

BILL NO. 8

INTRODUCED DECEMBER 12, 1994

BY THOMAS E. DUNCAN

ENACTED

ORDINANCE NO. 1355

AN ORDINANCE

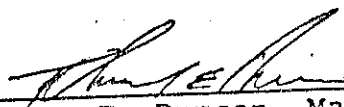
An Ordinance amending Section 2 of Ordinance No. 1127, entitled Peddlers and other Vendors, which provides for licensing of Peddlers and other Vendors, prohibiting certain acts by Peddlers and providing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED by the Council of the City of Connellsville, and hereby it is ordained and enacted by the Authority of the same.

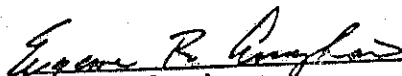
Section 1. Section 2 of Ordinance No. 1127, entitled Peddlers and other Vendors, which provides for licensing of Peddlers and other Vendors, prohibiting certain acts by Peddlers and providing penalties for the violation thereof; it is hereby amended to read:

Section 2. License Required to Engage in Peddling; Fee.
It shall be unlawful for any person to engage in peddling within the City of Connellsville without first having obtained a license from the Mayor, which shall be in the amount of Fifty (50) Dollars. Provided: The Mayor may exempt from payment of the license fee, persons working without compensation and selling or taking orders for goods, wares or merchandise for the sole benefit of any nonprofit corporation, but persons so exempted shall register with the Mayor and indicate the days on which such activity shall take place.

Adopted this day of December 1994.


Thomas E. Duncan, Mayor
City of Connellsville

ATTEST:


Eugene R. Campbell
City Clerk

Peddlers Ordinances

BILL NO.: 1

INTRODUCED: November 6, 2006

BY: Terry Bodes

ENACTED December 14, 2006

ORDINANCE NO.: 1454

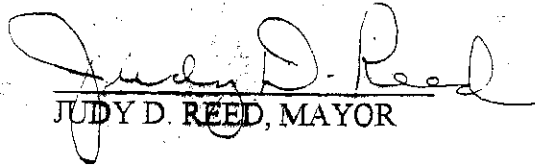
TO AMEND SECTION 2 OF ORDINANCE 1355 DATED DECEMBER 27, 1994, WHICH AMENDED SECTION 2 OF ORDINANCE 1127, ENTITLED PEDDLERS AND OTHER VENDORS, WHICH PROVIDES FOR LICENSING OF PEDDLERS AND OTHER VENDORS, PROHIBITING CERTAIN ACTS BY PEDDLERS AND PROVIDING PENALIES FOR THE VIOLATION THEROF.

Section 1. Section 2 of Ordinance No. 1127, entitled Peddlers and other Vendors, which provides for licensing's of Peddlers and other Vendors, prohibiting certain acts by Peddlers and providing penalties for the violation thereof; it is hereby amended to read:

Section 2. License Required to Engage in Peddling; Fee

It shall be unlawful for any person to engage in peddling within the City of Connellsville without first having obtained a license from the Mayor, which shall be in the amount of seventy five (\$75.00) Dollars. Provided: The Mayor may exempt from payment of the license fee, persons working without compensation and selling or taking ordered for goods, wares or merchandise for the sole benefit of any nonprofit corporation, but persons so exempted shall register with the Mayor and indicate the days on which such activities shall take place.

ENACTED AND ORDAINED this 14 of December 2006.


JUDY D. REED, MAYOR

ATTEST:


City Bookkeeper

CITY SEAL

An Ordinance providing for the regulation and licensing of peddlers, solicitors and others engaging in selling or taking orders for or distributing samples of ^{goods,} wares and/or merchandise by traveling upon the streets and going from house to house in the City of Connellsville, or by engaging in such activity within any park or upon public grounds in the City; restricting the use of the streets, alleys, sidewalks and public places in the City for the same and/or display or distribution of goods, wares and merchandise; and prescribing penalty for violation.

Section 1. The following words and terms, as used in this ordinance, shall have the meanings hereby respectively ascribed thereto:

(a) Peddler: a person who shall engage in peddling as herein defined.

