

**WINDSOR TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 11-09-01**

**AN ORDINANCE OF WINDSOR TOWNSHIP, YORK COUNTY,  
PENNSYLVANIA PROVIDING FOR THE LICENSING AND  
REGULATION OF SOLICITING AND PEDDLING IN WINDSOR  
TOWNSHIP AND PROVIDING PENALTIES FOR VIOLATIONS  
THEREOF**

**WHEREAS**, Section 1532 of the Second Class Township Code, 53 P.S. §65101 et seq., as amended, authorizes the licensing and regulation of transient merchants conducting business within the Township;

**WHEREAS**, The Board of Supervisors have determined that the licensing and regulation of peddlers and solicitors within the Township is in the best interests of the health safety and welfare of the residents of the Township.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Windsor Township, York County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED**, as follows:

**SECTION 1. Definitions.**

A. The following terms shall have the meanings indicated:

**PEDDLER** — Any person who shall engage in peddling as herein defined.

**PEDDLING** — The selling or offering for sale of any goods, wares, services or merchandise for immediate delivery, which the person selling or offering for sale carries with him in traveling, or has in his possession or control, upon any of the streets or sidewalks, from house to house, by visitation to private residences or be entering in or upon private property within the Township.

**PERSON** — Any natural person, association, partnership, firm, organization, corporate entity or limited liability company.

**SOLICITING** — The seeking or taking of contracts or orders for any goods, wares, services or merchandise for delivery, or for subscriptions or contributions, upon any of the streets or sidewalks, from house to house, by visitation to private residences, or by entering in or upon private property, within the Township; and, shall further mean the seeking or taking of contracts or orders for home or other building repairs, improvements

and alterations and also orders or contracts for any mechanical, electrical, plumbing or heating device or equipment for houses or other building improvements or repairs upon or from the places aforesaid within the Township.

SOLICITOR — Any person who shall engage in soliciting as hereinabove defined.

B. In this ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

**SECTION 2. License Required.**

A. No person shall engage in soliciting or peddling in the Township without first having obtained a license as herein provided.

B. No license shall be required for the following:

(1) Farmers selling their own produce.

(2) For 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.

(3) Any manufacturer or producer in the sale of bread or bakery products, meat and meat products or milk and milk products.

(4) Children under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy, bakery products and the like or who represent the Boy Scouts or Girl Scouts or similar organizations.

(5) The seeking or taking of orders by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania.

(6) A charitable or religious organization, including but not limited to, a person who has complied with the provisions of the Solicitation of Funds for Charitable Purposes Act, 10 P.S. § 162.1 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(7) For taking orders for merchandise by sample, from dealers or merchants or individuals or companies who pay a license or business privilege tax at their chief place of business.

**SECTION 3. License Application.**

A. Every person not falling in the license exceptions in Section 2. B. above who desires to engage in soliciting or peddling in the Township shall first make application to the Township Manager for a license. If such person shall also be required to obtain a license from any county

officer he shall, on making such application, exhibit a valid county license. The application shall be upon a blank provided by the Township Manager and shall contain at least the following information verified by oath or affirmation:

- (1) Full name of the applicant and local address, if any.
- (2) Permanent address.
- (3) Name of employer or a statement that such applicant is self-employed.
- (4) The nature of the goods, wares, services or merchandise offered for sale.
- (5) A statement as to whether or not the applicant has ever been convicted of any crime and, if the answer is in the affirmative, the nature of the offense or offenses and the punishment or punishments imposed there.
- (6) The type of vehicle to be used, if any.
- (7) Upon request, the applicant shall also submit to fingerprinting and furnish a photograph.

B. 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 verified or affirmed by oath or affirmation by and an individual license shall be required for each helper. No license under this ordinance shall be transferable from one person to another.

#### **SECTION 4. License fee.**

Each applicant under this ordinance shall pay a license fee in an amount as established, from time to time, by resolution of the Board of Supervisors for the primary application and an additional fee in an amount as established, from time to time, by resolution of the Board of Supervisors for each person who shall actually conduct the soliciting or peddling at the time of the filing of the application or applications to the Township Manager.

#### **SECTION 5. License Term; New License.**

The license granted pursuant to this ordinance shall be valid for 30 days after the date of such license and, upon the expiration of any license, if the person holding the same shall desire to continue or renew soliciting or peddling; he shall be required to file a new application for a permit and pay a new license fee. Such licenses may be issued, in advance, for consecutive thirty-day periods not exceeding 12 in number, upon payment, in advance, of the applicable license fees.

