TOWN OF FISHKILL

FOR OFFICE USE ONLY

TOWN OF FISHKILL
OFFICE OF THE TOWN CLERK
807 Route 52
Fishkill, NY 12524
Phone: (845) 831-7800 ext. 3338 Fax: (845) 831-6040
Email: cleatherwood@fishkill-ny.gov

PEDDLING/SOLICITING PERMIT APPLICATION

The Peddler and Soliciting Application Form must be submitted to the office of the Town Clerk.

Application Fee: $50.00 ***non-refundable*** and must be paid at time of application

The applicable Permit Fee is due to the Town of Fishkill upon the Town Board approving the issuance of the license

License Type	Permit Fee Per Week	Permit Fee Per Month	Permit Fee Per Year
Peddling/Soliciting on foot	$ 10.00	$25.00	$100.00
Peddling Soliciting w/ handcart or pushcart	$ 25.00	$50.00	$200.00
Peddling/Soliciting w/ vehicle (one (1) person)	$ 25.00	$50.00	$200.00
Each additional person	$5.00	$40.00	$50.00
Fire Inspection as per New York State Fire Code *(must be done prior to submitting application)*			$125.00

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED. SEE APPLICANT CHECKLIST. NO EXCEPTIONS!

TOWN OF FISHKILL
OFFICE OF THE TOWN CLERK

PEDDLER AND SOLICITING PERMIT APPLICATION

Application Date: _____

Application No. _____

Application Fee: _____

Application Received on: _____

ALL SECTIONS MUST BE COMPLETED
IF A PARTICULAR SECTION IS NOT APPLICABLE PLEASE NOTE BY INDICATING N/A IN THE APPROPRIATE SECTION OF THIS APPLICATION

This is a request for a New Peddler and Soliciting Permit: Yes ☐ No ☐

This is a request for a Renewal of a Peddler and Soliciting Permit: Yes ☐ No ☐

APPLICANT 1
(If more than one (1) Applicant/Worker please list each separately)

Name: _____

Residence/Address: _____

City/Town: _____ State: _____ Zip Code: _____

Home Phone: _____ Mobile Phone: _____

Email Address: _____

APPLICANT 2
(If there are more than two (2) Applicants/Workers please provide each Applicant's/Worker's Information on separate sheets of paper and attach to this application.)

Name: _____

Residence/Address: _____

City/Town: _____ State: _____ Zip Code: _____

Home Phone: _____ Mobile Phone: _____

Email Address: _____

IF APPLICANT IS A STOCK CORPORATION

Corporation Name: _____

City/Town: _____ State: _____ Zip Code: _____

Phone: _____

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NAME, ADDRESS AND PHONE NUMBERS OF ALL PERSONS SELLING AND/OR PEDDLING/SOLICITING
(IF THERE ARE MORE THAN THREE (3) INDIVIDUALS PLEASE ATTACH SEPARATELY)

PERSON 1

Name: _____

Address: _____

City/Town: _____ State:____ Zip Code: _____

Phone: _____

PERSON 2

Name: _____

Address: _____

City/Town: _____ State :____ Zip Code: _____

Phone: _____

PERSON 3

Name: _____

Address: _____

City/Town: _____ State:____ Zip Code: _____

Phone: _____

PARTICULAR BUSINESS, TRADE OR OCCUPATION FOR WHICH THIS LICENSE IS REQUIRED

Please describe **in detail:**

_____

_____

_____

_____

_____

Dutchess County Department of Health Permit Number for the Handling of Food
Must attach a copy of the permit to this application

Permit Number: _____

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STATE THE MANNER OR MEANS OF CONVEYANCE IN WHICH THE BUSINESS SHALL BE CONDUCTED

Motor Vehicle ☐ Pushcart ☐ Door to Door ☐

If door to door list **ALL** vehicle types, colors, license plate numbers, persons, times of solicitation, dates of solicitation and roads on which the solicitation will take place

Sunday ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday ☐

Times:

