LANCASTER
THE RED ROSE CITY
Building, Licensing & Zoning

SOLICITATION APPLICATION/PERMIT

Name of Firm: ___________________________ Date(s) of Solicitation: ______________________

Business Address: ________________________________________________________________

City & State: _________________________________________________________________

Type of business: _______________________________________________________________

Auto tag #: ___________________________ Driver’s license #: __________________________

Address of Representative: _______________________________________________________

City & State: ___________________________

Conditions under which permit is issued:

- Any contract signed by any resident of this city can and will be canceled with ten (10) days written
  notice to the above named firm or its representative.
- This firm will agree that they are willing for the City of Lancaster to publish their method of operation
  in the Lancaster News.
- The manager and personnel of the above named firm have acknowledged that they fully understand that
  ANY complaints, not handled to the satisfaction of the city office, will cause this permit to be null and
  void and surrender it to the City Administrator.
- That the above named firm fully understand that their operation will be carefully monitored and that
  any questionable practice will subject them to the immediate cancellation of this permit and once
  canceled, this permit cannot be renewed.
- THIS PERMIT APPLIES TO SOLICITATION ONLY ON PUBLIC RIGHT-OF-WAYS AND DOES
  NOT APPLY TO SOLICITATION WITHIN/OR INSIDE A PRIVATE CONCERN WITHOUT THE
  EXPRESSED PRIOR APPROVAL OF THE OWNER/MANAGER OF THE BUSINESS.

The contents of this permit have been read and are fully understood and accepted by the undersigned who is
the responsible party and so authorized to sign this agreement.

Name: __________________________________________________________

Title: ____________________________________________________________

Approved – City of Lancaster this ______ day of __________________________, 20___.

Chief of Police: __________________________________________________
fore prescribed and no change of ownership of the
capital stock of a corporation conducting such a
sale shall affect the status of the sale as governed
by this article.
(Code 1974, § 28-15)

Sec. 22-61. Permit fee.

The fee charged for a permit, as provided in
section 22-51, shall be established and from time
to time modified by action of city council.
(Code 1974, § 28-16; Ord. No. O01-20, 8-28-01)

Secs. 22-62—22-80. Reserved.

ARTICLE IV. ITINERANT MERCHANTS
AND TRANSIENT VENDORS*

DIVISION 1. GENERALLY

Sec. 22-81. Going in and upon private resi-
dences for certain purposes.

(a) The practice of going in and upon private
residences in the city by itinerant merchants and
transient vendors of merchandise and printed
matter, not having been requested or invited to do
so by the owner or occupant of such private resi-
dences, for the purpose of soliciting orders for
the sale of goods, wares, merchandise, and printed
matter or for the purpose of disposing of or
peddling or hawking the same, is hereby declared
to be a nuisance and punishable as a misde-
meanor.

(b) The police department shall suppress such
practice and abate any such nuisance as is de-
scribed in the first paragraph of this section.

(c) Any person convicted of perpetrating a nu-
issance as described and prohibited in the first
paragraph of this section shall, upon conviction
thereof, be punished as provided in section 1-7.
(Code 1974, § 28-16.1)

Secs. 22-82—22-90. Reserved.

*State law references—Peddlers and hawkers, S.C. Code
1976, § 40-41-10 et seq.; payment of stamp and business
license tax by temporary, transient or itinerant businesses,

DIVISION 2. PERMIT FOR ENGAGING IN
BUSINESS

Sec. 22-91. Required.

Every person soliciting orders for merchandise,
every itinerant merchant and every transient
vendor of merchandise shall, before engaging
upon his business, obtain a permit from the city
as required in this division.
(Code 1974, § 28-17)

Sec. 22-92. Application therefor.

Any person desiring a permit as required in
section 22-91 shall file an application therefor
with the administrator, which application shall
set forth such information as may be required by
the administrator.
(Code 1974, § 28-18)

Sec. 22-93. Investigation of applicant; right
of applicant to sell goods, etc.

It shall be the duty of the administrator, upon
the filing of an application pursuant to section
22-92, to investigate the applicant in question to
determine whether or not he has authority to
make sales or take orders. Before issuing a per-
mit, the administrator shall determine that the
applicant is the representative of the person whose
goods, wares and merchandise he might sell or
offer for sale, and that such person for whom such
applicant may be an agent shall be a reliable
concern.
(Code 1974, § 28-19)

Sec. 22-94. Denial or issuance.

If the administrator should find that the per-
son filing an application, as provided in section
22-92, does not have proper authority, or that the
firm is not a reliable concern, he shall decline to
issue a permit to such applicant. If the admin-
istrator shall determine and find that the applicant
is a bona fide representative of a reliable concern,
and is otherwise a suitable and proper person to
engage in such business, he shall, subject to
section 22-95, issue to the applicant a permit
authorizing him to pursue the business or any
part thereof referred to in this article.
(Code 1974, § 28-20)
§ 22-95. Fees.

A permit, if issued, as provided in section 22-94, shall be issued upon payment of a fee established and from time to time modified by action of city council.
(Code 1974, § 28-21; Ord. No. 001-20, 8-28-01)

Ssecs. 22-96—22-115. Reserved.

ARTICLE V. PERSONAL PROPERTY SALES IN RESIDENTIAL DISTRICTS

Sec. 22-116. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garage sale means all general sales, open to the public, conducted from or on a residential premises, in any vacant lot within the city, for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage," "lawn," "yard," "attic," "porch," "room," "backyard," "patio," "flea market" or "rummage" sale. This definition shall not include a situation where no more than five (5) specific items are held out for sale and all advertisement of such sale specifically names those items to be sold.

Personal property means property which is owned, utilized and maintained by an individual or members of his residence and acquired in the normal course of living in or maintaining a residence. It does not include merchandise which was purchased for resale or obtained on consignment.

(Code 1974, § 28-23)

Sec. 22-117. Findings of council; purpose and intent.

The city council finds and declares that:

(1) The intrusion of nonregulated garage sales is causing annoyance to citizens in areas in the city and congestion of the streets in areas in the city.

(2) The provisions contained in this article are intended to prohibit the infringement of any businesses by regulating the term and frequency of garage sales, so as not to disturb or disrupt the residential environment of the area.

(3) The provisions of this article do not seek control of sales by individuals selling a few of their household or personal items.

(4) The provisions and prohibitions hereinafter contained are enacted not to prevent but to regulate garage sales for the safety and welfare of the city's citizens.

(Code 1974, § 28-22)

Sec. 22-118. Property permitted to be sold under article.

It shall be unlawful for any individual to sell or offer for sale, under authority granted by this article, property other than personal property.

(Code 1974, § 28-24)

Sec. 22-119. Permit required.

No garage sale shall be conducted unless and until the individuals desiring to conduct such sale shall obtain a permit therefor from the director of finance. Members of more than one (1) residence may join in obtaining a permit for a garage sale to be conducted at the residence of one (1) of them.

(Code 1974, § 28-25)

Sec. 22-120. Written statement required.

Prior to issuance of any garage sale permit, the individual conducting such sale shall file a written statement with the director of finance at least twenty-four (24) hours in advance of the proposed sale (mailed applications must be postmarked at least seven (7) days in advance of sale) setting forth the following information:

(1) Full name and address of applicant.

(2) The location at which the proposed garage sale is to be held.

(3) The date, or dates, upon which the sale shall be held.

(4) The date, or dates, of any other garage sales within the current calendar year.

(5) An affirmative statement that the property to be sold was owned by the applicant.