

**APPLICATION FOR LICENSE
FOR PEDDLERS, HAWKERS, CANVASSERS AND SOLICITORS
IN OXFORD TOWNSHIP**

Date_____ Person Completing Application_____

1. Type and Number of Licenses Requested

Peddlers License_____ Solicitors License _____ Hawkers _____

Canvassers License_____

Applicant (Company Name)

Address

City, State, Zip
()

Telephone Number

2. Describe the nature of business, services or products your firm or business will offer.

3. Complete the following information for each individual who will be engaged in soliciting or peddling in Oxford Township. (Use reverse side if necessary)

Name	Date of Birth
Address	Place of Birth
Name	Date of Birth
Address	Place Of Birth
Name	Date of Birth
Address	Place Of Birth

4. List all Infractions, offenses, misdemeanors and felony convictions, if any, for all persons applying for license.

5. List all motor vehicle to be used for each person requesting a license.

Make	Model	Year	License No. & State
Make	Model	Year	License No. & state
Make	Model	Year	License No. & State

6. A copy of Oxford Township Licenses, Permits and General Business Regulations, Chapter 13 Section 601 through 614 is attached to this application listing all prohibitions and restrictions of the ordinance as well as all penalties for violation of any part of the ordinance.

Eastern Adams Regional Police Department

Date Received _____ Date Approved _____ or Denied _____

Background Check by EARP/ Signature _____

Signature of Township Official _____

Date Approved _____ **(Within 72 Hours of Submitting Application)**

Fee Paid _____

FEE SCHEDULE

- \$5.00 Per person acting as a peddler
- No Fee For solicitor requesting peddler's license
- No Fee For canvasser License

**PART 6
PEDDLING, SOLICITING AND CANVASSING****§ 13-601. Definitions. [Ord. 2008-67, 3/18/2008]**

As used in this Part, the following words have the meanings indicated:

CANVASSER — A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of:

- A. Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or
- B. Distributing a handbill or flyer advertising a noncommercial event or service.

ITINERANT VENDOR or HAWKER — A person who sets up and operates a temporary business on privately owned property, whether improved or unimproved, in the Township, soliciting, selling, or taking orders for, or offering to sell or take orders for, any goods or services. A temporary business is one that continues for 45 days or less and exists whether solicitation is from a stand, vehicle, or freestanding.

PEDDLER — A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of attempting to sell a good or service. A "peddler" does not include a person who distributes handbills or flyers for a commercial purpose, advertising an event, activity, good or service that is offered to the resident for purchase at a location away from the residence or at a time different from the time of visit. Such a person is a "solicitor."

SOLICITOR — A person who attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of:

- A. Attempting to obtain a donation to a particular patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, charitable, political or religious purpose, even if incidental to such purpose there is the sale of some good or service; or
- B. Distributing a handbill or flyer advertising a commercial event or service.

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§ 13-602. Exceptions. [Ord. 2008-67, 3/18/2008]

This Part shall not apply to a Federal, State or local government employee or a public utility employee in the performance of his/her duty for his/her employer.

§ 13-603. License Required for Peddlers, Hawkers, and Solicitors, Available for Canvassers. [Ord. 2008-67, 3/18/2008]

1. No person shall act as a peddler, hawker, or solicitor within the Township without first obtaining a peddler license in accordance with this Part.
2. A canvasser is not required to have a peddler license, but any canvasser wanting a peddler license for the purpose of reassuring Township residents of the canvasser's good faith shall be issued one upon request.

§ 13-604. Fees. [Ord. 2008-67, 3/18/2008]

The fee for the issuance of each peddler license shall be:

- A. For a peddler acting on behalf of a merchant: a fee of \$5 per day.
- B. For a solicitor requesting a peddler license (including a commercial solicitor advertising an event, activity, good or service for purchase at a location away from the residence): no fee.
- C. For a canvasser requesting a peddler license: no fee.