#### **SECTION 6. License Exhibition.**

Such license, when issued, shall state, *inter alia*, the products to be sold, services to be rendered or subscriptions or contributions to be solicited by the licensee. Every solicitor or peddler shall at all times, when engaged in soliciting or peddling in the Township, carry such license upon his person and shall exhibit it upon request to all police officers, Township officials

and citizens. No solicitor or peddler shall engage in selling any product or service not mentioned on such license.

**SECTION 7. Hours.**

No solicitor or peddler under this ordinance shall engage in soliciting or peddling on Sundays nor on any other day of the week before 9:00 a.m. or after 6:00 p.m., prevailing time.

**SECTION 8. Parking Vehicle on Street; Littering.**

No solicitor or peddler under this ordinance shall park any vehicle upon any of the streets, highways or alleys of the Township in order to sort, rearrange or clean any of his goods, wares, services or merchandise. No such person shall place or deposit any refuse on any such streets, highways or alleys. No such person shall maintain or keep a Street or curbstone market by parking any vehicle upon any street or alley in the Township for any longer than necessary in order to sell therefrom to persons residing in the immediate vicinity.

**SECTION 9. Certain Locations Prohibited.**

A peddler or solicitor shall not:

- A. Occupy any fixed location upon any of the sidewalks, streets, highways or alleys of the Township with or without any stand or counter; or,
- B. Occupy the cartway or berm of any street or highway, or any portion or part contained within the cartway (e.g., median strip, fixed barrier, lined area, etc.).

**SECTION 10. Record of Licenses.**

The Township Manager shall keep a record of all licenses issued under this ordinance.

**SECTION 11. License Suspension, Revocation.**

Any license issued under this ordinance may be suspended or revoked at any time by the Township Manager upon proof being furnished to the Manager that the application for the license contained false information or that the applicant or licensee was convicted of a crime involving moral turpitude after the issuance of such license and that the licensee was convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania or any ordinance of the Township.

**SECTION 12. Crying Wares, Using Noisemakers Prohibited.**

No solicitor or peddler under this ordinance shall hawk or cry his wares or services upon any of the streets or sidewalks of the Township nor shall he use any loudspeaker, bell, whistle or other device for announcing his presence by which the public is annoyed.

**SECTION 13. No Solicitation Sign.**

A resident or resident business may display a "No Solicitation" sign at their premises. If such a sign is displayed, a solicitor or peddler shall not enter the premises for purposes of solicitation or peddling.

**SECTION 14. Violations and Penalties.**

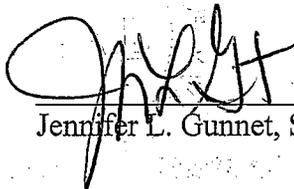
Any person who shall violate any provision of this ordinance, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this ordinance continues or each section of this ordinance which shall be found to have been violated shall constitute a separate offense.

**SECTION 15.** This Ordinance shall be effective five (5) days from adoption.

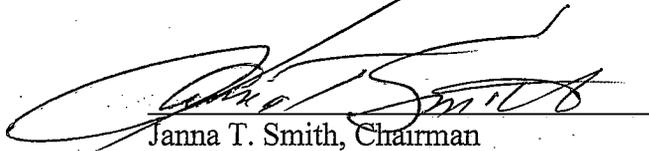
ENACTED AND ORDAINED, this 26<sup>th</sup> day of September, 2011.

ATTEST:

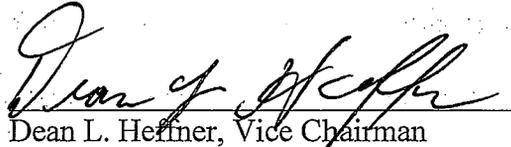
WINDSOR TOWNSHIP  
BOARD OF SUPERVISORS



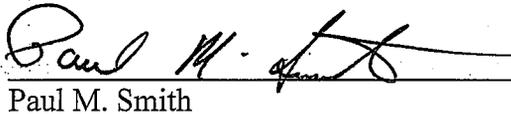
Jennifer L. Gunnet, Secretary



Janna T. Smith, Chairman



Dean L. Heffner, Vice Chairman



Paul M. Smith