

ORDINANCE NO. 05-03

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**AN ORDINANCE PROVIDING FOR THE REGULATION AND LICENSING OF ANY INDIVIDUAL OR BUSINESS SOLICITING, CANVASSING OR WISHING TO GO DOOR TO DOOR WITHIN THE TOWNSHIP OF WASHINGTON AND PRESCRIBING PENALTY FOR THE VIOLATION OF THIS ORDINANCE.**

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE TOWNSHIP OF WASHINGTON AS FOLLOWS:

SECTION 1.

(a) The term "transient business activities," as used in this ordinance, shall mean and include the following: (1) engaging in peddling, canvassing, soliciting or taking orders, either by sample or otherwise, for any goods, wares, services or merchandise, upon any of the streets or alleys, sidewalks, or public grounds, or from house to house, within the Township of Washington; and (2) selling, soliciting or taking orders for any goods, wares, services or merchandise, from a fixed location in the Township, on a temporary basis, which shall include, but shall not be limited to, such activities conducted at the time of special occasions or celebrations, for seasonal purposes, or for or in advance of specific yearly holidays.

(b) The word "person", as used in this ordinance, shall mean any natural person, association, partnership, firm or corporation.

(c) In this ordinance, the masculine shall include the feminine and the neuter, the singular shall include the plural and the plural shall include the singular.

SECTION 2.

No person shall engage in any transient business activities within the Township of Washington without first having obtained from the Secretary or Chief of Police a license, for which the a fee of fifty (\$50.00) dollars per day, which shall be used by the Township for general purposes, shall be charged. Provided: No license fee shall be charged under this section (a) for farmers selling their own produce; (b) for the sale of goods, wares, services or merchandise, donated by the owners thereof, the proceeds thereof are to be applied to any charitable or philanthropic purpose; said charitable or philanthropic purposes to be of a nature determined to

JANICE SNYDER  
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be in the general interest of the community at large and prior clearance to be granted first by the a Township Supervisor or Chief of Police. All persons exempted by (a) and/or (b) hereof from the payment of the license fee shall be required to register with the Secretary or Chief of Police and to obtain a license without fee. Provided further: any person dealing in one or more of the hereinabove-mentioned exempted categories, and selling other goods, wares, services or merchandise not so exempted, shall be subject to the payment of the license fee fixed by this section for his/her/their/its activities in connection with the sale of goods, wares, services and merchandise not in such exempted categories. Provided further: a Township Supervisor or the Chief of Police may similarly exempt, from payment of the license fee, but not from registering with him, persons working without compensation and selling goods, wares, services or merchandise for the sole benefit of any charitable or nonprofit corporation. Provided further: every license issued under the provisions of this ordinance shall be issued on an individual basis to persons engaging in such business or assisting in the engagement of the same; every individual shall obtain separate license, issued to him in his name, and the license fee hereby imposed shall be applicable to every such individual license.

### SECTION 3.

Every person desiring a license under this ordinance shall first make application to the Secretary or Chief of Police for such license. Application will be made in person at least seven (7) days prior to the date soliciting will begin. If such person shall also be required to obtain a license from any State or County Officer, he shall, when making such application, exhibit a valid license from State or County Officer. The application shall give his name and permanent address, social security number, telephone number, any previous criminal record, the name of the person by whom he is employed, their address and telephone number; the type of goods, wares, services or merchandise he wishes to deal with in such transient business activities; the length of time for which such license is to be issued; and the type and license number of the vehicle to be used, if any.

### SECTION 4.

Upon receipt of such application and the prescribed license fee, the Secretary or Chief of Police, if he shall find such application in order, after checking references, shall issue the license required under this ordinance. Such license shall contain the information to be given on the application therefor. Every license holder shall carry such license upon his person, if engaged in a transient business activity 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 shall engage in such

business if doing so at a fixed location. He shall exhibit such license, upon request, to all police officers, Township officials, and citizens or residents of the Township.

#### SECTION 5.

No person engaged in any transient business activity within the Township shall: (a) sell any product or type of product not mentioned in his license; (b) hawk or cry his wares upon any of the streets, alleys, sidewalks or public grounds; (c) when selling from a vehicle, stop or park such vehicle upon any street or alley in the Township for longer than necessary in order to sell therefrom to persons residing in the immediate vicinity; (d) park any vehicle upon any street or alley in the Township for the purpose of sorting, rearranging or cleaning any of his goods, wares or merchandise or of disposing of any carton, wrapping material or of any stock or wares or foodstuffs which shall have become unsalable through handling, age or otherwise; or (e) engage in any house-to-house activities except between the hours of nine o'clock A.M. and five o'clock P.M.

#### SECTION 6.

The Police Department shall supervise the activities of all persons holding licenses under this ordinance, and shall keep a record of all licenses issued hereunder.

#### SECTION 7.

A Township Supervisor or the Chief of Police is hereby authorized to suspend any license issued under this ordinance when he shall deem such suspension to be beneficial to the public health, welfare, safety or morals, or for violation of any provision of this ordinance, or for giving false information upon any application for a license hereunder. No part of a license fee shall be refunded to any person whose license shall have been suspended.

#### SECTION 8.

Any person who shall violate any provision of this ordinance shall, for each and every such violation, upon conviction thereof, be sentenced to pay a fine of not less than one hundred (\$100.00) dollars and not more than one thousand dollars (\$1,000.00) and cost of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than ninety (90) days. Provided: each day's violation of any portion of this ordinance shall constitute a separate violation. Enforcement shall be by action brought before a district justice in the same manner

provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.

ORDAINED AND ENACTED into an ordinance by the Board of Supervisors of Washington Township this 9th day February, 2005.

TOWNSHIP OF WASHINGTON

BY: Melvin Allen Weiss  
Melvin Allen Weiss, Chairman

BY: John C. Yetsconish  
John C. Yetsconish

BY: Joanne Latkanich  
Joanne Latkanich

ATTEST:

Joanne Latkanich  
Secretary