

How long do you wish to solicit? Days _____ Months _____
(All Peddlers' Permits expire December 31st of the year issued. Renewal must be made at the Town Clerk's office, Town of Pawling.)

List 2 (two) business references located in Dutchess County:

1. _____
2. _____

Have you ever been convicted of any crime (felony or misdemeanor)?

AFFIRMATION AND AUTHORIZATION TO RELEASE:

I affirm that the statements made on this application are true under the penalties of perjury. Furthermore, I understand that any agent acting on behalf of the Town of Pawling, responding to a reference request pursuant to this application, can and will seek and/or disclose any or all information about me which said agent may have. I specifically authorize said disclosure and agree to hold all such agents harmless for same.

SIGNATURE: _____

DATE: _____

PERMIT GRANTED: _____

PERMIT DENIED: _____

Signature of Agent: _____

Title: _____

Fee: \$100.00 - Permit
\$ 10.00 – Per Badge



TOWN OF PAWLING
The Pride of the Harlem Valley

TOWN HALL
160 Charles Colman Blvd.
Pawling, New York 12564
Tel. (845) 855-5040 Fax (845) 855-0179

CHERYL KNOWLES
TOWN CLERK
cknowles@pawling.org

I hereby acknowledge receipt of a copy of Chapter 147 (Peddling & Soliciting) of the Code of the Town of Pawling.

Signature

Date

Chapter 147
PEDDLING AND SOLICITING

- | | |
|-----------------------------------|----------------------------------------|
| § 147-1. Definitions. | § 147-8. Badges and plates. |
| § 147-2. Exemptions. | § 147-9. Name and address on vehicle. |
| § 147-3. License required. | § 147-10. Revocation of license. |
| § 147-4. Application for license. | § 147-11. Restrictions. |
| § 147-5. Issuance of license. | § 147-12. Orders. |
| § 147-6. License fees. | § 147-13. Records to be kept by Clerk. |
| § 147-7. Employees of licensee. | § 147-14. Penalties for offenses. |

[HISTORY: Adopted by the Town Board of the Town of Pawling 5-1-1973 as Ch. 37 of the 1973 Code. Other amendments noted where applicable.]

§ 147-1. Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

ESTABLISHED PLACE OF BUSINESS — A building or store in which or where the person transacts business and deals in the goods, wares and merchandise he hawks, peddles or solicits for during regular business hours.

HAWKER and PEDDLER — Includes, except as hereinafter expressly provided, any person, either principal or agent, who, from any car on a railroad track or in any public street or public place or by going from house to house or place of business to place of business on foot or on or from any animal or vehicle standing in a street, sells or barter, offers for sale or barter or carries or exposes for sale or barter any goods, wares or merchandise, including magazines, books, newspapers and other periodicals.

PERSON — One (1) or more persons of either sex, natural persons, corporations, partnerships, associations, joint-stock companies, societies and all other entities of any kind capable of being sued.

SOLICITOR — Any person who goes from place to place or house to house or who stands in any street or public place, taking or offering to take orders for goods, wares or merchandise or for services to be performed in the future or for making, manufacturing or repairing any article or thing whatsoever for future delivery.

§ 147-2. Exemptions.

- A. Nothing in this chapter shall be held to apply to any sales conducted pursuant to statute or by order of any court; to any person selling personal property at wholesale to dealers in such articles; to merchants having an established place of business within the town or their employees soliciting orders from customers and delivering the same; to farmers and truck

setting forth the circumstances of the loss and what, if any, search has been made for its recovery.

- D. All licenses shall be issued from a properly bound book with proper reference stubs kept for that purpose, numbered in the order in which they are issued, and shall state clearly the kind of vehicle to be used, the kind of goods, wares and merchandise to be sold or service to be rendered, the number of his badge and license plate, the dates of issuance and expiration of the license, the fee paid and the name and address of the licensee. Such licenses shall automatically expire on January 1 following the date of issuance of such licenses, but such licenses may specifically state and provide for an earlier expiration date.
- E. Such license shall include the right to use only one (1) vehicle in carrying on the business for which the person is licensed.
- F. No license shall be granted to a person under eighteen (18) years of age.
- G. No applicant to whom a license has been refused or who has had a license which has been revoked shall make further application until a period of at least six (6) months shall have elapsed since the last previous rejection or revocation, unless he can show that the reason for such rejection no longer exists.
- H. Every licensee, while exercising his license, shall carry the license with him and shall exhibit the same upon demand.

§ 147-6. License fees.²

The license fee to hawkers, peddlers or solicitors shall be as set by resolution of the Town Board.³

§ 147-7. Employees of licensee.

Any licensee using a motor vehicle may employ two (2) persons, and no more, to assist in selling and delivering the wares, but such persons shall so act only while accompanying a licensed peddler, hawker or solicitor.

§ 147-8. Badges and plates.

- A. The Town Clerk may supply badges or vehicle plates to licensed hawkers, peddlers or solicitors when, in his determination, they shall be necessary. Such badges and plates shall not be transferred or assigned. On the expiration of the license, the licensee shall surrender his badge to the Town Clerk.
- B. It shall be unlawful for any person to destroy, deface or injure such badge in any manner, or change the number or date thereon. It shall also be unlawful for any person to wear or

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

³ Editor's Note: Specific fee amounts are on file and available for inspection in the office of the Town Clerk.

- B. Not wear the badge provided by the town or use the vehicle plates after the expiration or revocation of the license represented by them.
- C. Keep the vehicles and receptacles used by him in a clean and sanitary condition and the foodstuffs and edibles offered for sale well covered and protected from dirt, dust and insects.
- D. Not stand or permit the vehicle used by him to stand in one (1) place in any public place or street for more than ten (10) minutes or in front of any premises for any time if the owner of or lessee of the ground floor thereof objects.
- E. Not sell any confectionery or ice cream within two hundred fifty (250) feet of any school between the hours of 8:00 a.m. and 4:00 p.m. on school days.
- F. Not permit any vehicle used by him to stop or remain on any crosswalk.
- G. Not create or maintain any booth or stand, or place any barrels, boxes, crates or other obstructions, upon any street or public place for the purpose of selling or exposing any goods, wares or merchandise.

§ 147-12. Orders.

All orders taken by licensed solicitors who demand, accept or receive payment or deposit of money in advance of final delivery shall be in writing, in duplicate, stating the terms thereof and the amount paid in advance, and one (1) copy shall be given to the purchaser at the time the deposit of money is paid to the solicitor.

§ 147-13. Records to be kept by Clerk.

It shall be the duty of the Town Clerk to keep a record of all applications and of all licenses granted under the provisions of this chapter, giving the number and date of each license, the name and residence of the person licensed, the amount of the license fee paid and also the date of revocation of all licenses revoked.

§ 147-14. Penalties for offenses.

Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by imprisonment for a term not exceeding fifteen (15) days or by a fine not exceeding two hundred fifty dollars (\$250.), or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.