

Chapter 89

PEDDLING AND SOLICITING

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[HISTORY: Adopted by the Town Board of the Town of Vernon 6-19-63. Amendments noted where applicable.]

§ 89-1. Title.

This chapter shall be known as the "Town Hawker, Peddler, Solicitor Ordinance."

§ 89-2. Purpose.

The purpose of this chapter shall be and is to prohibit and/or regulate the peddling, hawking and soliciting of goods, wares and merchandise within the Town of Vernon and to provide penalties for violations of such regulations.

§ 89-3. Definitions.

As used this chapter, the following terms shall have the meanings indicated:

ESTABLISHED PLACE OF BUSINESS — Includes any building or store in which or where a person transacts business or deals in goods, wares or merchandise he hawks, peddles or solicits during regular business hours.

HAWKER, PEDDLER or SOLICITOR — Includes any person, either principal or agent, who in any public highway, public place or by going from house to house or from place of business to place of business, on foot or by means of any conveyance, sells, barter, offers for sale or carries or exposes for sale or barter any goods, wares or merchandise except milk, fresh fruits, farm produce or meats.

HIGHWAY — Includes all that area within the legal boundaries of every public highway and public way within the Town of Vernon.

PERSON — Includes any person, either principal or agent, or any firm or corporation.

SOLICITOR — Includes any person, either principal or agent, who goes from house to house or from place to place or who sits or stands in any public highway or public place, canvassing, taking or offering to take orders for goods, wares or merchandise except milk, fresh fruits, farm produce and meats.

TOWN OF VERNON — Includes the confines of the Town of Vernon, for the purpose of this chapter, exclusive of the City of Sherrill, Village of Oneida Castle and Village of Vernon.

§ 89-4. Exemptions.

Nothing in § 89-5 of this chapter shall apply to any sales conducted by order of any court; nor to wholesalers selling to retailers or to merchants having an established place of business within the Town of Vernon; nor to farmers or truck gardeners who sell or dispose of products of their own farms, except as provided in § 89-6 of this chapter. This exception shall not apply to any sales conducted by order of any court or as otherwise provided by law.

§ 89-5. Licenses and fees.

- A. It shall be unlawful for any person to sit, stand or move from place to place, house to house or place of business to place of business in the Town of Vernon for the purpose of or to hawk, peddle or solicit to sell, barter, offer for sale or carry or expose for sale or barter any goods, wares or merchandise, except milk, fresh fruits, farm produce and meats, and except those exemptions set forth in § 89-4 of this chapter, without first having obtained and paid for and having in force and effect a license therefor. Said license shall be issued by the Town Clerk of the Town of Vernon upon a license form and application form approved by the Town Board. The fees for such licenses shall be as provided by a schedule of rates established by the Town Board, to be effective with the adoption of this chapter. Any license issued for a full year shall commence as of January 1 of each year and shall terminate as of December 31 of each year. Licenses may be obtained for quarterly year periods or for any part of a quarter, but the fee for any part shall be the same as the fee for a full quarter. Quarters shall be as follows: January 1 through March 31, April 1 through June 30, July 1 through September 30 and October 1 through December 31.
- B. The established rates of fees are as follows:
- (1) Solicitors and canvassers: ten dollars (\$10.) per day, two hundred fifty dollars (\$250.) per year. [Amended 3-13-78]
 - (2) Peddlers: ten dollars (\$10.) per day, fifty dollars (\$50.) per year.

§ 89-6. Peddling or soliciting prohibited on highways.

It shall be unlawful for any person at any time to be, stand or sit within the boundaries of any highway within the Town of Vernon for the purpose of or to hawk, peddle or solicit to sell, barter, offer for sale or carry or expose for sale anything to any person or to any occupant of any vehicle. No person shall be entitled to or shall receive any license for such purpose.

§ 89-7. Penalties for offenses.

Any person, firm or corporation who violates any provision of § 89-5 or 89-6 of this chapter shall be guilty of an offense punishable, upon conviction, by a fine not exceeding one hundred dollars (\$100.) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.