§ 13-605. Application for License. [Ord. 2008-67, 3/18/2008]

1. Any person or organization (formal or informal) may apply for one or more peddler licenses by completing an application form at the office of the issuing officer during regular office hours.
2. The peddler license shall be issued or denied promptly after application but in all cases within 72 business hours of completion of an application.
[Amended by Ord. 2014-100, 10/21/2014]

§ 13-606. Contents of Application. [Ord. 2008-67, 3/18/2008]

The applicant (person or organization) shall provide the following information:

- A. The name of the applicant.
- B. The number of peddler licenses required.
- C. The name, physical description and a photograph of each person for which a card is requested. In lieu of this information, a driver's license, State identification card, passport, or other government-issued identification card (issued by a government within the United States) containing this information may be provided and a photocopy taken. If a photograph is not

supplied, the Township will take an instant photograph of each person for which a card is requested at the application site. The actual cost of the instant photograph will be paid by the applicant.

- D. The permanent and (if any) local address of the applicant.
- E. The permanent and (if any) local address of each person for whom a license is requested.
- F. A brief description of the proposed activity related to this peddler license. (Copies of literature to be distributed may be substituted for this description at the option of the applicant).
- G. The date and place of birth for each person for whom a card is requested.
- H. A list of all infraction, offense, misdemeanor and felony convictions of each person for whom a license is requested for the seven years immediately prior to the application.
- I. The motor vehicle make, model, year, color, and State license plate number of any vehicle which will be used by each person for whom a card is requested.
- J. If a license is requested for a peddler:
 - (1) The name and permanent address of the business offering the event, activity, good or service (i.e., the peddler's principal).
 - (2) A copy of the principal's sales tax license as issued by the Commonwealth of Pennsylvania.
- K. If a license is requested for a solicitor:
 - (1) The name and permanent address of the organization, person, or group for whom donations (or proceeds) are accepted.
 - (2) The web address for this organization, person, or group (or other address) where residents having subsequent questions can go for more information.
- L. Any other information the applicant wishes to provide, perhaps including copies of literature to be distributed, references to other municipalities where similar activities have occurred, etc.

§ 13-607. Revocation of License. [Ord. 2008-67, 3/18/2008; as amended by Ord. 2014-100, 10/21/2014]

- 1. Grounds. Any license issued hereunder may be revoked at any time, or issuance of a license denied, if the issuing officer becomes aware that the license holder/applicant:

- A. Has been convicted of a violation of any provisions of this Part; or
 - B. Has knowingly made a false material statement in the application; or
 - C. Has been convicted of a crime involving moral turpitude or convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania or any ordinance of the Township; or
 - D. Otherwise becomes disqualified for the issuance of a license under the terms of this Part.
 - E. Is engaging in peddling activities before 9:00 a.m. or after 7:00 p.m.
 - F. Is engaging in peddling activities upon premises posted with "NO SOLICITATION" or similar prohibitory language or upon a premises on the "no visit list" maintained by the Township.
 - G. Is engaging in peddling activities for items or causes not listed on the application.
2. Notice. If the issuing officer revokes or denies the peddler license of one or more persons, he shall immediately convey the decision to the applicant orally and shall, within 16 working hours after the revocation or denial, issue a written notice of the reason for the revocation or denial, which shall be immediately made available to the applicant.

§ 13-608. Display of License. [Ord. 2008-67, 3/18/2008]

Each peddler license shall be (when the individual for whom it was issued is acting as a peddler or solicitor) worn on the outer clothing of the individual or otherwise displayed as so to be reasonably visible to any person who might be approached by said person.

§ 13-609. Validity of License. [Ord. 2008-67, 3/18/2008]

A peddler license shall be valid, within the meaning of this Part, for a period of one month from its date of issuance or the term requested, whichever is less.

§ 13-610. "No Visit" List. [Ord. 2008-67, 3/18/2008]

The Township shall maintain a list of persons within the Township who restrict visits to their residential property (including their leasehold, in the case of a tenant) by peddlers, solicitors, and canvassers. The Township may provide a form to assist residents, and this form may allow the resident to select certain types of visits that the resident finds acceptable while refusing permission to others. This "no visit" list shall be a public document and may be reproduced on the Township's web site and available for public inspection and copying. A copy of the "no visit" list shall be provided to each applicant for and each recipient of a peddler license. If a canvasser chooses not to apply for a peddler license, it will be the responsibility of that canvasser to obtain in some other way a copy of the current "no visit" list.

