

ORDINANCE No. 7 - 1966

An Ordinance regulating peddling within the Township of Kiskiminetas, requiring peddlars to obtain licenses and prescribing penalties for violation.

The Township of Kiskiminetas hereby ordains as follows:

Section 1.

(a) The word "peddling," as used in this ordinance, shall mean engaging in peddling, canvassing, soliciting or taking of orders, either by sample or otherwise, for any goods, wares or merchandise, upon any of the streets or roadways or from house to house within the Township of Kiskiminetas. Provided: The word "peddling" shall not apply (1) to farmers selling their own produce, (2) to 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, or (3) to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk or milk products.

(b) The word "peddler," as used in this ordinance, shall mean any person who shall engage in peddling, as hereinabove defined.

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

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

Section 2.

No person shall engage in peddling in the Township of Kiskiminetas without first having taken out a license as herein provided.

Section 3.

Every person desiring to engage in peddling in the Township of Kiskiminetas shall first make application to the Supervisors for a license. If such person shall also be required to obtain a license from any county officer, he shall, when making such application, exhibit a valid county license. Upon such application, such a person shall give his name, address, his previous criminal record, if any, the name of the person for whom he works, if any, the type of goods, wares and merchandise he wished to peddle, the length of time for which he wishes to be licensed, the type of vehicle he uses, if any, and the number of helpers he has.

Provided: Where a person makes application for himself and one or more helpers, all applicable personal information specified above shall be given for each helper, and an individual license shall be required for each helper. No license^{issued} under this ordinance shall be transferable from one person to another.

Section 4.

No license shall be issued under this ordinance until the proper fee, as follows, shall be paid to the Supervisors, which shall be for the use of the Township:

(a) Each foot peddler: Five (\$5.00) Dollars per day; Twenty-five (\$25.00) Dollars per week.

(b) Each peddler operating from a horse-drawn or motor vehicle: Ten (\$10.00) Dollars per day; Fifty (\$50.00) Dollars per week.

Section 5.

Upon making application therefore and paying the proper fee, as herein specified, a license shall be issued to every peddler. Such license shall contain the information required to be given upon the application therefor. Every peddler shall at all times when engaged in peddling in the Township, carry such license upon his person, and shall exhibit such license upon request to all police officers, township officials and citizens. No peddler shall engage in selling any product not mentioned upon such license nor shall any person having a foot peddler's license operate from or with any horse-drawn or motor vehicle.

Section 6.

No person licensed as a peddler under this ordinance shall engage in peddling at any time on Sunday, or upon any other day of the week before nine o'clock A.M. or after five o'clock P.M.

Section 7.

No person, licensed as a peddler under this ordinance, shall hawk or cry his wares upon any of the streets or roadways of the Township, nor shall he use any loud speaker or any other device for announcing his presence by which the public is annoyed.

Section 8.

No person, licensed as a peddler under this ordinance shall occupy any fixed location upon any of the streets or roadways of the Township for the purpose of peddling, with or without any stand or counter.

Section 9.

The Supervisors of the Township of Kiskiminetas are hereby authorized to suspend any

license issued under this ordinance when they deem such suspension to be beneficial to the public health, safety or morals, or for violation of any of the provisions of this ordinance, or for giving false information upon any application for license hereunder.

Section 10.

Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than Fifty (\$50.00) Dollars and costs of prosecution, and, in default of payment thereof, to imprisonment for not more than thirty (30) days.

Section 11.

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

ORDAINED and ENACTED into an ordinance this 23rd day of September, 1966.

N R Beers
Chairman

Carl B. Masten

Ray J. Patterson

ATTEST:

Ray J. Patterson
Secretary