

BOROUGH OF DILLSBURG

INDIVIDUAL/BUSINESS APPLICATION TO SOLICIT-PEDDLE-CANVASS

Permit valid 8:00 AM – Sundown Only

Name of Company _____

Address of Company _____

Name of Person Making Application _____

Office Telephone # (_____) _____ Title _____

Solicitor's vehicle _____, _____, _____, _____
Year Make Model License Plate # /License State

Describe the merchandise or goods to be peddled or offered for sale or order, or the purpose and nature of the materials to be canvassed:

In what other cities, boroughs or townships have you solicited? _____

Have you ever had a solicitor's license suspended or revoked? Yes ____ No ____ If yes, please explain:

Have you ever been convicted of a felony or crime, including fraud, theft, forgery or deceptive practices? Yes ____ No ____ If so, list the case disposition, case number, offense charges, offense convicted of and date and place of such conviction: _____

List below the dates you would like to solicit in the Borough of Dillsburg (30 Day Maximum):

Dates Approved: _____

Rate Schedule is attached. Remitted Herewith: \$ _____ Application Permit #: _____

Note: Three (3) working days are needed to process your application.

Continued on back

Below list the names of all who will be conducting the solicitation, canvassing or peddling in the Borough of Dillsburg:

ATTACH A COPY OF EACH PERSON'S DRIVER'S LICENSE OR PHOTO ID

Name	Home Address	Driver's License or Photo ID # and State	Date of Birth
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Have any of the persons listed on this application ever been convicted of a felony or crime, including fraud, theft, forgery or deceptive practices? Yes _____ No _____ If so, list the case disposition, case number, offense charges, offense convicted of and date and place of such conviction:

I hereby certify that the foregoing information is true and correct to the best of my knowledge, and as an applicant, consent to independent verification of the information provided and agree to abide by the terms and regulations prescribed in the Borough of Dillsburg Ordinance 2008-5, and by the terms of any license issued. I also hereby grant permission to the Borough of Dillsburg or their agent(s) to verify any statement(s) made on this application, and to grant permission to any agency or person to release any information that may be needed to verify any stated information. I hereby agree to fingerprinting, if and when required. I understand that any false or incomplete statement or my not complying with the terms and conditions of this ordinance shall be cause for the Borough of Dillsburg to revoke any license or permit issued hereunder.

Signature of Person Registering for Permit

Date of Application

Signature of Person Approving-Denying Permit

Date

BOROUGH OF DILLSBURG

Peddler/Soliciting/Canvassing Permit # _____

This is to certify that: _____
Name of Applicant

Ht: _____, Wt: _____, Hair: _____, Eyes: _____, Comp: _____

Solicitor's vehicle _____, _____, _____, _____
Year Make Model License Plate # /License State

Has been properly permitted and licensed to peddle, solicit, or canvass for the sale of the following products or services: _____

As defined in Ordinance 2008-5, within the city limits of Dillsburg Borough. All other pertinent data and information is on file at the Borough Office, set forth on application # _____. This certificate shall be displayed at the request of any Police Officer, Borough Official, or any resident citizen, and shall be revoked for cause.

Seal
Issue Date:

Signed (Applicant): _____

Authorized by: _____
For Dillsburg Borough

Permit Expires: _____

PART 1

PEDDLERS AND CANVASSERS TRANSIENT RETAIL BUSINESSES

§13-101. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

LEGAL HOLIDAY — New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas.

PERSON — any natural person, partnership, association, corporation or other legal entity.

TRANSIENT RETAIL BUSINESS —

- A. Engaging in peddling, soliciting or taking orders, either by sample or otherwise, for any goods, services, wares or merchandise upon any street, alley, sidewalk or public ground, or from house to house, within the Borough.
 - B. Selling, soliciting or taking orders for any goods, wares or merchandise, from a fixed location within the Borough, on a temporary basis, which shall include, but not be limited to, such activities conducted at the time of special occasions or celebrations, for seasonal purposes or for yearly holidays.
2. The singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

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§13-102. License Required; Conditions of Issuance; Fee.

No person shall engage in any transient retail business within the Borough without first having obtained from the Borough Manager a license, for which a fee, which shall be for the use of the Borough, shall be charged, said fee to be in such amount established, from time to time, by resolution of the Borough Council.

