



**TOWN OF HARRIETSTOWN
 39 MAIN STREET
 SARANAC LAKE NY 12983
 FRANKLIN COUNTY**

**PEDDLING & SOLICITING PERMIT
 APPLICATION**

FEE: \$25.00

ALL APPLICABLE FEES ARE NON-REFUNDABLE

APPLICANT INFORMATION

NAME: _____
 ADDRESS: _____
 AGE: _____
 PHONE: _____

PERSON, FIRM OR CORPORATION, WHICH THE APPLICANT REPRESENTS

NAME: _____
 ADDRESS: _____
 PHONE: _____

PROJECT INFORMATION

The number and kind of vehicle to be used by the applicant in carrying on the business for which the license is desired

The kind of goods, wares and merchandise that the applicant desires to sell or the kind of services that he or she desires to perform; state the location where sales will be made, or services provided; If on private property not owned by the applicant, provide the names and addresses of all property owners and a copy of the current deed to the property. Prior to a license being issued, the prior written consent of all owners of the property must be obtained and presented to the Town Board.

The method of distribution

The length of time that the applicant desires to be licensed (license automatically expires January 1 following the date of its issuance)

Applicants Signature: _____ **Date:** ___/___/___

THIS APPLICATION SHALL BE ACCOMPANIED BY THE FOLLOWING; AS APPLICABLE:

- 1) A certificate from the Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved.
- 2) A letter of authorization from the person, firm or corporation which the applicant purports to represent.
- 3) Two (2) photographs, at least two by two (2 x 2) inches in size, clearly showing the head and shoulders of the applicant, one of which shall be attached to the license and the other of which shall be retained by the Town Clerk.
- 4) An application for a license as a solicitor who demands, accepts or receives payment or deposit of money in advance of final delivery shall also be accompanied by a bond to the town of Harrietstown, approved as to form by the Town Attorney, in the sum of five thousand dollars (\$5,000.00), with a sufficient surety or sureties or sufficient collateral security, conditioned for making a final delivery of the goods, wares or merchandise ordered or services to be performed in accordance with the terms of such order, or, failing therein, that the advance payment of such order to be refunded. Any person aggrieved by the action of any licensed solicitor shall remain in full force and effect, and in case of a cash deposit, such deposit shall be retained by the Town of Harrietstown for a period of ninety (90) days after the expiration of any such license unless sooner released by the Town Board.

LICENSE REQUIRED

It shall be unlawful for any person within the corporate limits of the Town of Harrietstown to act as a vendor, hawker, peddler or solicitor, as herein defined, without first having obtained and paid for and having in force and effect a license, therefore.

LICENSE APPLICATION BOND

Any person desiring to procure a license as herein provided shall file with the Town Clerk a written application upon a form furnished by the Town Clerk. Such application shall state, at a minimum, the following:

- The number and kind of vehicle to be used by the applicant in carrying on the business for which the license is desired.
- The kind of goods, wares and merchandise that the applicant desires to sell or the kind of services that he desires to perform.
- The method of distribution.
- The name, address and age of the applicant
- The name and address of the person, firm or corporation, which the applicant represents.
- The length of time that the applicant desires to be licensed.
- Such other information as may be required by the Town Clerk.

Such application shall be accompanied by numbers 1- 4 above.

LICENSE RESTRICTIONS

Upon filing of the application, bond (if applicable) and certificate (if applicable) as provided in § 77-4 of the Harrietstown Code, the Town Clerk shall, upon her approval of such application, issue to the applicant a license as provided in § 77-3 of this chapter, signed by said Clerk. Except as hereinafter provided, no license shall be refused, except for a specific reason and for the protection of the public safety, health, morals or general welfare. A license shall not be assignable. Any holder of such license who permits it to be used by any other person and any person who uses such license granted to any other person shall be guilty of a violation of this chapter. All licenses shall state clearly the kind of vehicle to be used, the kinds of goods, wares and merchandise to be sold or services to be rendered, the expiration of the license, fee paid, and the name and address of the licensee. Such license shall automatically expire on January 1 following the date of its issuance, but such license may specifically state and provide for an earlier expiration date.

