

Chapter 345

DIRECT SELLERS

GENERAL REFERENCES

Streets and sidewalks — See Ch. 394.

Zoning Ordinance

- § 345-1 Direct sales.
- § 345-2 Definitions.
- § 345-3 Standards.
- § 345-4 Prohibited practices.

§ 345-1 Direct sales.

It shall be unlawful for any direct seller to engage in direct sales within the Town of La Pointe unless the direct seller is selling on private property in the Commercial Zone, or holds a valid special event permit issued by the Town Board, or is authorized by the Town Board pursuant to § 345-3, paragraph G.

§ 345-2 Definitions.

In this chapter, the following terms shall have the meanings indicated:

DIRECT SELLER. Any individual who, for him/herself, or for a partnership, association or corporation, sells goods or services, or takes sales orders for the later delivery of goods or services, at any location within the Town of La Pointe, other than the permanent business place or residence of said individual, partnership, association or corporation. This shall include, but not be limited to, peddlers, solicitors and transient merchants. The sale of goods includes donations required by the direct seller for the retention of goods by a donor or prospective customer.

GOODS. Includes personal property of any kind and shall include goods provided incidental to services offered or sold.

PERSON. All humans of any age or sex, partnerships, corporations, associations, groups, organizations and any other description of a collection of human beings working in concert or for the same purpose or objective.

§ 345-3 Standards.

- A. Unless authorized by Paragraphs F or G, direct sellers shall operate only on private property in the Commercial District. Refer to Zoning District map.
- B. Direct sellers shall not block or obstruct a curb cut or public walkway.

C. Direct sellers shall not drive stakes or other similar devices into streets or sidewalks, or to any structure (building, light pole, signs, benches, etc.) without written permission of the Town.

D. Signage must be consistent with the Zoning Ordinance, Section 5 – Signs. No off-premises signage is allowed.

E. The private property owner is responsible for securing adequate liability insurance from the direct seller if they so choose.

F. The Town Board shall have the right to approve a special event permit for any person or organization for any special event on Town property or right of way, which grants to direct sellers specified exceptions to this chapter.

G. The Town Board also shall have the right to enter an agreement to allow direct sellers or other merchants to conduct business on Town property–

1. When the Town receives a request to conduct business on Town property, Town staff shall work with the applicant to outline terms of a potential agreement. The request shall be forwarded to the Town Plan Commission, which shall consider the request in a timely manner at a properly noticed meeting that provides opportunity for public comment.
2. Upon due consideration, the Town Plan Commission shall make a recommendation on the request to the Town Board.
3. The Town Board shall approve the request, reject the request, or approve the request with modified terms or conditions.
4. In deliberating, the Plan Commission and Town Board shall consider factors that include, but are not limited to:
 - a) whether the proposed use is compatible with and appropriate for the location and its zoning
 - b) the proposed use’s compatibility with the Comprehensive Plan
 - c) whether the proposed use poses public safety concerns
 - d) whether the proposed use competes with or supplements existing businesses, services, or uses
 - e) the proposed use’s likely impacts on nearby properties
 - f) whether the proposed use is beneficial or detrimental to the community’s quality of life or the character of the surrounding area
 - g) whether terms and conditions in the proposed agreement are adequate, including the fee’s consistency with similar rates the Town charges

§ 345-4 Prohibited practices of direct sellers.

A. No direct seller shall impede the free use of sidewalks and streets by pedestrians and vehicles.

B. No direct seller shall make any loud noises or use any sound-amplifying device to attract customers. All direct sellers shall comply with the noise ordinances in Chapter 336.

C. No direct seller shall allow rubbish or litter to accumulate in or around the area in which he or she is conducting business.

§ 345-5 Effective date.

This ordinance is effective on publication or posting.

The Office of the Town Clerk shall properly post or publish this ordinance, as required under s. 60.80, Wis. Stats.

Adopted this 15th day of September 2020. Amended April 23, 2024. Amended September 10, 2024