

**VILLAGE OF ELM GROVE
REGISTRATION AS TRANSIENT MERCHANT**

The undersigned herein applies for a Transient Merchant Permit in the Village of Elm Grove, Wisconsin, for a period not to exceed **six months** commencing on _____, and terminating on _____.

It shall be unlawful for any person to act as a transient merchant without first registering as a transient merchant pursuant to Chapter 262 of the Code of Ordinances of the Village of Elm Grove. The registration shall be filed at least seventy-two (72) hours before the first sales efforts or solicitation is made.

PLEASE PRINT ALL INFORMATION

- Name _____
- Color of Eyes _____ Hair _____ Sex _____ Ht. _____ Weight _____
- Date of Birth _____ Social Security Number _____
- Permanent Address _____
- Telephone Number _____
- Temporary Residence (if different from above) _____

- Temporary Phone Number _____
- Business or Organization being represented _____
- Address of Organization _____
- Phone Number _____
- Nature of Business _____
- Description of goods or services to be sold and/or solicitations _____

- Method of Delivery of goods _____

- Area within the Village where business is to be conducted _____

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- Description of vehicles to be used in business/solicitation

1.	_____	_____	_____	_____	_____
	Make	Model	License	Year	State
2.	_____	_____	_____	_____	_____
	Make	Model	License	Year	State
3.	_____	_____	_____	_____	_____
	Make	Model	License	Year	State

List cities, villages or towns (not to exceed 3) where applicant conducted similar business/solicitation: _____

Have you (within the last 5 years) been convicted of any crime or ordinance violation related to your business solicitations? Please give details.

If your business requires a weighing or measuring device, this application must be accompanied by a certificate indicating that the device's accuracy has been certified by a scale testing agency.

If your business/solicitation involves the handling of food or clothing and if such activity is required to be certified under the law, such certificate must be presented when filing this registration.

A Non-Refundable **Seventy-five dollar (\$75) per person** fee must accompany this application; except that charitable organization applicants shall be exempt from the fee provided that such organization is registered under §440.41 Wis. Stats. and provides documentation.

A driver's license or other government issued photo identification will be required when filing this registration.

I, the undersigned, hereby appoint the Village Clerk of the Village of Elm Grove, whomever holds that office from time to time, as my agent authorized to accept service of process in any civil action brought against me arising out of my sale or service performed by me in connection with my sales or solicitation activities in the Village of Elm Grove. Said Village Clerk is authorized to accept service of process on me only in the event that, after reasonable efforts have been made, said service of process cannot be served on me personally.

I do hereby swear that the information I have given in this document is true, correct, and complete.

Dated at Elm Grove, Wisconsin, this ____ day of _____

Applicant's Signature

Record Check _____

Approved/Denied _____

SECTION 262.7 – CONDUCT OF TRANSIENT MERCHANTS

A. Prohibited Practices.

1. A transient merchant shall be prohibited from calling at any dwelling or other place between the hours of 9:00 p.m. and 9:00 a.m. except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words “No Peddlers,” “No Solicitors,” or words of similar meaning; calling at the rear door of any dwelling place; or remaining on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.
2. A transient merchant shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity, or characteristics of any merchandise offered for sale, the purpose of his/her visit, his/her identity or the identity of the organization he/she represents. A charitable organization transient merchant shall specifically disclose what portion of the sale price of the merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting. Said portion shall be expressed as a percentage of the sale prices of the merchandise.
3. No transient merchant shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.
4. No transient merchant shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a one-hundred-foot radius of the source.
5. No transient merchant shall allow rubbish or litter to accumulate in or around the area in which he/she is conducting business.

B. Disclosure requirements.

1. After the initial greeting, and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose his/her name, the name of the company or organization he/she is affiliated with, if any, and the identify of goods or services he/she offers to sell.
2. If any sale of merchandise is made by a transient merchant, or any offer for the later delivery of merchandise is taken by the seller, the buyer shall have the right to cancel said transaction if it involves the extension of credit or is a cash transaction of more than \$25. In accordance with the procedure set forth in § 423.203, Wis. Stats., the seller shall give the buyer two copies of a typed or printed notice of that fact. [§§ 423.203(1)(a), (b) and (c), and (3), Wis. Stats.]
3. If the transient merchant takes a sales order for the later delivery of merchandise, he/she shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance (whether full, partial, or no advance payment is made), the name, address and telephone number of the seller, the delivery or performance date, and whether a guarantee or warranty is provided and, if so, the terms thereof.
4. **A transient merchant must have the Village of Elm Grove Transient Merchant Identification Card in plain view on the front of the person with the name and photo unobstructed at all times. Failure to do so will result in revocation of the permit in addition to penalties set forth in §262-10.**

SECTION 262.10 Violations & Penalties

Any person who shall violate any provision of this chapter or any rule or regulation made under this chapter shall be subject to a penalty as provided in §1-16 of this Code.