

**ORDINANCE NO. 245**

**AN ORDINANCE ESTABLISHING REGULATIONS FOR UNINVITED  
PEDDLERS AND SOLICITORS IN THE CITY OF GOSHEN, ARKANSAS;  
AND FOR OTHER PURPOSES**

**WHEREAS**, the practice of going in or upon private residences in the City of Goshen, Arkansas by peddlers or solicitors of services and merchandise not having been requested or invited to do so by the owner or occupant of said private residences for the purpose of peddling or soliciting orders for the sale of services, goods, wares and merchandise is an infringement on said owner or occupant's right to privacy or quiet enjoyment of their home;

**WHEREAS**, the City Council for the City of Goshen, Arkansas finds that citizens who desire that they not be contacted by peddlers and solicitors at their private residences within the City of Goshen, Arkansas, should have a method whereby they can protect their privacy and quiet enjoyment of their home;

**WHEREAS**, The City Council finds that the Goshen Municipal Code is in need of an amendment to provide a lawful means by which citizens who do not want to be contacted by peddlers or solicitors can have their privacy and quiet enjoyment of their home protected;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOSHEN, ARKANSAS, That:

**SECTION 1.** The Goshen Municipal Code, Title 7, is hereby amended by adding Chapter 7.48 as follows:

**Chapter 7.48**  
**Peddler and Solicitation Restrictions**

**Sections:**

<b>7.48.01</b>	<b>Definitions</b>
<b>7.48.02</b>	<b>Duties of City Administration Under this Chapter</b>
<b>7.48.03</b>	<b>Principal Permit</b>
<b>7.48.04</b>	<b>Permit for Peddlers/Solicitors</b>
<b>7.48.05</b>	<b>Duties of Peddler or Solicitor</b>
<b>7.48.06</b>	<b>Prohibition When Signs are Posted</b>
<b>7.48.07</b>	<b>Hours Restricted</b>
<b>7.48.08</b>	<b>Penalty</b>
<b>7.48.09</b>	<b>Exemptions</b>
<b>7.48.10</b>	<b>Revocation of Permits</b>
<b>7.48.11</b>	<b>Suspension/Revocation Procedure</b>

**Section 7.48.01**

**Definitions.** The following words, terms and phrases and their derivations, when used in this ordinance, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

- (1) City means City of Goshen, Arkansas.
- (2) Peddler means any person who goes upon the premises of any private residence in the City, not having been invited by the occupant thereof, carrying or transporting goods, wares merchandise or personal property of any nature and offering the same for sale.
- (3) Peddling includes all activities ordinarily performed by a peddler as indicated in the previous paragraph.
- (4) Principal means the person or other legal entity whose goods, merchandise, personal property or services are being peddled or solicited.
- (5) Solicitor means any person who goes upon the premises of any private residence in the City, not having been invited by the occupant thereof, for the purposes of taking or intending to take orders for the sale of services, goods, wares, merchandise or other personal property of any nature for future delivery, or for services to be performed in the future.
- (6) Solicitation or soliciting includes all activities ordinarily performed by a solicitor as indicated in the previous paragraph.
- (7) Violation of this Ordinance/Code means:

- a) Doing an act that is prohibited or made or declared unlawful herein.
- b) Failure to perform an act that is required to be performed by this ordinance.
- c) In this Code "violation of this Ordinance/Code" does not include the failure of a city officer or city employee to perform an official duty, unless it is provided that failure to perform the duty is to be punished as provided in this section.
- d) If a violation of this Ordinance/Code is also a misdemeanor under state law, the penalty for the violation shall be as prescribed by state law for the state offense.
- e) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.
- f) Violations of this Code that are continuous with respect to time, are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.

### **Section 7.48.02**

**Duties of City Administration Under this Ordinance.** The City of Goshen Administration is hereby directed to prepare and maintain a list of the names and addresses of all residents of the city who desire no peddling or soliciting at their residence. The said residents of the city who desire for their name to be placed on this list may do so by contacting the city administration in person, by phone, by mail, or via the City's website. The city administration will ensure that the "Do Not Knock" list will be updated every 30 days.

