

ORDINANCE NO. 12

AN ORDINANCE REGULATING PEDDLING, INCLUDING SOLICITING, WITHIN THE TOWNSHIP OF BUCKINGHAM, REQUIRING PEDDLERS TO OBTAIN LICENSES; PROVIDING FOR APPLICATION FOR LICENSES; ESTABLISHING PROCEDURE FOR IDENTIFICATION; ESTABLISHING RULES OF CONDUCT; PROVIDING FOR REVOCATION OF LICENSES UNDER CERTAIN CONDITIONS; EXEMPTING CERTAIN PERSONS FROM THE TERMS HEREOF AND FIXING PENALTIES FOR VIOLATION.

The Board of Supervisors of Buckingham Township, in the exercise of the police power, and in order to protect the health, safety, morals and general welfare of the citizens of Buckingham Township, Bucks County, Pa., does hereby enact and ordain as follows:

SECTION 1. DEFINITIONS.

(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 services, goods, wares or merchandise, or engaging in soliciting contributions, gifts or pledges of money or any other thing of value, by visitation to private homes or residences without the direct invitation of the inhabitants thereof, or on the public streets or highways of Buckingham Township. Provided: the word "peddling" shall not apply to (1) farmers selling their own produce, (2) persons soliciting contributions in behalf of organizations exempted from the provisions of, or duly registered pursuant to, the Act of Assembly of 1925, May 13, P. L. 644, as amended; who while soliciting, are possessed of a card or other written evidence of their appointment or authority to solicit for such organization or corporation, (3) any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk or milk products, (4) persons who have been licensed by the Commonwealth of Pennsylvania to engage in an activity mentioned above, including, without limitation, real estate, insurance, or securities brokers and salesmen.

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

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

(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 Buckingham without first having taken out a license for this purpose as herein provided.

SECTION 3. Every person desiring to engage in peddling within the Township of Buckingham shall first make application to the Township Secretary 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 person shall give his name; address; name and address of the person or firm for whom he works, if any; the type of goods or the nature of the activity in which the applicant wishes to engage within the Township; the length of time for which he wishes to be licensed; his previous criminal record, if any; the type of vehicle he uses, if any, with its license number and the number of helpers he has. A physical description of the applicant will be placed on the application together with the fingerprints of the index finger of each hand. Provided: where a person makes application for himself and one or more helpers, all applicable personal information shall be required for each helper and an individual license shall also 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

Township:

- (a) Two Dollars (\$2.00) per day.
- (b) Five Dollars (\$5.00) per month.
- (c) Twelve Dollars and Fifty Cents (\$12.50) per year.

SECTION 5. Upon making application therefor and paying the proper fee as herein specified, a license shall be issued for every peddler, provided the issuance of such license shall not in any way endanger the general safety, morals or welfare of the citizens of Buckingham Township. Such license shall contain the information required to be given upon the application therefor.

SECTION 6. Every person to whom a license has been issued hereunder shall, in the carrying on of his business or activities in the Township, comply with the following rules of conduct:

(a) He shall carry his license card upon his person at all times and exhibit it upon request of any police officer, Township official or citizen.

(b) He shall not permit any other person to have possession of his license card and shall immediately report its loss to the Township Secretary. He shall not cause or permit his license card to be altered or defaced.

(c) He shall not enter, or attempt to enter, any dwelling house without invitation or permission of the occupant and shall immediately leave any premises upon request.

(d) He shall not represent his license card to be an endorsement of himself or of his goods or services or of the goods or services of his principal or employer.

(e) He shall immediately surrender his license card upon revocation of his license as hereinafter provided.

(f) And he shall not engage in selling any product or service not mentioned upon his license.

SECTION 7. No person licensed as a peddler under this ordinance shall engage in peddling at any time on Sunday, on any legal holiday, or upon any other day of the week before nine o'clock A.M. or after five o'clock P.M.

SECTION 8. No person licensed as a peddler under this ordinance shall hawk or cry his wares upon any of the streets or sidewalks of the Township, nor shall he use any loud speaker or horn or other device for announcing his presence by which the public is annoyed.

SECTION 9. No person, licensed as a peddler under this ordinance, shall occupy any fixed location upon or along any of the streets, alleys, sidewalks of the Township for the purpose of peddling, with or without any stand or counter.

SECTION 10. The Township Secretary shall keep a record of all licenses issued under this ordinance.

SECTION 11. The Board of Supervisors or the Township Secretary are or is authorized to suspend or revoke any license issued under this ordinance when such suspension is deemed beneficial to the public health, safety, morals and/or welfare, or for violation of any of the provisions of this ordinance, or for giving false information upon any application for a license hereunder. Any request for reinstatement of license must be heard before the Board of Supervisors at regular or special meeting.

SECTION 12. Any person who shall violate any of the provisions of this ordinance shall, on conviction thereof, be sentenced to pay a fine of not less than ten (\$10.00) dollars nor more than three hundred (\$300.00) dollars and the costs of prosecution, and, in default of payment thereof, to imprisonment in the county prison for not more than thirty (30) days.

SECTION 13. If any section, provision or part of this ordinance shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining sections, pro-

visions or parts of this ordinance. The Board of Supervisors here-  
by declares that it would have enacted and ordained the remaining  
sections, provisions or parts of this ordinance if it had known  
that such sections, provisions or parts thereof would be declared  
unconstitutional.

ENACTED AND ORDAINED THIS 25<sup>th</sup> day of August  
1956.

BOARD OF SUPERVISORS OF  
BUCKINGHAM TOWNSHIP

W. Earl Rockefeller  
John C. Henry  
Russ B. Dennis