_____

_____

List **All** Motor Vehicles (if additional vehicles please attach information to this application):

Year:_____ Make:_____Model:_____

License Plate No.: _____

Year:_____ Make:_____Model: _____

License Plate No.: _____

Year:_____ Make:_____Model:_____

License Plate No.: _____

Streets/ Roads/Neighborhoods: _____

_____

_____

_____

_____

_____

_____

NAME OF ALL OTHER MUNICIPALITIES IN WHICH APPLICANT HAS BEEN A VENDOR ON THE PRECEDING SIX MONTHS

_____

_____

_____

_____

_____

TOWN OF FISHKILL - OFFICE OF THE TOWN CLERK
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LICENSE OR PERMIT REQUIRED BY ANY OTHER GOVERNMENTAL OR REGULATORY AGENCY IN CONJUNCTION WITH THE APPLICANT'S BUSINESS.

List License or Permit or Permit required and **attach a copy of License or Permit**:

_____

_____

CONVICTION RECORD STATUS

Has applicant(s) ever been convicted of any felony for which registration as a sex offender is required?

Yes ☐ No ☐ If yes, state the nature of the felony

_____

_____

COMPLIANCE

If the License requested herein is granted, the Applicant consents and agrees to conduct the aforesaid business of activity pursuant to all terms, conditions and regulations of the Town of Fishkill Town Code Chapter 112, and all other applicable rules, regulations and laws of the Town of Fishkill.

APPLICANT CERTIFICATION

I certify that the facts contained on this application and attached hereto are true and complete to the best of my knowledge.

Applicant Name: _____

Signature: _____

NOTARY PUBLIC

Sworn to before me this_____ day of_____, 20_____

Notary Public Signature: _____

Notary Public Stamp:

TOWN OF FISHKILL - OFFICE OF THE TOWN CLERK
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HOLD HARMLESS AGREEMENT

_____ does hereby covenant and agree to defend, indemnify and hold harmless the Town of Fishkill, its Board, employees and volunteers from and against any and all liability, loss, damages, claims or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed peddler or solicitor issued/requested here in.

Applicant Name: _____

Signature: _____

Date: _____

TOWN OF FISHKILL - OFFICE OF THE TOWN CLERK
PEDDLER AND SOLICITING PERMIT APPLICATION

APPLICANT CHECKLIST

- ☐ Application Fee
- ☐ Driver's Licenses of **ALL** participants
- ☐ Notarized letter of permission from property owner for use of private property:
- ☐ Dutchess County Department of Health Permit to Handle Food
- ☐ Certificate of Insurance and Certificate of Worker's Compensation Insurance as outlined in the Town of Fishkill Insurance Requirements included in this application.
- ☐ Signed Hold Harmless Agreement included in this application.
- ☐ Fire Inspection (845) 831-7800 ext 3326 to schedule appointment- **if applicable**

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- ☐ Driver's Licenses of ALL participants
- ☐ Notarized letter of permission from property owner for use of private property:
- ☐ Dutchess County Department of Health Permit to Handle Food
- ☐ Certificate of Insurance and Certificate of Worker's Compensation Insurance
- ☐ Application Fee ☐ Permit Fee
- ☐ Hold Harmless Agreement Signed by Applicant
- ☐ Building Inspector Approval
- ☐ Police Department Approval
- ☐ Fire Inspection – **if applicable**

Town Board Action – New Applications only

Approved on:_____ Denied on: _____

Date Fee Paid Following Board Approval:_____ Fee Amount: _____

TOWN OF FISHKILL

OFFICE OF THE FIRE INSPECTOR
807 Route 52, Fishkill, New York 12524-3110

Website: www.fishkill-ny.gov e-mail: svanburen@fishkill-ny.gov

(845) 831-7800 ext. 3326 Fax: (845) 831-3256

TOWN OF FISHKILL
CODE ENFORCEMENT

NEW YORK STATE
CODE ENFORCEMENT

MOBILE FOOD PREPARATION VEHICLE REQUIREMENTS

All "Food Trucks" equipped with appliances (grills, deep fat fryers, salamanders, etc.) that produce smoke or grease laden vapors and used for the purpose of preparing and serving food to the Public and wishing to operate within the Town of Fishkill, N.Y. ARE REQUIRED to have an Operating Permit starting January 1, 2023. This is in compliance with the Town of Fishkill Code Enforcement Program under 19 NYCRR Part 1203 of the "Official Compilation of Codes, Rules & Regulations of the State of New York".

