

ORDINANCE NO. 13

AN ORDINANCE DEFINING AND REGULATING PEDDLING:
LEVYING A LICENSE TAX; AND PROVIDING PENALTIES
FOR VIOLATIONS.

THE ROAD SUPERVISORS OF THE TOWNSHIP OF AMITY HEREBY ENACT
AND ORDAIN AS FOLLOWS:

Section 1. Definitions.

(a) The word "peddling" as used in this ordinance, shall mean 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 to house within the Township of Amity. PROVIDED: the word "peddling" shall not apply (1) to farmers selling their own produce, (2) to 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 (3) to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk or milk products.

(b) The word "peddler", as used in this ordinance, shall mean any person who shall engage in peddling, as hereinabove defined.

(c) The word "person", as used in this ordinance, shall mean any natural person, association, partnership, firm or corporation.

(d) In this ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

Section 2. No person shall engage in peddling in the Township of Amity without first having taken out a license as herein provided.

Section 3. Every person desiring to engage in peddling in the Township of Amity shall first make application to the Secretary of the Road Board or his Agent. If such person shall also be required to obtain a license from any county officer, he shall, when making such application, exhibit a valid county license. Upon such application, such person shall give his name; address; his previous criminal record, if any; the name of the person for whom he works, if any; the type of goods, wares and merchandise he wishes to peddle; the length of time for which he wishes to be licensed; the type of vehicle he uses, if any; and the number of helpers he has. PROVIDED: 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 an individual license shall be required for each helper. No license issued under this ordinance shall be transferable from one person to another.

Section 4. No license shall be issued under this ordinance until the proper fee, as follows, shall be paid to the Secretary, which shall be for the use of the Township:

(a) Foot peddler: one dollar (\$1.00) per day; five dollars (\$5.00) per month; twenty dollars (\$20.00) per year.

(b) Peddler operating from a horse-drawn or motor vehicle; two dollars (\$2.00) per day; ten dollars (\$10.00) per month; forty dollars (\$40.00) per year.

(c) Each and every additional peddler employer by or with a foot peddler or peddler operating from a horse-drawn or motor vehicle; one dollar (\$1.00) per day; five dollars (\$5.00) per month; twenty dollars (\$20.00) per year.

Section 5. Upon making application therefor and paying the proper fee, as herein specified, a license shall be issued to every peddler. Such license shall contain the information required to be given upon the application therefor. Every peddler shall at all times when engaged in peddling in 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.

Section 6. No person licensed as a peddler under this ordinance shall engage in peddling at any time on Sunday, or upon any other day of the week before nine o'clock A.M. or after five o'clock P.M.

Section 7. No person, licensed as a peddler, under this ordinance, shall hawk or cry his wares upon any of the streets or sidewalks of the Township, nor shall he use any loud speaker or horn or any other device for announcing his presence by which the public is annoyed.

Section 8. No person, licensed as a peddler under this

ordinance, shall park any vehicle upon any of the streets or alleys of the Township in order to sort, re-arrange 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.

Section 9. No person, licensed as a peddler under this ordinance, 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.

Section 10. The Secretary shall keep a record of all licenses issued under this ordinance, and the Chief of Police shall apply daily to the Secretary for a list of all licenses issued hereunder since the previous day. The Secretary and the Chief of Police shall supervise the activities of all holders of such licenses.

Section 11. The Secretary of the Township of Amity is hereby authorized to suspend any license issued under this ordinance when he deems such suspension to be beneficial to the public health, safety or morals, or for violation of any of the provisions of this ordinance, or for giving false information upon any application for a license hereunder.

Section 12. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of payment thereof, to imprisonment for not more than thirty (30) days.

Section 13. The provisions of this ordinance shall be severable, and if any provision thereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not effect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been enacted had such unconstitutional, invalid or illegal provision not been included therein.

Section 14. The Township Solicitor be and he is hereby authorized to take whatever steps are necessary to carry out the provisions of this ordinance.

Section 15. Any ordinance or parts of ordinances inconsistent with the provisions of this ordinance, be and the same are hereby repealed.

ENACTED AND ORDAINED as an ordinance this 1st day of July A.D. 1961.

s/ Irwin L. Geiger
s/ Norman C. Smith

Supervisors of the Township
of Amity

Attest:

s/ Russell H. High
Secretary