### **Section 7.48.03**

**Principal Permit.** No peddling or solicitation shall be conducted within the City without a principal permit being issued. The cost for the principal to obtain a principal's permit is \$40.00 and shall be paid to the City of Goshen before any peddling or solicitation is conducted within the City. The permit shall expire on December 31 the year the permit is issued. To obtain a permit, a representative of the principal shall provide to the city administration a written, signed application stating:

- (1) the name, address, telephone number, type of organization, and contact person for the principal applicant;
- (2) the nature of the products or services involved;
- (3) the proposed method of operation in the city;
- (4) a list of persons who will peddle or solicit in the city on behalf of the principal in the city.

### **Section 7.48.04**

**Permit for Peddlers/Solicitors.** In addition to the principal permit, each peddler or solicitor acting for the Principal shall also obtain a permit from the city administration before peddling or soliciting within the City. The cost to obtain a peddler/solicitor permit is \$5.00. In applying for the permit, each applicant shall provide the following to the city administration:

- (1) the name of the Principal applicant for whom they are going to act as a peddler or solicitor;

- (2) the name, address, and telephone number of the person who is going to act as a peddler or solicitor, and in addition, they must also present a government issued photo identification and an ID badge issued by their Principal to be displayed while soliciting or peddling within the City;
- (3) each person applying to be a peddler/solicitor must attest under oath that he/she has not been convicted of any felonies, or any misdemeanors involving theft, sexual offenses, or drug offenses. No person shall be issued a permit as a peddler or solicitor that has been convicted of any of the offenses set out herein; and.
- (4) a criminal background check must be performed by the Goshen Police Department verifying that the peddler or solicitor has not been convicted of any felonies, or any misdemeanors involving theft, sexual offenses, or drug offenses. No person shall be issued a permit as a peddler or solicitor that has been convicted of any of the offenses set out herein.

### **Section 7.48.05**

**Duties of Peddler or Solicitor.** Each person peddling or soliciting within the City shall have a copy of their permit issued by the city administration, photo identification visible, which is provided by the principal, identifying the person peddling or soliciting, and a copy of the most recent "Do Not Knock" list. It is a violation of this ordinance for the person peddling or soliciting to not have a copy of their permit, photo identification as described above, and a copy of the most recent "Do Not Knock" list.

It shall be unlawful for any peddler or solicitor to remain on the property of another when requested to leave, or to otherwise conduct business in a manner which a reasonable person would find obscene, threatening, intimidating or abusive.

It shall be unlawful for any peddler or solicitor to make any false or misleading statements about the product or service being sold, including untrue statements of endorsement. No peddler or solicitor shall claim to have the endorsement of the city solely based on the city having issued a permit, license or certificate to that person.

### **Section 7.48.06**

**Prohibition when Signs are Posted.** It shall be unlawful and a violation of this Ordinance/Code for any person, while conducting the business of a peddler or solicitor, to enter upon any residential premises in the city where the owner, occupant or person legally in charge of the premises has posted, at the entry of the premises, or at the entry of the principle building on the premises, a sign bearing the words "no peddlers," "no solicitors," "no trespassing," or words of similar import.

### **Section 7.48.07**

**Hours Restricted.** No person while conducting the activities of peddler or solicitor shall enter upon any private residence, knock on doors, or otherwise disturb persons in their residence between the hours of 8:00 p.m. and 10:00 a.m.

### **Section 7.48.08**

**Penalty.** Any violation of this Ordinance shall be deemed a nuisance and punishable by a fine of not less than \$10.00 nor more than \$75.00 for a first offense and not less than \$50.00 nor more than \$150.00 for a second or subsequent offense, plus costs of the action.

### **Section 7.48.09**

**Exemptions.** The following shall be exempt to all provisions of this ordinance:

- (1) Officers or employees of the city, county, state, or federal government, or any subdivision thereof when on official business.

