

Chapter 117

PEDDLING AND SOLICITING

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[HISTORY: Adopted by the Borough Council of the Borough of Mansfield 3-1-1978 by Ord. No. 286. Amendments noted where applicable.]

§ 117-1. Definitions and word usage.

- A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

PEDDLER — Any person who shall engage in peddling, as hereinabove defined.

PEDDLING — Engaging in peddling, canvassing, soliciting or taking of orders, either by sample or otherwise, for any goods, wares, services or merchandise, upon any of the streets or sidewalks or from house to house within the Borough of Mansfield, provided that the word "peddling" shall not apply to farmers selling their own produce; to the sale of goods, wares, services and merchandise donated by the owners thereof, the proceeds of which are to be applied to any charitable or philanthropic purpose; or to any manufacturer or producer in the sale of bread and bakery products, meat and meat products or milk or milk products.

PERSON — Any natural person, association, partnership, firm or corporation.

- B. Word usage. In this chapter, the singular shall include the plural, and the masculine shall include the feminine and the neuter.

§ 117-2. License required.

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

§ 117-3. Application requirements; nontransferability of license.

- A. Every person desiring to engage in peddling in the Borough of Mansfield shall first make application to the Mayor for a license. Such application shall be made at least 36 hours before the applicant desires to begin peddling in the Borough of Mansfield. If such

person shall also be required to obtain a license of any county officer or department or any officer or department of the Commonwealth of Pennsylvania, he shall, when making such application, exhibit a valid county or Commonwealth of Pennsylvania license. **[Amended 8-5-1981 by Ord. No. 305]**

- B. Upon such application, such 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, services and merchandise he wishes 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, however, that where a person makes application for himself and one or more helpers, all applicable personal information shall be required for each helper.
- C. No license issued under this chapter shall be transferable from one person to another.

§ 117-4. License fee. [Amended 8-5-1981 by Ord. No. 305]

No license shall be issued under this chapter until the proper fee shall be paid to the Mayor as follows: \$25 per month or \$125 per year. Such fee shall be for the use of the Borough of Mansfield.

§ 117-5. Contents and display of license; engaging in unlicensed activities.

Upon making application therefor 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 Borough, carry such license upon his person and shall exhibit such license upon request to all police officers, Borough 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.

§ 117-6. Restrictions on peddlers.

- A. No person licensed as a peddler under this chapter shall engage in peddling at any time on Sunday or upon any other day of the week before 9:00 a.m. or after 9:00 p.m.
- B. No person licensed as a peddler under this chapter shall hawk or cry his wares upon any of the streets or sidewalks of the Borough, nor shall he use any loudspeaker or horn or any other device by which the public is annoyed for announcing his presence.
- C. No person licensed as a peddler under this chapter shall park any vehicle upon any of the streets or alleys of the Borough in order to sort, rearrange or clean any of his goods, wares or merchandise; nor may any such person place or deposit any refuse upon any of such streets or alleys; nor may any such person maintain or keep a street or curbstone market by parking any vehicle upon any street or alley in the Borough for longer than necessary in order to sell therefrom to persons residing in the immediate vicinity.

- D. No person licensed as a peddler under this chapter shall occupy any fixed location upon any of the streets, alleys or sidewalks of the Borough for the purpose of peddling, with or without any stand or counter.

§ 117-7. Recordkeeping; supervision of activities.

The Mayor shall keep a record of all licenses issued under this chapter. The Mayor and Chief of Police shall supervise the activities of all holders of such licenses.

§ 117-8. Suspension of license.

The Mayor of the Borough of Mansfield is hereby authorized to suspend any license issued under this chapter when he deems such suspension to be beneficial to the public health, safety or morals or for violation of any of the provisions of this chapter or for giving false information upon any application for a license hereunder.

§ 117-9. Violations and penalties.

If any person shall be guilty of violating any of the provisions of this chapter and shall be convicted thereof before any District Justice having jurisdiction, he shall be fined in a sum not more than \$300 with costs of prosecution of suit, the same to be collected and enforced as similar fines are by law collected.

