TOWNSHIP OF SOUTH LONDONDERRY

LEBANON COUNTY

PENNSYLVANIA

ORDINANCE NO. 201-2013

AN ORDINANCE OF SOUTH LONDONDERRY TOWNSHIP, LEBANON COUNTY PENNSYLVANIA REGULATING SOLICITING WITHIN ITS TERRITORIAL LIMITS; REQUIRING SOLICITORS TO OBTAIN A LICENSE PRIOR TO SOLICITING WITHIN SOUTH LONDONDERRY TOWNSHIP; SETTING FORTH STANDARDS OF CONDUCT FOR EVERY PERSON ENGAGED IN SOLICITING; PROVIDING FOR LICENSING FEES; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL TO, OR REFUSE TO COMPLY WITH THE REQUIREMENTS HEREOF.

BE IT ORDAINED AND ENACTED: By the Board of Supervisors of the Township of South Londonderry, Lebanon County, Pennsylvania, as follows:

SECTION 1: Definition - The term "transient retail business" as used in this Article shall mean and include the following: (A) engaging in peddling, selling, canvassing, soliciting, or taking orders, either by sample or otherwise, for any goods, services, wares or merchandise, upon any street, alley, sidewalk or public place, or from house to house, within the Township; (B) selling, soliciting or taking orders for any goods, wares, or merchandise, from a fixed location within the Township on a temporary basis, which shall include, but shall not be limited to, any activities conducted at the time of special occasions or celebrations, for seasonal purposes, or for or in advance of particular yearly holidays.

SECTION 2: License Required to Engage in Transient Retail Business - No person shall engage in any transient retail business within the Township without first having obtained from the Township Manager or the Chief of Police a license and paying to him a license fee, which shall be for the use of the Township, in an amount as established from time to time by resolution of the Board of Supervisors. Provided; no license fee shall be required under this section: (A) for farmers selling their own produce; (B) for the sale of goods, wares and merchandise, donated by their owners, the proceeds of which are to be applied to any charitable or philanthropic purpose; or (C) to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk and milk products. Provided, further; any person dealing in one or more of the above mentioned exempted categories, and selling other goods, wares and merchandise not so exempted, shall be subject to payment of the license fee fixed by this Section for his activities in connection with the sale of goods, services, wares, and merchandise not so exempted. Provided further: no license shall be required from persons working without compensation and organization. Provided further: no license shall be required from persons engaged in business at and during the annual Mount Gretna Arts Show. Provided further: every license issued under this Article shall be issued on an individual basis to

persons engaging in a transient retail business; every individual shall obtain a separate license, issued to him in his name, and the license fee imposed by this Section shall be applicable to every individual license, and no such individual license shall be transferrable from one person to another.

SECTION 3: Application for License; Issuance - Every person desiring a license under this Article shall first make application for the license to the Township Manger or to the Chief of Police. If the person shall also be required to obtain a license from any State or County officer, he shall, when making the application, exhibit a valid license from the State or County officer. The applicant shall give his name and address; the name of the person by whom he is employed; the type of goods, services, wares and merchandise he wishes to deal with in this transient retail business; the number of persons to be employed by him in the Township; and the type and license numbers of all vehicles to be used, if any. The application shall be accompanied by the license fee as adopted by Resolution by the Board of Supervisors. The license shall be issued to the applicant following any determination found by the Township Manger or Chief of Police to be necessary or desirable, as to the accuracy of the information on the application.

SECTION 4: Custody, Display and Exhibit of License - Every license holder shall carry the license upon his person if he is engaged in a transient retail business from house to house or upon any street, alley sidewalk or public ground, or he shall display the license at the fixed location where he shall engage in business if doing so from a fixed location. He shall exhibit the license, upon request, to all police officers, Township officials and citizens or residents of the Township.

SECTION 5: Prohibited Acts

1. Sell any product or type of product not mentioned in his license.
2. Hawk or cry his wares upon any street, alley, sidewalk or public ground in the Township, or use any loud speaker or horn or other device for announcing his presence by which the public may be annoyed.
3. When selling from a vehicle, stop or park the vehicle upon any street or alley in the Township for longer than necessary in order to sell from the vehicle to persons residing or working in the immediate vicinity.
4. Without special written permission from the Township Manager or the Chief of Police, and then only for special events and occasions, occupy any fixed location upon any street, alley or sidewalk in the Township for the purpose of his transient retail business, with or without any stand or counter.
5. Engage in any house-to house activity, except by prior appointment, or on any other day of the week before 9 a.m. or after 5 p.m. or on a National Holiday.

SECTION 6: Record and Supervision - The Township Manger and the Chief of Police shall keep a record of all licenses issued by them under this Article. The Chief of Police shall monitor the activities of all holders of such licenses.

SECTION 7: Certain Practices Constitute Nuisances - The practice or custom of going in or upon private residences in the Township by solicitors, peddlers, itinerant merchants or transient retail merchants, regardless of whether they hold a valid license under this Article, not having been requested or invited to do so by the owner or occupant of that private residence, for the purpose of soliciting orders for the sale of goods, wares or merchandise, or of disposing, peddling or hawking goods, wares or merchandise is declared to be a nuisance and also a violation of this Article.

SECTION 8: Suspension or Revocation of License - The Township Manger and Chief of Police are authorized to suspend or revoke any license issued under this Article when he deems the suspension or revocation to be in the interest of the public health, safety or morals, or for violation of any provision of this Article, or for giving false information upon the application for a license under this Article. Appeals from any suspension or revocation may be made to the Board of Supervisors at any time within 10 days after suspension or revocation. No part of a license fee shall be refunded to any person whose license has been suspended or revoked.

SECTION 9: Penalty for Violation - Any person, firm or corporation who shall violate any provision of this Article, upon conviction thereof, shall be sentence to 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 Article continues or each Section of this Article which shall be found to have been violated shall constitute a separate offense.

DULY ADOPTED this 9th day of July, 2013, by the Board of Supervisors of the Township of South Londonderry, Lebanon County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS
SOUTH LONDONDERRY TOWNSHIP

Rugh A. Henderson, Chairman

Cliff F. Orley

Doug Cheyney

ATTEST:

Secretary

South Londonderry Township

Soliciting Permit Application

ALL REPRESENTATIVES MUST BE PRESENT AT TIME OF APPLICATION

PLEASE ALLOW AT LEAST ONE BUSINESS DAY TO DETERMINE *ELIGIBILTY AND ISSUANCE* FOR PERMIT

$50.00 Payment due at Time of Application / $10 each additional person added on permit

Applicant Information:

Name_____

Address_____

Date of Birth_____

Driver License / State_____ Number #_____

Home Phone #_____

Cell Phone #_____

Company_____

Company Address/Phone_____

Supervisor Name / Number / Email _____

_____

Type of goods, services, wares, merchandise etc. _____

_____

Vehicle(s) Used – (All additional vehicles *must* be listed on a separate piece of paper)

Year	Make	Model	Color	State	License Plate #
A)					
B)					

Have you ever been convicted for committing a felony or misdemeanor offense? ____Yes ____No

Approval of application may be based upon favorable outcome of a background check.

_____ _____

Applicant's Signature *Date*

Office Use Only

*Fee Paid*_____

*Check #*_____

*Received by*_____

***ONLY** listed person(s) may SOLICIT under this permit!*

Total number allowed on a permit: FIVE

POLICE ADMINISTRATION OFFICE HOURS 8AM-4PM ~ MONDAY – FRIDAY (closed Holidays)

27 WEST MARKET STREET ~ PALMYRA ~ PA 17078-8736 ~ Contact us at 717.838.1376

Revised 10/26