

## CHAPTER 97

### PEDDLING AND SOLICITING

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| § 97-1. Definitions; word usage.                 | § 97-9. Fixed location prohibited.                        |
| § 97-2. License required.                        | § 97-10. Crying wares or using<br>noisemakers prohibited. |
| § 97-3. License application.                     | § 97-11. Record of licenses.                              |
| § 97-4. License fee.                             | § 97-12. License suspension; appeals<br>therefrom.        |
| § 97-5. License term; new license.               | § 97-13. Violations and penalties.                        |
| § 97-6. License exhibition.                      |   |
| § 97-7. Hours.                                   |   |
| § 97-8. Parking vehicle on street;<br>littering. |   |

**HISTORY: Adopted by the Board of Supervisors of the Township of Paradise 2-3-1987 as Ch. 13, Part 1, of the 1987 Code. Amendments noted where applicable.**

#### GENERAL REFERENCES

Littering -- See Ch. 74.

Vehicles and traffic -- See Ch. 142.

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#### **§ 97-1. Definitions; word usage.** <sup>1</sup>

- A. Except as defined in this Code (see Chapter 1, General Provisions, Article II, Definitions), all words shall carry the customary meaning.
- B. The singular shall include the plural and the masculine shall include the feminine and the neuter.

#### **§ 97-2. License required.**

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

#### **§ 97-3. License application.**

- A. Every person desiring to engage in soliciting or peddling in the township shall first make application to the Secretary of the Board of Supervisors for a license. If such person shall also be required to obtain a license from any county officer, he shall, on making such application, exhibit a valid county license.

(1) The application shall be upon a blank provided by the Township Secretary and shall contain at least the following information verified by oath or affirmation:

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

## CHAPTER 97

### PEDDLING AND SOLICITING

97-5

- (a) Full name of the applicant and local address, if any.
  - (b) Permanent address.
  - (c) Name of employer or a statement that such applicant is self-employed.
  - (d) The nature of the goods, wares, services or merchandise offered for sale.
  - (e) A statement as to whether or not the applicant has ever been convicted of any crime, and if the answer is in the affirmative, the nature of the offense or offenses and the punishment or punishments imposed thereon.
  - (f) The type and license number of vehicles to be used, if any.
- (2) Upon request, the applicant shall furnish a photograph.
- B. 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 chapter shall be transferable from one person to another.

#### **§ 97-4. License fee.** <sup>2</sup>

No license shall be issued under this chapter until the sum as set from time to time by resolution of the Board of Supervisors<sup>3</sup> shall be paid to the Township Secretary, and it shall be 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 shall apply where an employer desires to secure licenses for his employees, agents or servants.

#### **§ 97-5. License term; new license.**

The license granted pursuant to this chapter 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 desire 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. Such licenses may be issued, in advance, for consecutive thirty-day periods not exceeding 12 in number, upon payment, in advance, of the license fee for each thirty-day period provided in § 97-4.

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<sup>2</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>3</sup>Editor's Note: The current Fee Schedule is on file in the township offices.

## CHAPTER 97

### PEDDLING AND SOLICITING

97-11

#### **§ 97-6. License exhibition.**

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, 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.

#### **§ 97-7. Hours.**

No person licensed as a solicitor or peddler under this chapter shall engage in soliciting or peddling on any day of the week before 9:00 a.m. or after 8:00 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 saving time is effective, the aforesaid hours shall be daylight saving time.

#### **§ 97-8. Parking vehicle on street; littering.**

No person licensed as a solicitor or peddler under this chapter shall park any vehicle upon any of the streets, highways or alleys of the township in order to sort, rearrange or clean any of his goods, wares, services or merchandise. No such person shall place or deposit any refuse on any such streets, highways or alleys. No such person shall maintain or keep a street or curbstome market by parking any vehicle upon any street or alley in the township for any longer than necessary in order to sell therefrom to persons residing in the immediate vicinity.

#### **§ 97-9. Fixed location prohibited.**

No person licensed as a solicitor or peddler under this chapter shall occupy any fixed location upon any of the sidewalks of the streets, highways, alleys or sidewalks of the township for the purpose of soliciting or peddling with or without any stand or counter.

#### **§ 97-10. Crying wares or using noisemakers prohibited.**

No person licensed as a solicitor or peddler under this chapter shall hawk or cry his wares or services upon any of the streets or sidewalks of the township, nor shall he use any loudspeaker, bell, whistle or other device for announcing his presence by which the public is annoyed.

#### **§ 97-11. Record of licenses.**

The Secretary shall keep a record of all licenses issued under this chapter and shall make a report thereof each month to the Board of Supervisors.

## CHAPTER 97

### PEDDLING AND SOLICITING

97-13

#### **§ 97-12. License suspension; appeals therefrom.**

Any license issued under this chapter may be suspended at any time by the Secretary of the township for violation of any of the provisions of this chapter or for giving false information on any application for a license hereunder or for the applicant or licensee having been convicted of a crime involving moral turpitude after issuance of such license or for the licensee having been convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania or any ordinance of the township. Appeals from any suspension may be made to the Board of Supervisors at any time within 10 days after such suspension. No part of a license fee shall be refunded to any person whose license shall have been suspended.

#### **§ 97-13. Violations and penalties.** <sup>4</sup>

This chapter shall be enforced by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person who violates or permits the violation of this chapter shall, upon conviction in a summary proceeding, be punishable by a fine of not more than \$1,000 or by imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense. Each section of this chapter that is violated shall also constitute a separate offense.

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<sup>4</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)