securing orders for the retail sale of such goods, wares, or services, whether for immediate or future delivery, to do so without having first obtained a license from the Village of Choudrant.
- B. For purposes of this section, an itinerant vendor shall be defined as any individual, company, corporation, or the representative thereof which is domiciled outside Lincoln Parish, Louisiana, and does not maintain a permanent place of business within the parish.
- C. The Village of Choudrant shall prescribe the appropriate form to be completed by any itinerant vendor and shall be entitled to receive the sum of FIFTY AND NO/100 (\$50.00) DOLLARS for each license application to defer the administrative expenses of enforcing this section. All licenses issued in connection with this section shall be valid through the end of the calendar year in which such license is issued. The Village of Choudrant may use the services of the Lincoln Parish Sheriff's office to investigate the character and fitness of any applicant for an itinerant vendor's license.
- D. A vendors itinerant vendor's license shall be kept on the person of the itinerant vendor or prominently displayed in a conspicuous place on the premises where such sale or exhibit is being conducted and shall remain so displayed so long as any goods, merchandise, or services are being sold or exhibited.
- E. This section shall not apply to sales made at arts and crafts fairs or festivals sponsored by a Louisiana nonprofit organization or to sales made at events commonly known as flea markets, stamp shows, trade shows, festivals, fairs, or gun shows, or to sales of agricultural products, seafood, or handcrafted products, in accordance with L.R.S. 37:1923(A).
- F. Any person violating the provisions of this section shall upon conviction thereof be fined a sum not to exceed FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS, or sentenced to not more than thirty (30) days in jail, or both.

SECTION 2.

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the Village of Choudrant without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To that end, the provisions of this Ordinance are hereby declared severable.

SECTION 3.

All other ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4.

The effective date of this Ordinance shall be January 1, 2007.

This above and foregoing Ordinance was introduced by Jimmy McGrew at the regular meeting of the Board of Aldermen of the Village of Choudrant, Louisiana, held on September 11, 2006. A motion was then made to adopt said Ordinance by Eddie Ford at the regular meeting of the Board of Aldermen of the Village of Choudrant, Louisiana, held on October 2, 2006, which motion was seconded by Jimmy McGrew and thereafter adopted as a whole by the following YEA and NAY vote:

YEAS: Ragan Aswell
 Eddie Ford
 Jimmy McGrew

NAYS: None

ABSENT: None

WHEREUPON, this Ordinance was declared duly adopted this 2nd day of October, 2006.

CELESTE H. BUTLER, Clerk
VILLAGE OF CHOUDRANT

BILL SANDERSON, Mayor
VILLAGE OF CHOUDRANT