Vehicles SHALL BE PROVIDED WITH THE FOLLOWING:
607.I - Shall be provided with a Kitchen Exhaust Hood
607.2- Hood shall be Type I (Welded Seams)
904.12- Hood shall be protected with a pre-engineered automatic dry and/or wet chemical extinguishing system in accordance with UL 300 and listed and labeled for such use. 3
19.4.2- Portable fire extinguishers, including a Class "K"rated shall be provided, for up to 4 deep fat fryers.
3 19.5-Gas cooking equipment shall be secured in place and all connections to the fuel supply piping shall be in compliance with ANSI Z21.69/CSA 6.16. Residential flexible piping use is prohibited.
3 19.6- Cooking oil storage containers shall be up to 120 gallons metallic or 200 gallons non-metallic.
3 19.8- LP gas systems within the vehicle shall comply with Chapter 61 of the Fire Code ofNYS and Sections 319.8.1-319.8.5.
3 19.8. l- Maximum aggregate storage of propane shall not exceed 2()() lbs. & comply with NFI)A 58.
3 19.8.2-319.8.2- LP gas containers shall be securely mounted & restrained and manufactured in compliance with NFPA 58. All system piping, fittings, valves shall be protected from impact and vibration.
3 IO- "No Smoking Within 25 Feet" signs shall be posted from the point of transfer from the LP gas container.
319.8.5- LP Gas Alarms shall be installed within the vehicle.

Additionally, all ventilation equipment shall be commercially cleaned by a recognized hood cleaning company every 6 months and all fire protection equipment shall be tested & tagged annually with tags affixed from a reputable fire protection equipment vendor.

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INSURANCE REQUIREMENTS

The Contractor will be required to provide proof of insurance as set forth below:

A. The Contractor shall as its sole expense, maintain the following insurance on its own behalf, and furnish to the Owner Certificates of Insurance evidencing same and reflecting the effective date of such coverage as follows:

a. **Commercial General Liability Policy,** with limits of no less than $1,000,000 per occurrence and $2,000,000 in aggregate for Bodily Injury and Property damage which shall not exclude coverage for:

1. Products/Completed Operations;
2. Independent Contractors;
3. Commercial General Liability and Auto Liability;
4. Contractual Liability;
5. XCU.

A per-job site endorsement shall be in force. Self-insured retentions in excess of $25,000 per occurrence or claim shall be stated on the certificate of insurance or policy endorsement provided as proof of insurance. Owner reserves the right to require proof of financial security on larger self-insured retentions or deductibles.

b. **Automobile Liability**: hired and non-owned liability coverage along with specific coverage for any owned or leased vehicle used at job site in the amount of $1,000,000 for Bodily Injury and. or property Damage.

c. **Umbrella Liability** with limits of no less than $5,000,000 per occurrence and in aggregate on a follow-form or better basis over underlying General, Auto Liability, Employer's Liability and, if applicable, Professional Liability.

d. **Worker's Compensation and Employers Liability Policy**. New York statutory coverage. A minimum of $1,000,000 each claim, $1,000,000 per disease and in aggregate shall be provided for Employers liability coverage. Worker's Comp C-105.2 or CE- 200 exemption form is required. SI-12 form is required if self-insured.

e. **Disability Insurance**: New York statutory coverage. Provide DB-120.1 form or if exempt, a CE-200 form. DB-155 is required if self-insured.

f. **Professional Liability** (if applicable) with limits no less than $1,000,000.

