city ordinance: Peddling / solicitors

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Sec. 391-104. - Peddlers and solicitors entering private premises.

(a)

The practice of entering upon the premises of private residences in the city by any persons acting as solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise of any kind, magazines, pamphlets, books or any other articles, when such person has not been requested or invited to do so by the owner or occupant of the private residence, or when a notice is posted at or near the entrance thereof forbidding such entry for any such purposes, with the intention of selling or soliciting orders for the sale of any such things, or of peddling, hawking or otherwise disposing thereof, or doing all or any of such practices, is hereby declared to be a nuisance and shall be punishable as prescribed in this chapter.

(b)

The provisions of this section shall not apply to the sale, soliciting of orders for the sale, or the delivery to any such premises of milk, dairy products, vegetables, fruits, meat, poultry, eggs, groceries, bread or any other farm and garden produce and foods or liquid products, so far as the disposal thereof is at any time authorized by law and is done in compliance with all applicable provisions of this Code or other city ordinances; nor shall they apply to the delivery of any merchandise or other articles of any kind previously purchased or ordered by or for the owner or occupant of such premises.

(Code 1975, § 19-4)

Sec. 391-119. - Penalty for violation of chapter.

Any person who creates and maintains any nuisance defined in this chapter, or elsewhere in this Code, or by any other law or ordinance of the city, and who fails or refuses to abate such nuisance when so ordered, shall be guilty of an offense against the city and upon conviction thereof shall be punishable as provided in <u>section 103-3</u>, unless some other penalty is prescribed in any other section of this Code for a particular offense. The action against any person to enforce a penalty by the city shall constitute a separate and additional legal remedy, and the fact that any proceedings by way of an injunction, or for the abatement of any such nuisance, has been or may be instituted by the city and be pending or concluded shall not affect this section or chapter, or be considered in any way as a defense to such action for the penalty in this section.

(Code 1975, § 19-20)