

CHAPTER 437

POLICE REGULATIONS

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437.01 TRANSIENT DEALERS. No person without permission granted by vote of the council shall engage temporarily in the business of selling goods in any city, unless such goods have been duly assessed for taxation within the state for the current year. Permission shall not be granted by the council until the applicant shall have paid to the treasurer such sum as the council may require, not exceeding \$50 per week, for the period for which permission is sought, which sum shall be fixed upon consideration of the kind, amount, and value of the goods offered. A transient dealer violating any provision of this section shall be guilty of a misdemeanor, and the fact that such goods are not listed for taxation in the county shall be prima facie proof that they are not assessed for taxation in the state.

[R L s 773; 1973 c 123 art 5 s 7] (1839)

437.02 POWER TO REGULATE TRANSIENT MERCHANTS. Every city of the state, whether incorporated under a home rule charter or a general or special law of this state, in addition to all other powers given the city by any law of this state, shall have power by ordinance to regulate, control, and license transient merchants and to provide for the punishment of persons violating such ordinances.

[1909 c 84 s 1; 1973 c 123 art 5 s 7] (1840)

437.03 [Repealed, 1963 c 753 art 2 s 17]

437.04 [Repealed, 1965 c 45 s 73]

437.05 [Repealed, 1965 c 45 s 73]

437.06 [Repealed, 1965 c 45 s 73]

437.07 ITINERANT PLACES OF AMUSEMENT. No town board or other public authority shall hereafter issue any license or permit or make any other grant of authority permitting the operation or carrying on of any itinerant carnival, street show, street fair, sideshow, circus, or any similar enterprise within one mile of the corporate limits of any city of the fourth class in this state without having first obtained in writing the consent thereto of the council or other governing body of the city.

[1925 c. 366 s. 1] (1929-1)

437.08 LICENSES OR PERMITS VOID. Any license, permit, or other grant of authority issued or made in violation of the provisions of sections 437.07 to 437.11 shall be absolutely null and void.

[1925 c. 366 s. 2] (1929-2)

437.09 SHOWS PROHIBITED WITHOUT LICENSE. No person, firm, co-partnership, corporation, or association of any nature or kind shall operate or attempt to operate or carry on any itinerant carnival, street show, street fair, sideshow, circus, or any similar enterprise within one mile of the corporate limits of any city of the fourth class in this state without license or permit so to do lawfully granted under the restrictions provided in sections 437.07 to 437.11.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor; and any such enterprise operated without license or permit as herein prescribed is hereby declared to be a public nuisance.

[1925 c. 366 s. 3] (1929-3)

437.10 DEFINITION. An itinerant carnival, street show, street fair, sideshow, circus, or other similar enterprise, within the meaning of sections 437.07 to 437.11, is any itinerant carnival, street show, street fair, sideshow, circus, or other similar

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enterprise, which is held, operated, or carried on in the open or indoors or upon or within any public or private ground, at which there congregates and assembles, with or without the payment of an admission fee, a promiscuous gathering of people as spectators or otherwise.

[1925 c. 366 s. 4] (1929-4)

437.11 APPLICATION; ISSUE OF LICENSE WHERE CITY OF THIRD CLASS AND CITY OF FOURTH CLASS ARE CONTIGUOUS. Nothing in sections 437.07 to 437.11 shall be construed as in any way abrogating or detracting from the provisions of section 624.65 but section 624.65 shall be and remain in force and effect; provided that in cases where a city of the third class and a city of the fourth class are contiguous, either municipality may issue such license without the consent of the other.

[1925 c. 366 s. 5; 1927 c. 16] (1929-5)

437.12 [Repealed, 1955 c 561 s 6]