

## ORDINANCE

**AN ORDINANCE** to amend Municipal Code Sections 6-4-4(7) and (10) entitled "Applicants for registration fees"; and 6-4-9 (A), (C) and (E) entitled "Vendors from special vehicles".

The Council of the City of Two Rivers ordains as follows:

**SECTION 1.** That Section 6-4-4 of the Municipal Code shall hereby be amended as follows:

(7) Make, model and license number, or vehicle identification number, or serial number of any vehicle and trailer to be used by applicant in conducting their business;

(10) Statement as to whether applicant has been convicted of any crime; or any ordinance violation related to applicant's transient merchant business within the last five years, the nature of the offense and the place of conviction.

**SECTION 2.** That Section 6-4-9 of the Municipal Code shall hereby be amended as follows:

(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 §§ 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.

(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, naming the City as additional insured:

1. General liability: \$2,000,000.
2. Automobile liability (owned, non-owned, leased).
  - (a) Bodily injury: \$2,000,000 each occurrence.
  - (b) Property damage: \$2,000,000 each occurrence.
3. Worker's compensation: statutory limits.
4. Employer's liability:
  - (a) \$500,000 each accident.
  - (b) \$500,000 each injury
  - (c) \$1,000,000 policy limit.
5. Umbrella liability
  - (a) \$2,000,000 over the primary insurance coverages listed above

Vendors' vehicles shall comply with Ch. 347, Wis. Stats., 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.

(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 west end of 22nd Street at Neshoto Road, 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 § 7-1-7 without being previously authorized by the Parks and Recreation Director or at any special event with exception to the terms and provisions of §§ 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.

**SECTION 3.** This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 21st day of March, 2022.

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Adam Wachowski  
President, City Council

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Gregory E. Buckley  
City Manager

Attest:

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Jamie Jackson  
City Clerk

Approved as to form and legality:

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John M. Bruce  
City Attorney