

TITLE XI: BUSINESS REGULATIONS

Chapter

110. GENERAL PROVISIONS

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Section

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§ 110.01 ALCOHOL; SUNDAY SALES.

The holder of an off-sale liquor license within the city shall be able to sell liquor off-sale on Sundays during the hours permitted under South Dakota Codified Law.
(Ord. 169, passed - -2002)

§ 110.02 PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS.

(A) *Solicitation at residences and homes.*

(1) It is declared unlawful for any person to, for the purpose of soliciting the sale of any merchandise or service without having received an express invitation, go to any private home or residence within the city and disturb the privacy of any person residing therein by knocking on the door, loitering on the premises, sounding any doorbell or alarm, calling out, or by any other means.

(2) The term **MERCHANDISE** covers goods and wares of any kind, including among other things, stocks, insurance policies, investments, kitchenware, photographs and magazine subscriptions.
(Prior Code, § 5.12.010)

(B) *Transient merchants.*

(1) A transient merchant, upon procuring a license from the city, may carry on his or her business within the city except as prohibited by division (A) of this section.

(2) A **TRANSIENT MERCHANT** is defined as any person who goes from place to place carrying goods or furnishing services for the purpose of selling, trading or dealing in the same.
(Prior Code, § 5.12.020)

(C) *License.* The license fee for a transient merchant is \$40 a day, \$75 for a quarter of a year, or \$250 a year, but no license shall be required of any charitable or civic organization acting as a transient merchant, nor from any person selling his or her own farm produce.

(Prior Code, § 5.12.030)

Penalty, see § 10.99

§ 110.03 JUNK DEALERS.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

JUNK DEALER. Includes any person who shall be engaged in the business of buying, selling, receiving, storing, collecting or dealing in scrap metal, secondhand parts of motor vehicles or machinery, or machinery which is being kept for the purpose of being dismantled or discarded, bottles, scrap rubber, rags, paper, bones or junk in general. In reference to used cars and secondhand parts of cars, this chapter shall not be deemed to apply to bona fide secondhand car dealers, but the mere fact that the owner or operator of the establishment reconditions or sells some secondhand cars shall not eliminate his or her establishment from the effects of this chapter.

RESIDENTIAL DISTRICT. Includes all those areas of the city which are principally for personal living quarters and residences of persons and families.

(Prior Code, § 5.08.010)

(B) *Regulations.*

(1) No junk dealer shall establish or engage in the business of a junk dealer as defined in this chapter in any location of the residential district of the city as defined in this chapter.

(2) Any junk dealer who, under the terms of this chapter, is permitted to carry on his or her business within the city shall see to it that none of his or her goods or materials shall be placed or allowed to stay upon any adjoining property, sidewalk, street or alley.

(3) Fences. All areas of junkyards within the city limits wherein junk is piled, kept or stored adjacent to or abutting a public street, sidewalk or alley shall be suitably fenced in with a good and sufficient wall of board, metal or masonry construction of not less than 5 feet in height.

(4) Owners of junkyards within the city shall provide that such areas do not become vermin-infested and that all fires burning in such yards are carefully attended and allowed to burn only during daylight hours.

(Prior Code, § 5.08.020)

Penalty, see § 10.99

§ 110.04 ENTERTAINMENT LICENSES.

(A) *License required.* No person shall operate any moving picture show or athletic contests of a transient nature, traveling circus, carnival or tent show, or similar entertainment, without first obtaining a license from the city.

(Prior Code, § 5.04.010)

(B) *Fee.* The license shall cost \$10, and as a condition to issuing such license the city may demand a further reasonable sum to compensate the city for the reasonable use of city streets or other city property, and to compensate the city for cleaning up the streets or premises used.

(Prior Code, § 5.04.020)

Penalty, see § 10.99