(b) Peddling: engaging in selling or offering for sale of goods, wares or merchandise and/or taking orders therefor or distributing samples thereof, by traveling upon the streets in the City of Connellsville, and going from house to house therein, or by engaging in such activities within any park or other public ground in the City. Provided: peddling shall not include: (a) the sale of his own produce by any farmer; or (b) taking or soliciting orders within any private dwelling by any person who shall do so solely by and following the making of advance appointments with and receiving a specific appointment with the occupant of such dwelling; or (c) selling, taking of orders or distributing of samples from a fixed or specific location upon the streets, which is hereby prohibited.

(c) Person: (unless the meaning shall clearly indicate otherwise) a natural person, partnership, association or corporation.

(d) Street: the cartway of any street or alley within the City of Connellsville, and any sidewalk, curb, gutter or portion thereof, adjacent or alongside thereof.

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

Section 2. It shall be unlawful for any person to engage in peddling within the City of Connellsville without first having obtained a license from the Mayor, for which the following fee, which shall be for the use of the City shall be paid:

Five dollars (\$5.00) for one day;

Ten dollars (\$10.00) for one month;

Fifty dollars (\$50.00) for one year.

Provided: the Mayor may exempt from payment of the license fee, persons working without compensation and selling or taking orders for goods wares or merchandise for the sole benefit of any nonprofit corporation, but persons so exempted shall register with the Mayor and indicate the days on which such activity shall take place. Provided further: every license issued under this ordinance shall be issued on an individual basis; every individual shall obtain a separate license, issued to him in his name, which shall not be transferrable to any other individual, 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 Mayor. 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 State or County license. The applicant shall give the following information:

his full name and local address, if any;

his permanent address;

whether or not he has ever been convicted of any crime, and, if so, the nature of the crime, the place where he was convicted, and the penalty imposed;

the name of the person, if any by whom he is employed;

the type of goods, wares or merchandise he wishes to deal with as a peddler in the City;

the length of time for which such license is to be issued; and the type and license number of the vehicle to be used by him while engaging in peddling in the City.

Section 4. Upon receipt of the application and the prescribed fee, the Mayor, if he shall find such application in order, shall issue the license required under this ordinance. Such license shall contain the information required to be given under this ordinance. Every peddler shall carry such license upon his person while engaging in peddling in the City, and shall exhibit such license, upon request, to all police officers, City officials, and citizens or residents of the City.

Section 5. Each license issued under this ordinance shall specify whether the same shall authorize house-to-house peddling or peddling in parks or public grounds, and no person granted such a license shall engage in other than the specific above-mentioned category of peddling that shall be specified in his license. Licenses for peddling in parks or public grounds may specify the time and/or location that such licenses shall be valid, and it shall be unlawful for any person to engage in peddling under any such license except as so specified

Section 6. No person engaging in peddling shall;

(a) Sell distribute or solicit orders for any product or type of product not mentioned in his license application;

(b) Hawk or cry his wares on any street or public ground in the City.

(c) In selling from a vehicle, stop or park such vehicle upon any street in the City for longer than necessary to sell therefrom to persons residing, doing business from, or engaging in recreation in the immediate vicinity;

(d) Park such vehicle upon any street in the City for the purpose of sorting, rearranging or cleaning any of his goods, wares or merchandise or of disposing of any carton or wrapping material or any stock or wares or foodstuffs which have become unsaleable through age, handling or otherwise; or

(e) engage in peddling at any time on Sunday, or on any other day prior to nine o'clock A.M. or after nine o'clock P.M. in the case of persons operating from house to house.

Section 7. The Mayor is hereby authorized to suspend or revoke any license issued under this ordinance when he shall deem such suspension or revocation to be in the interest of the public health, safety, welfare or morals, or for the violation of any provision of this ordinance, or for giving false or incomplete information upon any application for a license hereunder. Appeals from any suspension or revocation may be made to City Council at any time within ten (10) days thereafter. No part of a license fee shall be refunded to any person whose license shall have been suspended or revoked.

Section 8. It shall be unlawful for any person to erect, construct or maintain any stand, shelf, or other structure on any sidewalk in the City of Connellsville, whereon is displayed or can be

displayed any goods, wares or merchandise, and it shall also be unlawful for any person to display any goods, wares or merchandise on any sidewalk.

Section 9. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days.

Section 10. The provisions of this ordinance shall be severable, and if any section, part of section or provision thereof shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining sections, parts of sections or provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been enacted had such unconstitutional, illegal or otherwise invalid provision not been included therein.

Ordained and enacted this 12th day of November, 1974

Mayor

ATTEST:

City Clerk