

## ORDINANCE NO. 2026-02

### AN ORDINANCE AMENDING CHAPTER 122 “PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS” OF THE CODE OF ORDINANCES OF THE CITY OF RIVERSIDE, IOWA

**SECTION I. PURPOSE.** The purpose of this ordinance is to update and clarify the City’s licensing and oversight process for peddlers, solicitors, and transient merchants, including establishing clear sales-location requirements and property-owner authorization. This ordinance further provides objective fire-safety review and conditions—consistent with the adopted fire code—for transient merchant activities involving fire-safety sensitive merchandise, in order to protect public health and safety.

**SECTION II. SECTIONS AMENDED.** The following sections of Chapter 122 are amended as follows with underlined language indicating new language and struck through language indicating removal.

#### CHAPTER 122 PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS

**122.02 DEFINITIONS:** For use in this chapter the following terms are defined:

1. “Fire-safety sensitive merchandise” means goods or materials whose retail sale, storage, or display involves increased fire risk, including but not limited to flammable or combustible liquids, compressed gases, consumer fireworks, or other hazardous materials as defined by the adopted fire code.
2. “Peddler” means (a) any person carrying goods or merchandise who sells or offers for sale for immediate delivery such goods or merchandise from house to house or upon the public street; or (b) any person who performs or offers to perform repairs and services of any kind, for hire, from house to house or upon the public street.
3. “Sales location” means the specific lot, parcel, address, or portion of a property where the transient merchant will conduct business, including any temporary structure, tent, trailer, vehicle, or stand.
4. “Solicitor” means any person who solicits or attempts to solicit from house to house or upon the public street any contribution or donation or any order for (a) goods, or merchandise to be delivered at a future date; or (b) repairs or services of any kind, for hire, to be performed at some future date.

**122.04 APPLICATION FOR LICENSE.** An application in writing shall be filed with the Clerk for a license under this chapter. Such application shall set forth the applicant’s name, permanent and local address and business address if any, physical description, age, height, weight, color of hair and eyes, sex and driver’s license and social security number. The application shall also set forth the applicant’s employer, if any, and the employer’s address, the nature of the applicant’s business, the last three places of such business and the length of time sought to be covered by the

license. The application shall state whether or not applicant has a police or criminal record (other than traffic offense) and if so, set forth same in detail. Any manner of police or criminal record (other than traffic offense) shall make it mandatory for the Clerk to refuse to issue a license hereunder. An application fee set by resolution of two dollars (\$2.00) shall be paid at the time of filing such application to cover the cost of investigating the facts stated therein.

In addition to the information otherwise required, every applicant for a transient merchant license shall provide:

1. The proposed sales location, including street address (or nearest address), legal description or parcel identification if available, and a description of any vehicle, trailer, tent, stand, or temporary structure to be used.
2. Written authorization from the property owner (or authorized agent) permitting the applicant to conduct the transient merchant activity at the proposed sales location for the requested license period.
3. Proof of any state license required for the merchandise (if applicable).
4. If the transient merchant proposes to sell or display fire-safety sensitive merchandise, the application shall also include a simple site plan identifying: (i) the proposed placement of any temporary structure/stand/vehicle; (ii) entrances/exits; (iii) adjacent buildings; (iv) drive aisles/fire lanes; and (v) the location of any motor-fuel dispensing facilities, LP-gas tanks/cages, flammable/combustible liquid storage, or other ignition or hazardous sources within 50 feet.

#### **122.07 LICENSE ISSUED.**

1. Except as provided in subsection (2), if the Clerk finds the application is completed in conformance with the requirements of this chapter, the facts stated therein are found to be correct and the license fee paid, a license shall be issued.
2. If the application is for a transient merchant license involving fire-safety sensitive merchandise, the Clerk shall refer the application to the Fire Chief for review of the proposed sales location and fire-safety plan for compliance with the adopted fire code and objective fire-safety requirements. The Clerk shall issue the license only after receiving written approval from the Fire Chief, which approval may include reasonable conditions necessary to protect public health and safety.
3. The Fire Chief may require an on-site inspection prior to opening for business and may require modifications to the site layout, storage, display, access, or safety equipment as a condition of approval.
4. A license issued under subsection (2) shall be valid only for the approved sales location. Any relocation on the same property or to a different property requires prior written approval by the Fire Chief and Clerk.

**122.11 REVOCATION OF LICENSE.** After notice and hearing, the Clerk may revoke any license issued under this chapter for the following reasons:

1. **Fraudulent Statements.** The licensee has made fraudulent statements in the application for the license or in the conduct of the business.
2. **Violation of Law.** The licensee has violated this chapter or has otherwise conducted the business in an unlawful manner.
3. **Endangered Public Welfare, Health or Safety.** The licensee has conducted the business in such manner as to endanger the public welfare, safety, order or morals.
4. **Violation of Conditions / Fire Code.** The licensee has failed to comply with any written condition of the license issued under Section 122.07(2), or has failed to correct fire-safety deficiencies identified by the Fire Chief within the time required.
5. **Unauthorized Relocation.** The licensee has moved the sales location or altered the approved site layout without prior written approval as required by Section 122.07(4).

**SECTION III. SECTION ADDED.** The following constitutes an entirely new section for Chapter 122 and thus no underlined or struck through language is included.

**122.21 FIRE-SAFETY REQUIREMENTS FOR FIRE-SAFETY SENSITIVE MERCHANDISE.**

1. No transient merchant shall sell or display fire-safety sensitive merchandise except in compliance with the adopted fire code and the conditions of the license.
2. In addition to other applicable requirements, the following minimum standards apply unless modified by the Fire Chief based on equivalent safety:
  - A. **Separation from Hazards.** The sales location shall not be established within 50 feet of any operating motor-fuel dispensing facility, fuel dispensing pumps, underground fill ports, aboveground fuel storage, LP-gas storage/cages, or other similar flammable/combustible liquid or gas storage or dispensing as determined by the Fire Chief.
  - B. **Access and Egress.** The sales location shall maintain unobstructed access for emergency vehicles and shall not block fire lanes, hydrants, building exits, or required means of egress.
  - C. **Ignition Sources.** Smoking, open flames, and other ignition sources are prohibited within and near the sales location. “NO SMOKING” signs shall be posted conspicuously.

- D. Fire Extinguishers. The merchant shall provide and maintain portable fire extinguishers of a type, size, and number approved by the Fire Chief.
- E. Storage/Display. Merchandise shall be stored and displayed in a manner that prevents undue accumulation of combustible material and maintains clear aisle space and emergency access.

**SECTION IV. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION V. SEVERABILITY.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION VI. EFFECTIVE DATE.** This ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 18th day of May.

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Allen Schneider, Mayor

ATTEST:

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Stephanie Thomann, City Clerk

First Reading: May 18, 2026

Second Reading: Waived

Third Reading: Waived

Final Approval Given: May 18, 2026

I certify that the foregoing was published as Ordinance No. 2026-02 on July 1, 2026.

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Stephanie Thomann, City Clerk