

TOWNSHIP OF WASHINGTON
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 251

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON PROVIDING FOR THE REGULATION OF TRANSIENT MERCHANTS / PEDDLERS WITHIN THE TOWNSHIP OF WASHINGTON, NORTHAMPTON COUNTY, PENNSYLVANIA, REQUIRING TRANSIENT MERCHANTS TO OBTAIN LICENSES AND PRESCRIBING PENALTIES FOR VIOLATION.

SECTION 1: This Ordinance shall be known and may be cited as the Transient Merchants (Peddlers) License Ordinance.

SECTION 2: The following words and phrases when used in this ordinance shall have the meaning ascribed to them in this section unless the context clearly indicates a different meaning.

(a) The word "Transient Merchant or Peddler" as used in this ordinance, shall mean engaging in peddling, canvassing, soliciting, or taking of orders, either by sample or otherwise, for any goods, ware or merchandise, upon any of the streets or sidewalks or from house to house within the Township or Washington, PROVIDED: the word "transient" shall not apply to farmers selling their own produce, or to any sale of goods, wares or merchandise donated by the owners thereof, the proceeds of which are to be applied to any charitable or philanthropic purpose or the imposition or collection of any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the insurance laws of this Commonwealth.

(b) The words "transient sales and peddler", as used herein, shall mean any person who shall engage in peddling, as herein above defined.

(c) The word "person" as used herein, 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 feminine and the neuter.

SECTION 3: No person shall engage in transient sales or peddling in the Township of Washington without first having procured a license as herein provided.

SECTION 4: Every person desiring to engage in transient sales or peddling in the Township of Washington shall first make application to the Township, for a license. If such person shall also be required to obtain a license from any other agency he must, when making such application provide a copy of such. Upon such application, such person shall give his name, address, 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 license number thereof, and the number and name(s) and addresses of the helpers he has, PROVIDED; where a person makes application for himself alone 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 5: No license shall be issued under this ordinance until an application has been made as above required, and the proper fee shall be paid to the Township which shall be for the use of the Township. Fees shall be as adopted from time to time by resolution.

SECTION 6: Upon making application thereof and paying the proper fee, a license shall be issued to every peddler. Such license shall contain the information required to be given upon application thereof. 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. Peddling is prohibited before 900AM or after 700PM Monday through Saturday and on Holidays and Sundays.

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 a person residing in the immediate vicinity.

SECTION 9: No person, licensed under this ordinance, shall occupy any fixed location upon any streets, alleys, or sidewalks of the Township for the purpose of peddling, with or without any stand or counter.

SECTION 10: The Township shall keep a record of all licenses issued under this ordinance, and shall supervise the activities of all holders of such license.

SECTION 11: The Township is hereby authorized to suspend any license issued under this ordinance where there is a 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 before a District Magistrate, be sentenced to pay a fine of not more than THREE HUNDRED (\$300.00) DOLLARS, plus cost of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days.

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

SECTION 14: Inconsistent Ordinances Repealed. That Ordinance 146 Peddlers License Ordinance of the Township of Washington, and all other Ordinances or parts of Ordinances in conflict herewith are repealed.

SECTION 15: Date of Effect. This Ordinance shall be placed into effect five (5) days after adoption thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 9th day of May, 2007.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By: David Hess
David Hess, Chairman

By: David Renaldo
David Renaldo

By: _____
Daniel Crafa

ATTEST:

By: Lori Dobson
Lori Dobson, Secretary