Such license shall include the right to use only one (1) vehicle in carrying on the business for which the person is licensed.

No license shall be granted to a person under eighteen (18) years of age.

No applicant to whom a license has been refused or who has had such a license revoked shall make further application until a period of at least six (6) months shall elapse since said rejection or revocation unless he can show that the reason for such rejection no longer exists.

Every licensee shall carry the license with him while exercising his license and shall exhibit the same upon demand.

NAME AND ADDRESS ON VEHICLE

Every vehicle used by a licensed vendor, hawker, peddler or solicitor to conduct his business shall have the name and address of the license legibly printed in a conspicuous place on the outside of every such vehicle.

REVOCAION OF LICENSE

The Town Clerk may, for a violation of this chapter, revoke any license issued hereunder. If a license shall be revoked, no refund of the unearned portion of the license fee shall be made. Notice of said revocation and the reason or reasons therefore, in writing, shall be served by the Town Clerk upon the person named in the application or by mailing the same to the address given in the application.

UNLAWFUL ACTS

A licensed vendor, hawker, peddler or solicitor shall comply with all New York State Department of Health rules and regulations concerning maintenance of vehicles, foodstuffs and edibles in a clean and sanitary condition; shall behave in an orderly and peaceful manner; shall immediately depart the premises of a householder, owner or occupant upon being requested to do so; and shall not engage in any of the following conduct:

- Falsely or fraudulently misrepresenting the quantity, character or quality of any article offered for sale nor offer for sale any unwholesome, tainted or diseased provisions or merchandise.
- Using the license after its expiration or revocation.
- Blowing a horn, ringing a bell or use any other noisy device to attract public attention to his wares nor shouting or crying out his wares.

- Standing or permitting 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 or lessee of the ground floor thereof objects.
- Selling any confectionary or ice cream within two hundred fifty (250) feet of any school between ours of 8:00 am and 4:00 pm on school days.
- Permitting any vehicle used by him to stop or remain on any crosswalk.
- Creating or maintaining any booth or stand nor placing any barrels, boxes, crates, or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares, or merchandise.
- Hawking, peddling, vending, or soliciting orders for goods, wares, or merchandise door-to-door before 10:00 am or after 4:00 pm.
- Hawking, peddling, vending, or soliciting orders for goods, wares or merchandise on private property without having obtained the prior written consent of the owners thereof and without having presented such written consent to the Town Board.
- Remaining stopped or standing at anyone (1) place for a period of time in excess of four (4) hours within a twenty-four-hour period.

ORDER TAKING

All orders taken by licensed solicitors, who demand, accept, or receive payment for 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 that the deposit is paid to the solicitor.

RECORDS TO BE KEPT

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

PENALTIES FOR OFFENSES

Any person or agent, servant or employee of a person who shall act as a vendor, hawker, peddler or solicitor, as herein defined, without a license or who shall violate any of the provisions of this chapter or who, having had his license revoked, shall continue to act as a vendor, hawker, peddler or solicitor shall be liable to a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not exceeding fifteen (15) days, or both such fine and imprisonment, for each offense.

PEDDLING & SOLICITING APPLICATION CHECKLIST



Application is completed, signed and dated by the applicant

- A certificate from the Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved; if applicable.
- A letter of authorization from the person, firm or corporation, which the applicant purports to represent; if applicable.
- Two (2) photographs, at least two by two (2 x 2) inches in size, clearly showing the head and shoulders of the applicant.
- Bond or letter of credit in the amount of \$5,000.00 to the Town of Harrietstown; if applicable.
- Copies of all Peddling and Soliciting Permits previously issued by the Town of Harrietstown to the applicant.
- If sales and/or services are to be made or provided on private property not owned by the applicant, a copy of the current deed for the property and the names and current addresses of all owners of the property. Written consent of all property owners to the applicant's use of the property for sales and/or services must be obtained and presented to the Town Board.
- \$25.00 Application fee paid to the Town of Harrietstown
- Other attachments

- Peddling and Soliciting Permit issued
- Peddling and Soliciting Permit, along with one 2 x 2 photograph, and receipt for payment given to the applicant.