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INSURANCE REQUIREMENTS (CONTINUED)

g. **Environmental Impairment Liability**: If the contract requires handling, abating, or transporting or migrating hazardous or toxic substances of any type, including but not limited to fuel oil, with limits not less than $5,000,000 per occurrence and in aggregate for Bodily Injury, Property damage and Clean Up and Removal.

B. The Town of Fishkill and its assigns, officers, employees, representatives and agents shall be named as an "Additional Insured" on the General Liability and Auto Liability policies and the

Certificates of Insurance shall show this applies to the General Liability and Auto Liability coverage on the certificate. On the General Liability, ISO Additional Insured Endorsement CG 20 10 07/04 and CG 2037 07/04 or an endorsement providing equivalent or broader coverage shall apply. For items a, b, c, f and g above ACORD certificate or equivalent is required. The certificate of insurance shall provide that ten (10) days written notice prior to cancellation or expiration shall be given to the Town of Fishkill.

C. Cancellation of insurance or failure to renew insurance, if such occurs prior to the commencement of work or during the performance of work under this contract, shall constitute a material breach of contract if not cured as described in paragraph D below. If Contractor is notified by its insurer that Contractor's general liability policy has been cancelled or will be cancelled any time within the next thirty (30) days for any reason including but not limited to non- payment of premiums, Contractor shall immediately cease all work under this agreement, and shall give the Town of Fishkill same day or next day business day written notice of such cancellation or threatened cancellation by personal delivery of such notice to the Town Clerk. A copy of such written notice shall also be sent to the Town Attorney by personal delivery, email or facsimile transmission. Failure to provide such notice as provided herein shall constitute a material breach of contract and in such event; the Town of Fishkill may in its sole discretion withhold any payment otherwise due under contract. The Town of Fishkill reserves the right, as a condition of final payment or any installment payment, to require the Contractor to provide proof that Contractor maintained the required insurance throughout the performance of the work to be performed under this agreement.

D. Any policy that lapses, expires or is cancelled during the term of the work shall be renewed, and proof of such renewal shall be sent by the Contractor and received by the Town of Fishkill no less than ten (10) days prior to lapse, expiration or cancellation of the original policy.

E. The Town of Fishkill reserves the right to request copies of actual policies and endorsements to verify coverage.

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INSURANCE REQUIREMENTS (CONTINUED)

F. The term "Contractor" shall mean and include Subcontractors of every tier.

G. Each insurance policy shall be written on a primary and non-contributing coverage basis, including any self-insured retention.

H. Tools and equipment: Contractor is responsible for insuring the value of the Contractor's own tools, equipment and materials brought, stored or operated at the job site. The Town of Fishkill is not responsible if any of these items is lost, stolen or destroyed.

I. To the extent permitted by New York law, the Contractor waives all rights of subrogation or similar rights against Town of Fishkill, assigns, officers, employees, representatives and agents.

J. The cost of furnishing the above insurance shall be borne by the Contractor. There will be no direct payment for this work. Cost will be deemed to have been included in the price bid or proposed for all scheduled items.

K. Each policy of insurance shall contain clauses to the effect that such insurance (except NYS Disability, Worker's Comp, and professional liability insurance, if any) shall be primary without right of contribution of any other insurance carried by or on behalf of the Town with respect to the Town's interest. Not with standing anything to the contrary, Contractor irrevocably waives all claims against the Town for all losses, damages, claims or expenses resulting from risks that are commercially insurable, but Contractor's provision of insurance coverage shall not limit in any way Contractor's liability under this agreement.

L. Failure to provide insurance, lack of insurance or inadequate limits of insurance does not limit in any way Contractor's obligations to reimburse insured parties.

M. Any accident shall be reported to the office of the Town Supervisor as soon as possible and no later than 24 (twenty-four) hours from the time of such accident. A detailed written report must be submitted to the Town of Fishkill as soon as possible and not later than three (3) days after the date of such accident.

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Additional Notes: