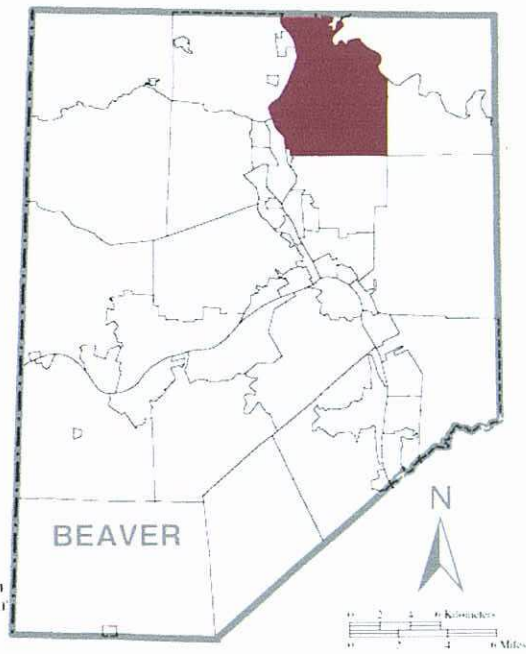


North Sewickley Township Beaver County, PA

Chapter 13 Licenses, Permits and General Business Regulations



CODIFICATION OF ORDINANCES

CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

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CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

History: Ordinance No. 77, September 21, 1992.

Transient Retail Business and Soliciting

<p>§13-101 <i>Definition</i></p> <p>§13-102 <i>License Required to Engage in Transient Retail Business</i></p> <p>§13-103 <i>Application for License; Issuance</i></p> <p>§13-104 <i>Custody, Display, and Exhibit of License</i></p>	<p>§13-105 <i>Prohibited Acts</i></p> <p>§13-106 <i>Records and Supervision</i></p> <p>§13-107 <i>Certain Practices Constitute Nuisances</i></p> <p>§13-108 <i>Suspension or Revocation of License</i></p> <p>§13-109 <i>Penalty</i></p>
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PART 1

Transient Retail Business and Soliciting

§13-101 DEFINITION

TRANSIENT RETAIL BUSINESS:

- A. Engaging in peddling, selling, canvassing, soliciting or taking orders, either by sample or otherwise, for any goods, wares, merchandise or services upon any street, alley, sidewalk or public place, or from housing to house, within the Township.
- B. Selling, soliciting or taking orders for any goods, wares,

§13-102 LICENSE REQUIRED TO ENGAGE IN TRANSIENT RETAIL BUSINESS

- A. No person shall engage in any transient retail business within the Township without first having obtained from the Police Chief or Officer in charge, a license and paying to him the following license fee, which shall be for the use of the Township:
 - (1) Five dollars (\$5.00) for one day;
 - (2) Fifteen dollars (\$15.00) for one week;
 - (3) Thirty-five dollars (\$35.00) for one month; and
 - (4) One hundred dollars (\$100.00) for one year.
- B. No license fee shall be required under this Section:
 - (1) From farmers selling their own produce;
 - (2) For the sale of goods, wares and merchandise, donated by their owners, the proceeds of which 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 and milk products.
- C. Any person dealing in one (1) or more of the merchandise not so exempted, shall be subject to payment of the license fee fixed by this Part for his activities in connection with the sale of goods, wares and merchandise not so exempted.
- D. No license fee shall be required from persons working without compensation and selling goods, wares or merchandise for the sole benefit of any nonprofit corporation or organization, but the person in charge of that nonprofit corporation or organization locally shall register with the Police Chief or Officer in charge, giving pertinent information as requested by him,

including the names of persons to be engaged in the work and the length of time the particular campaign shall be engaged in and the registration should be in effect.

- E. Every license issued under this Chapter shall be issued on an individual basis to persons engaging in a transient retail business, every individual shall obtain a separate license issued to him in his name, and the license fee imposed by this Part shall be applicable to every individual license.

§13-103 APPLICATION FOR LICENSE; ISSUANCE

Every person desiring a license under this Chapter shall first make application for the license to the Police Chief or Officer in charge. If the person shall also be required to obtain a license from any Commonwealth or County officer, he shall, when making the application, exhibit a valid license from the state or County Officer. The applicant shall give his name and address, the name of the person by whom he is employed, the type of goods, wares, and merchandise he wishes to deal with in his transient retail business, the number of persons to be employed by him in the Township, and the type and license numbers of all vehicles to be used, if any. The applicant shall be accompanied by any license fee required by Section 13-102. The license shall be issued to the applicant following any determination found by the Police Chief or Officer in charge to be necessary or desirable, as to the accuracy of the information on the application.

§13-104 CUSTODY, DISPLAY AND EXHIBIT OF LICENSE

Every license holder shall carry the license upon his person or display it upon his vehicle, if he is engaged in a transient retail business from house to house upon any street, alley, sidewalk or public ground, or he shall display the license at the fixed location where he shall engage in business if doing so from a fixed location. He shall exhibit the license, upon request, to all police officers, Township officials and citizens or residents of the Township.

§13-105 PROHIBITED ACTS

It shall be unlawful for any person who is licensed under this Chapter to:

- A. Sell any product or type of product not mentioned in his license;
- B. Hawk or cry his wares upon any street, alley, sidewalk or public ground in the Township, or use any loud speaker or horn or other device for announcing his presence by which the public may be annoyed;
- C. When selling from a vehicle, stop or park the vehicle upon any street or alley in the Township for longer than necessary in order to sell from the vehicle to persons residing or working in the immediate vicinity; or
- D. Engage in any house-to-house activity, except by prior appointment, at any time on Sunday, or on any other day of the week before 9:00 a.m. or after 5:00 p.m.

§13-106 RECORDS AND SUPERVISION

The Police Chief or Officer in charge shall keep a record of all licenses issued by him under this Part, and the Chief of Police or Officer in charge shall monitor the activities of all holders of such licenses.

§13-107 CERTAIN PRACTICES CONSTITUTE NUISANCES

The practice or custom of going in and upon private residences in the Township by solicitors, peddlers, itinerant merchants or transient retail merchants, regardless of whether they hold a valid license under this Chapter, not having been requested or invited to do so by the owner or occupant of that private residence, for the purpose of soliciting orders for the sale of goods, wares or merchandise, or of disposing of peddling or hawking goods, wares, or merchandise is declared to be a nuisance and also a violation of this Chapter.

§13-108 SUSPENSION OR REVOCATION OF LICENSE

The Chief of Police or Officer in charge is authorized to suspend or revoke any license issued under this Chapter when he deems the suspension or revocation to be in the interest of the public health, safety or morals, or for violation of any provision of this Chapter, or for giving false information upon the application for a license under this Chapter. Appeals from any suspension or revocation may be made to the Township Supervisors at any time within ten (10) days after suspension or revocation. No part of a license fee shall be refunded to any person whose license has been suspended or revoked.

§13-109 PENALTY FOR VIOLATION

Any person who violates any provision of this Part shall, upon conviction, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, and, in default of payment of fine and costs, to undergo imprisonment for not more than thirty (30) days.