### **Section 7.48.10**

**Revocation of Permit.** Any permit issued pursuant to the provisions of this ordinance may be suspended or revoked for good cause by the City Council as provided herein. Good cause for such suspension or revocation shall include, but is not limited to:

- (1) The existence of unsanitary conditions, noise, disturbances, or other conditions at, near or in the premises which causes or tends to create a public nuisance, which may injuriously affect the public health, safety or welfare, or which unnecessarily affects the adequate allocation of public safety resources;
- (2) The commission of, or permitting or causing the commission of, any act in the operation of the business which is prohibited by any ordinance, rule or law of the city, state or federal government;
- (3) Fraudulent practices and misrepresentation in the operation of the business;
- (4) Concealment or misrepresentation in procuring the permit;
- (5) The business for which the permit has been issued is unlawful or is prohibited by any ordinance, code, rule or law of the city, state or federal government; or
- (6) The permit was issued by mistake or is in violation of any of the provisions of this ordinance.

### **Section 7.48.11**

**Suspension/Revocation Procedure.** Permits may be suspended or revoked by the City as follows:

- (1) The City Council, on its own motion or initiative, or upon the written complaint of any person or city staff, may, by resolution, set a hearing date, time and location to determine whether good cause exists to suspend or revoke a permit issued pursuant to this ordinance.
- (2) As soon as practicable after passage of the resolution setting the hearing date and, in any event, not less than ten (10) business days prior to the hearing date, a notice of the hearing, along with a copy of the resolution setting the hearing date, shall be served by certified mail with return receipt requested, to the person holding the permit at the address provided on the permit application.

- (3) The notice and resolution shall inform the permittee of the allegations which constitute the basis for the hearing and shall provide that the permittee will be given the opportunity to appear and be heard at the hearing.
- (4) At the hearing, the City Council will make a determination as to whether good cause exists to suspend or revoke the permit. This determination shall be made only after the permittee has been afforded a reasonable opportunity to be heard on the issue.
- (5) In the event the City Council finds that good cause exists to suspend the permit, it shall have the authority to place reasonable conditions and restrictions on the permittee during the suspension period. Any violation of these conditions and restrictions shall result in the revocation of the permit.
- (6) In the event the City Council finds that good cause exists to revoke the permit, the City Council shall, by ordinance, revoke the permit and shall direct the city administration to notify the permittee of the revocation of the permit, and to direct the permittee to immediately cease all business activity in the City. Notice shall be completed in accordance with subsection (2) herein.
- (7) Any person conducting business activity in violation of a revoked or suspended permit shall be punishable by those penalties prescribed in Section 7.48.08 of this ordinance, and each contact/transaction shall constitute a separate and punishable offense.
- (8) Any business or person who has had a permit revoked pursuant to the provisions of this ordinance shall not be eligible for another permit until the business or person has complied with the requirements of Section 7.48.03 and 7.48.04 of this ordinance and has obtained City Council approval before a new permit may be considered.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 3.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional.

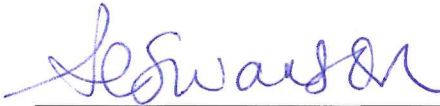
**SECTION 4.** EMERGENCY CLAUSE. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 14th day of October, 2025.



Russell Stroud, Mayor

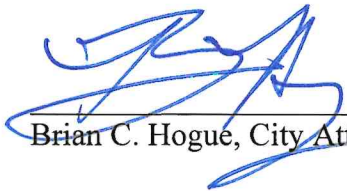
ATTEST:



Gina Swanson, Recorder/Treasurer



APPROVED AS TO FORM:



Brian C. Hogue, City Attorney

**ROLL CALL VOTE ADOPTING THE ORDINANCE**

Names of those voting YEA

Birch Wright  
John Vaillancourt  
Paula Anderson  
Shawn Mayfield  
Colton Martin  
Curtis Vaughan

Names of those voting NAY

Absent

**ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE**

Names of those voting YEA

Birch Wright  
John Vaillancourt  
Paula Anderson  
Shawn Mayfield  
Colton Martin  
Curtis Vaughan

Names of those voting NAY

Absent