

ORDINANCE NO. 76

AN ORDINANCE OF PENN TOWNSHIP,
BUTLER COUNTY, PENNSYLVANIA,

REGARDING SOLICITING AND PEDDLING

ARTICLE I SOLICITING AND PEDDLING

Section 1.1 Definitions

- A. "Soliciting" shall mean the seeking or taking of contracts for orders for any goods, wares, services or merchandise for future delivery, or for subscriptions or contributions upon any of the roads, streets or sidewalks, or from house to house; or by visits to private residences; or by entering in or upon private property; within the Township of Penn and it shall further mean the seeking or taking of contracts for orders for home or other building repairs; improvements, and alterations, and also orders or contracts for mechanical, electrical, plumbing, or heating device or equipment for house; or other building improvement or repairs, upon or from the places aforesaid within the said Township.
- B. "Peddling" shall mean the selling or offering for sale of any goods, wares, services, or merchandise for immediate delivery which the person selling or offering for sale carries with him in traveling, or has in his possession or control, upon any of the roads, streets or sidewalks; or from house to house; or by visitation to private residences; or by entering in or upon private property; within the said Township. Provided the words "soliciting" and "peddling" shall not apply:
1. To farmers seeking or taking orders for the sale of their own products.
 2. To the seeking or taking orders by any manufacturer or producer for the sale of bread or baking products, meat products, or milk products.

Section 1.2

No person shall engage in soliciting or peddling in the Township of Penn without first having taken out a license as herein provided.

Section 1.3

A. Every person desiring to engage in soliciting or peddling in the Township of Penn shall first make application to the Secretary of the Board of Supervisors for a license. If such a person shall be required to obtain a license from a county officer, he shall, on making such application, exhibit a valid county license, the said application shall be upon a form provided by the Township Secretary and shall contain at least the following information verified by oath or affirmation.

1. Full name of the applicant and local address, if any.
2. Permanent address.
3. Name of employer or a statement that such application is self-employed.
4. The nature of the goods, wares, services or merchandise offered for sale.
5. A statement as to whether or not the applicant has ever been convicted of any crime and if the answer is affirmative, the nature of the offense or offenses and the punishments imposed.
6. The type and license number of the vehicle to be used, if any
7. Upon request, the applicant shall also submit to fingerprinting and furnish a photograph, provided one where a person makes application for himself and one or more helpers, all applicable personal information specified above shall be given for each helper and verified or affirmed by oath or affirmation by him and an individual license shall be required for each helper. No license under this Article shall be transferable from one person to another.

B. After application is made pursuant to Section 1.3(A), the Township Secretary shall forthwith forward the same to the Township Police, who shall thereupon conduct such investigation of

the facts contained therein as he deems necessary. Upon the approval of the police of Penn Township, or upon the passage of a period of 72 hours without its disapproval, the Secretary to the Supervisors, shall issue a license to the applicant, after payment of a fee provided for in Section 1.4. Nothing in this Section shall be so construed as to require the Secretary to issue a license to any applicant known to him to have given false information in the application or who was convicted of a crime involving moral turpitude or who was convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania or any ordinance of the Township of Penn.

Section 1.4

No license shall be issued under this Article until the sum of \$25.00 shall be paid to the Township Secretary for the use of the Township. A separate application shall be filed and a separate permit fee shall be paid by each person who shall actually conduct the soliciting or peddling, and by every employer for each of his employees, agents or servants.

Section 1.5

The license granted pursuant to this Article shall be valid for 30 days after the date of such license and upon the expiration of any license, if the person holding the same shall decide to continue or renew soliciting or peddling, he shall be required to file a new application for a permit and pay a new license fee.

Section 1.6

Such license when issued shall state, inter alia, the products to be sold or services to be rendered by the licensee. Every solicitor or peddler shall at all times, when engaged in soliciting or peddling in the Township of Penn, carry such license upon his person and shall exhibit it upon request, to all police officers, Township Officials, and citizens. No solicitor or peddler shall engage in selling any product or service not mentioned on such license.

Section 1.7

No person licensed as a solicitor or peddler under this Article shall engage in soliciting or peddling on Sunday or on any other day of the week before 9:00 a.m. or after 6:00 p.m. During the time of the year when Eastern Standard Time is effective the aforesaid hours shall be Eastern Standard Time, and during the time of the year when Daylight Savings Time is effective the aforesaid hours shall be Daylight Savings Time.

- Section 1.8 No person licensed as a solicitor or peddler under this Article shall park any vehicle upon any of the roads, streets, highways, or alleys of the Township in order to sort, rearrange or clean of his goods, wares, services, or merchandise; nor shall any such person place or deposit any refuse on any such roads, streets, highways or alleys; nor shall any such person maintain or keep a street or curbstone market by parking any vehicle upon any street or alley in the Township for longer than necessary in order to pass therefrom to persons residing in the immediate vicinity.
- Section 1.9 No person licensed as a solicitor or peddler under this Article shall occupy any fixed location upon any of the sidewalks or the roads, streets, highways, alleys of the Township for the purpose of soliciting or peddling with or without any stand or counter.
- Section 1.10 The Secretary shall keep a record of all licenses issued under this Article and the Township Police Department shall be informed of the issuance of such licenses and shall supervise the activities of all holders of such licenses.
- Section 1.11 Any license issued under this Article may be suspended or revoked at any time by the Secretary of the Township of Penn upon proof being furnished to him that the application for the license contained false information or that the applicant or licensee was convicted of a crime involving moral turpitude after the issuance of such license or that the licensee was convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania, or any Ordinance of the Township of Penn.
- Section 1.12 No person licensed as a solicitor or peddler under this Article shall hawk or cry his wares or services upon any of the streets or sidewalks of the Township nor shall he use any loud speaker, bell, whistle or other device for announcing his presence by which the public is annoyed.
- Section 1.13 Any person charged with violating the provisions of this Ordinance may, upon conviction, be fined \$300.00 or undergo 90 days imprisonment in default of payment.

Section 1.14 This Ordinance shall supercede all previous ordinances or resolutions of the Township of Penn inconsistent herewith.

ORDAINED AND ENACTED into law this 19th day of May, 1986, by the Board of Supervisors of Penn Township, Butler County, Pennsylvania.

ATTEST:


Township Secretary

PENN TOWNSHIP BOARD OF SUPERVISORS