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§13-103. Exceptions.

No license fee shall be charged:

- A. To farmers selling their own produce.

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- B. For 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.
- C. To children under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy, bakery products and the like, or who represent the Boy Scouts or Girl Scouts or similar organizations.
- D. To a person who has complied with the provisions of the Solicitation of Funds for Charitable Purposes Act, 10 P.S. §162.1 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

But all persons exempted hereby from the payment of the license fee shall be required to register with the Borough Manager and obtain a license without fee; provided, any person dealing in one or more of the above mentioned exempted categories, and dealing with other goods, wares or merchandise not so exempted, shall be subject to the payment of the license fee fixed by this Section for his/her activities in connection with the sale of goods, wares and merchandise not in such exempted categories. Provided, further, the Borough Manager may similarly exempt from payment of the license fee, but not from registering with him/her, persons working without compensation and selling goods, wares or merchandise for the sole benefit of a nonprofit corporation. Provided, further, every license issued under the provisions of this ordinance shall be issued on an individual basis to any person or persons engaging in such business; every individual shall obtain a separate license, issued to him/her in his/her name, and the license fee hereby imposed shall be applicable to every such individual license, except that a representative of a charitable organization may obtain licenses for the applicants. No license or registration will be required as it pertains to religious proselytizing, anonymous political speech or the distribution of handbills.

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§13-104. License Application.

Every person desiring a license under this ordinance shall first make application to the Borough Manager for such license. He/she shall, when making such application, exhibit a valid license from any State or county officer, if such license is also required. The applicant shall state:

- A. His criminal record, if any.
- B. Name and address of the person by whom he/she is employed.
- C. Type of goods, wares, services and merchandise he/she wishes to deal with in such transient retail business.

D. Length of time for which license is to be issued.

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§13-105. Issuance of License; Custody, Display and Exhibit.

Upon receipt of such application and the prescribed fee, the Borough Manager, if he/she shall find such application in order, shall issue the license required under this ordinance. Such license shall contain the information required to be given on the application therefor. Every license holder shall carry such license upon his/her person if engaged in transient retail business from house to house or upon any of the streets, alleys, sidewalks or public grounds, or shall display such license at the location where he/she shall engage in such business if doing so at a fixed location. He/she shall exhibit such license, upon request, to all police officers, municipal officials and citizens or residents of the Borough.

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§13-106. Prohibited Act.

No person in any transient retail business shall:

- A. Sell any product or type of product not mentioned in his/her license.
- B. Hawk or cry his/her wares upon any of the streets, alleys, sidewalks or public grounds in the Borough.
- C. When operating from a vehicle, stop or park such vehicle upon any of the streets or alleys in the Borough for longer than necessary in order to sell therefrom to persons residing or working in the immediate vicinity.
- D. Park a vehicle upon any of the streets or alleys in the Borough for the purpose of sorting, rearranging or cleaning any of his/her goods, wares or merchandise or of disposing of any carton, wrapping material, or stock, wares or foodstuffs which have become unsalable through handling, age or otherwise.
- E. Engage in any business activity, except by prior appointment, at any time on a Sunday or legal holiday or at any time before 10:00 a.m. or after 8:00 p.m. on any day of the week other than a Sunday or legal holiday.

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LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

§13-107. Supervision; Records and Reports.

The Borough Manager shall supervise the activities of all persons holding licenses under this ordinance. He/she shall keep a record of all licenses issued hereunder and shall make a report thereof each month to the Borough Council.

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§13-108. Denial, Suspension and Revocation of License; Appeal.

The Borough Manager is hereby authorized to deny, suspend or revoke any license issued under this ordinance when he/she deems such denial, suspension or revocation to be beneficial to the public health, safety, or morals, or for violation of any provision of this ordinance, or for giving false information upon any application for a license hereunder. Appeals from any suspension, revocation or denial of a license may be made to the Borough Council at any time within 10 days after such suspension, revocation or denial and a hearing shall be held within 30 days of the petition for appeal. No part of a license fee shall be refunded to any person whose license shall have been suspended or revoked.

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§13-109. Penalties.

Any person, firm, corporation or other entity who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this ordinance continues shall constitute a separate offense.

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