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## Sec. 6-4-9. Vendors from special vehicles.

- A. *Vendors.* Any person who shall vend any product from a vehicle or a trailer especially equipped for that purpose ("vendors") shall be considered a direct seller for purposes of this chapter, and the terms and provisions of sections 6-4-1 through 6-4-8 and 7-1-7 through 7-1-11 shall apply to such persons unless they are inconsistent with this section.
- B. *Qualifications.* In addition to other requirements of this chapter 6-4, vendor shall have a current driver's license issued pursuant to the Wisconsin Statutes and shall be familiar with those sections of the rules of the road relating to parking restrictions, and shall abide by the provisions thereof. Vendors shall be familiar and comply with all other applicable provisions of this Code.
- C. *Requirements for vehicles and insurance.* Any vehicle used or operated by a vendor hereunder shall be insured for liability for property damage and personal injury by a reputable, licensed insurer satisfactory to the city. A certificate of insurance verifying insurance coverage shall be filed with the city with each application for registration by a vendor. Such insurance shall provide for policy limits in the following minimum amounts: 1,000,000 for one person and \$3,000,000 for any number of persons injured or killed in one accident and \$100,000 property damage per incident, naming the city as additional insured.
- ~~1. General liability: \$2,000,000.00.~~
- ~~2. Automobile liability (owned, non-owned, leased):~~
- ~~(a) Bodily injury: \$2,000,000.00 each occurrence.~~
- ~~(b) Property damage: \$2,000,000.00 each occurrence.~~
- ~~3. Worker's compensation: statutory limits.~~
- ~~4. Employer's liability:~~
- ~~(a) \$500,000.00 each accident.~~
- ~~(b) \$500,000.00 each injury~~
- ~~(c) \$1,000,000.00 policy limit.~~
- ~~5. Umbrella liability:~~
- ~~(a) \$2,000,000.00 over the primary insurance coverages listed above~~
- Vendors' vehicles shall comply with Wis. Stats. Ch. 347, as it may be amended or renumbered, relating to equipment of vehicles. Bells or chimes approved by the police department may be used as devices to attract customers, but no other type of noisemaking device shall be permitted for that purpose. The vendor shall comply with such other conditions as may be imposed by the city. The registration issued pursuant to this section shall be effective for a period of one year from its issuance, provided it is not earlier revoked.
- D. *Hours of operation.* No vehicle used by a vendor shall be operated for the purpose of sales prior to 10:00 a.m. and later than one-half hour after sunset, provided that the city council may make an exception to the requirement for special events.
- E. *Limitations.* Except as expressly provided herein, no product shall be dispensed by vendors on Washington Street between the north curblane of 22nd Street to the south curblane of 12th Street, on 22nd Street between the west curblane of Forest Avenue to the east end of 22nd Street at Neshoto Road, Pierce Street between 22nd Street to Zlatnik Drive, 21st Street between Pierce Street and Garfield Street or any part of Zlatnik Drive. This prohibition shall not apply in the case of any special event taking place on Washington Street, 22nd Street, or Zlatnik Drive or authorized by the city council. No product shall be dispensed by vendors at any park as defined in section 7-1-7 without being previously authorized by the parks and

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recreation director or at any special event with exception to the terms and provisions of sections 6-4-3 of this Code. With authorization of the parks and recreation director, a vendor may sell from parking lots number one and five adjacent to Zlatnik Drive or designated lot at Walsh Field but may only be parked in the same manner and at the same places designated for the parking of motor vehicles.

- F. *Revocation.* A registration issued to a vendor may be revoked by the chief of police if the vendor made any material inaccurate statement in the application for registration or violated any provision of this section, or any other applicable provision of this chapter 6-4 of the city's Municipal Code. Upon revocation, the vendor may appeal to the city council. Such appeal shall be made in writing and shall be submitted to the city clerk within 30 days after revocation.
- G. *Exceptions.* This section 6-4-9 of the Municipal Code shall not apply to any vendor selling products from a parked vehicle at a special event held on city-owned property or a city street, if such vendor has been authorized to sell products from that location by the city manager or a city department head, or if such vendor has been authorized to sell from that location by an organization that has been given permission to use city property or street for such special event by action of the city council.

( Ord. of 3-21-2022(1) )