

1989 Assembly Bill 749

Date of enactment: **April 23, 1990**

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1989 WISCONSIN ACT 301

AN ACT to amend 59.07 (18m) and 130.065 (title) and (1); and to create 59.07 (18r) and 66.083 of the statutes, relating to: the regulation of retail sales by transient merchants.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 59.07 (18m) of the statutes is amended to read:

59.07 (18m) (title) TRUCKERS, HAWKERS AND PEDDLERS LICENSING. Except in counties having a population of 500,000 or more, to enact ordinances providing for the licensing of truckers, hawkers, and peddlers ~~and transient merchants~~, other than licensees under s. 440.51, and provide for the enforcement of the ordinances. The ordinances shall not provide for licensing of fuel vendors or those engaged in the delivery of petroleum products or farmers or truck gardeners who sell farm products grown by themselves.

SECTION 2. 59.07 (18r) of the statutes is created to read:

59.07 (18r) TRANSIENT MERCHANTS. Counties may, by ordinance, regulate the retail sales, other than auction

sales, made by transient merchants, as defined in s. 130.065 (1m), in the towns in the county and provide penalties for violations of those ordinances.

SECTION 3. 66.083 of the statutes is created to read:

66.083 Transient merchants. Cities and villages may, by ordinance, regulate the retail sales, other than auction sales, made by transient merchants, as defined in s. 130.065 (1m), and provide penalties for violations of those ordinances.

SECTION 4. 130.065 (title) and (1) of the statutes are amended to read:

130.065 (title) Auction sales by transient merchants. (1) LICENSE REQUIRED. No transient merchant may conduct an auction sale, ~~liquidation sale or other sale~~ of more than 4 articles of merchandise in one location in this state (except as otherwise governed by s. 130.07) unless licensed to do so by the city, village or county in which the sale is proposed to be held.