§ 13-611. Distribution of Handbills and Commercial Flyers. [Ord. 2008-67, 3/18/2008]

In addition to the other regulations contained herein, a solicitor or canvasser leaving handbills or commercial flyers about the community shall observe the following regulations:

- A. No handbill or flyer shall be left at or attached to any sign, utility pole, transit shelter or other structure within the public right-of-way. The police are authorized to remove any handbill or flyer found within the right-of-way.
- B. No handbill or flyer shall be left at or attached to any privately owned property in a manner that causes damage to such privately owned property.
- C. No handbill or flyer shall be left at or attached to any of the property:
 - (1) Listed on the Township's "no visit" list;
 - (2) Having a "no solicitor" sign.
- D. Any person observed distributing handbills or flyers shall be required to identify himself/herself to the police (either by producing a peddler license or other form of identification). This is for the purpose of knowing the likely identity of the perpetrator if the Township receives a complaint of damage caused to private property during the distribution of handbills or flyers.

§ 13-612. General Prohibitions. [Ord. 2008-67, 3/18/2008]

- 1. No peddler, hawker, solicitor or canvasser shall:
 - A. Enter upon any private property where the property has clearly posted in the front yard a sign, visible from the right-of-way (public or private) indicating a prohibition against peddling, soliciting and/or canvassing. Such sign need not exceed one square foot in size and may contain words such as "no soliciting" or "no solicitors" in letters at least two inches in height. ("The phrase "no soliciting" or "no solicitors" shall also prohibit peddlers, hawkers, and canvassers.)
 - B. Remain upon any private property where a notice in the form of a sign or sticker is placed upon any door or entranceway leading into the residence or dwelling at which guests would normally enter, which sign contains the words "no soliciting" or "no solicitors" and which is clearly visible to the peddler, solicitor or canvasser.
 - C. Enter upon any private property where the current occupant has posted the property on the Township's "no visit" list (except where the posting form indicates the occupant has given permission for this type of visit), regardless of whether a front yard sign is posted.

- D. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.
- E. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.
- F. Enter upon the property of another except between the hours of 9:00 a.m. and 7:00 p.m., except that the above prohibitions shall not apply when the peddler, hawker, solicitor, or canvasser has an express invitation from the resident or occupant of a dwelling allowing him/her to enter upon any posted property. **[Amended by Ord. 2014-100, 10/21/2014]**

2. No commercial solicitor, peddler, or hawker shall solicit for a purpose other than that set out in the application upon which the license was issued.

§ 13-613. Solicitation in Public Right-of-Way. [Ord. 2008-67, 3/18/2008]

- A. A person may solicit for a charitable or political purpose in or upon the public right-of-way, except those areas prohibited in this Part.
- B. A person may conduct commercial solicitation in or upon the public right-of-way, except those areas prohibited in this Part, if the solicitor has obtained a license or is a member of an organization that has obtained a license.
- C. Solicitation for any purpose in the public right-of-way shall be conducted only during the hours of daylight, specifically 1/2 hour after sunrise and 1/2 hour before sunset.
- D. It shall be unlawful for a person younger than 18 years of age to solicit in the public right-of-way.
- E. It shall be unlawful for a solicitor at any time to enter or remain in the traveled portion of the roadway. The restriction on solicitation in the traveled portion of the roadway does not apply to public residential streets.
- F. It shall be unlawful for a solicitor at any time to enter or remain in the traveled portion of the roadway of residential streets so that his/her presence impedes the flow of traffic.
- G. It shall be unlawful for any person to solicit in the public right-of-way that is within 1,000 feet from any public or private elementary or secondary school between the hours of 7:30 a.m. and 4:30 p.m. on days when school is in session. On days when school is not in session, the distance prohibition above shall not apply; however, solicitation remains prohibited from the hours of

7:30 a.m. to 4:30 p.m. The measurement of the distance shall be made from the nearest property line of the public or private elementary or secondary school. **[Amended by Ord. 2014-100, 10/21/2014]**

§ 13-614. Violations and Penalties. [Ord. 2008-67, 3/18/2008]

Any person, firm, corporation, or organization violating any of the provisions of this Part shall, upon summary conviction before a District Justice having jurisdiction, be sentenced to pay a fine of not more than \$1,000 and costs of prosecution, and in default of the payment thereof, shall be sentenced to imprisonment for a period not to exceed 30 days.