

Chapter 100

PEDDLING AND SOLICITING

[HISTORY: Adopted by the Board of Supervisors of the Township of North Londonderry 5-8-1979 by Ord. No. 38 (Ch. 71 of the 1991 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. 96.

§ 100-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PEDDLER — Any person who shall engage in peddling, as hereinabove defined.

PEDDLING — Engaging in peddling, canvassing, soliciting or taking of orders, either by sample or otherwise, for any goods, wares or merchandise upon any of the streets or sidewalks or from house within the Township. However, the word "peddling" shall not apply to:

- A. Farmers selling their own produce;
- B. The sale of goods, wares and merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose; or
- C. Any manufacturer or producer in the sale of bread and bakery products, meat or meat products or milk and milk products. This does not include any subvendor of the manufacturer or producer. [Amended 12-14-1993 by Ord. No. 101; 6-20-2011 by Ord. No. 161]
- D. Any company which is approved to operate in North Londonderry Township, such as, but not limited to, waste/trash removal, shall not be required to secure a peddling/soliciting permit to make residents or businesses aware of their service(s) or product(s). [Added 6-20-2011 by Ord. No. 161]

PERSON — Any natural person, association, partnership, firm or corporation.

§ 100-2. License required. [Amended 12-14-1993 by Ord. No. 101]

No person shall engage in peddling in the Township without first having taken out a license from the Township Police Department at the North Londonderry Township Building.

§ 100-3. Application; license nontransferable. [Amended 11-12-1991 by Ord. No. 86; 12-14-1993 by Ord. No. 101]

Every person desiring to engage in peddling within the Township shall first make application to the Township Police Department for a license. Upon such application, such person shall give his or her name; address; previous criminal record, if any; the name of the person for whom he or she works, if any; the type of vehicle being used, if any; and the number of helpers the applicant

intends to use. Where a person makes application for him or herself and one (1) or more helpers, all applicable personal information as specified above shall be given for each helper, and an individual license shall be required for each helper. No license issued under this chapter shall be transferable from one person to another.

§ 100-4. License fees. [Amended 11-12-1991 by Ord. No. 86; 12-14-1993 by Ord. No. 101]

No license shall be issued under this chapter until the proper fees are paid to the Township Police Department. Fees, which are for the use of the Township, are as follows:

- A. Twenty-five dollars (\$25) for one (1) day.
- B. Fifty dollars (\$50) for one (1) year or fraction thereof.

§ 100-5. License issuance; exhibition; restrictions. [Amended 12-14-1993 by Ord. No. 101]

Upon making application therefor and paying the proper fee as herein specified, the Township shall have one (1) full working day prior to issuing a license. Such license shall contain the information given on the license application. Every peddler shall, at all times when engaged in peddling within the Township, carry such license upon his person and shall exhibit such license, upon request, to all police officers, Township officials and citizens. No peddler shall engage in selling any product not mentioned upon such license, nor shall any person having a foot peddler's license operate from or with any horse-drawn or motor vehicle.

§ 100-6. Prohibited hours and days of operation. [Amended 6-20-2011 by Ord. No. 161]

No person licensed as a peddler under this chapter shall engage in peddling of any kind on Sunday, or upon any other day of the week before 9:00 a.m. or after sunset.

§ 100-7. Loud noises unlawful.

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

§ 100-8. Parking; littering.

No person licensed as a peddler under this chapter shall park any vehicle upon any of the streets or alleys of the Township in order to sort, rearrange or clean any of his goods, wares or merchandise; nor may any such person place or deposit any refuse upon any of such streets or alleys; nor may 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 sell therefrom to persons residing in the immediate vicinity.

§ 100-9. Fixed location unlawful.

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

§ 100-10. Suspension of license. [Amended 12-14-1993 by Ord. No. 101]

Township Police are hereby authorized to suspend or revoke any license issued under this chapter when such suspension or revocation is deemed beneficial to the public health, safety or morals, or for violation of any of the provisions of this chapter, or for giving false information upon any application for a license hereunder.

§ 100-11. Violations and penalties. [Amended 9-13-1988 by Ord. No. 74; 12-14-1993 by Ord. No. 101; 6-11-1996 by Ord. No. 108; 4-8-1997 by Ord. No. 112]

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 one thousand dollars (\$1,000) or by imprisonment for a term not exceeding ninety (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.¹

1. Editor's Note: Original § 71-12, arrests, added 12-14-1993 by Ord. No. 101, which immediately followed this section, was repealed 6-11-1996 by Ord. No. 108.