

**FINDLAY TOWNSHIP
ORDINANCE NO. 327**

AN ORDINANCE OF THE TOWNSHIP OF FINDLAY, ALLEGHENY COUNTY, PENNSYLVANIA, REVISING CHAPTER 83, PEDDLING AND SOLICITING, BY ELIMINATING CERTAIN EXCEPTIONS TO THE ORDINANCE, DEFINING THE APPLICATION PROCEDURE AND ADDING DISCLOSURE REQUIREMENTS.

WHEREAS, The Township of Findlay wishes to amend its Chapter 83 in order to better define the procedures used for evaluation of whether to issue a license for commercial peddling and soliciting; and

WHEREAS, the Township has determined that amending Chapter 83 is in the best interest of the Township and its residents.

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. Chapter 83 of the Code of the Township of Findlay is hereby amended in its entirety to now read:

**CHAPTER #83
PEDDLING AND SOLICITING**

License Required

§ 83.2 **Vehicular License**

§ 83.3 **Personal License**

Disclosure Provisions

§ 83.5 **Procedure for Issuance of License**

§ 83.6 **Applicability**

§ 83.7 **Hours of Operation**

§ 83.8 **Violations**

§ 83.1 **License Required.**

It shall not be lawful for any person or persons, partnership or corporation, to be engaged, or concerned in the business or employment of hawking, peddling or selling produce, goods, wares, services and/or any other merchandise or solicitations of subscriptions from house to house, upon the public streets, alleys or highways, at wholesale or retail, within the limits of the Township of Findlay without first having taken out a license as hereinafter provided. The license requirement applies only to commercial activities and the solicitation of funds.

§ 83.2. Vehicular License.

Each person or persons, partnership or corporation using or employing a motor vehicle for peddling, selling or hawking of merchandise or services, as aforesaid, within the Township of Findlay shall take out a vehicular license for each vehicle so employed from the Township Manager and shall pay the amount as provided in Chapter 59, "Fees". Such license shall permit the employment of not more than two (2) persons on each vehicle so licensed and for each person over two (2), a personal license must be taken out as hereinafter provided.

§ 83.3. Personal License.

Each person or persons, partnership or corporation who may desire to engage in such business without the use of a vehicle, or vehicles, shall take out a personal license and shall pay for such license the amount as provided in Chapter 59, "Fees".

§ 83.4. Disclosure Provisions.

As part of the application process, license applicants under this Chapter 83 must divulge such personal information as full name, height, weight, hair color, eye color, date of birth, current residential address, all residential addresses for the prior three (3) years, photo identification and business information if engaged in or representing a business, to facilitate a criminal background check, which the Findlay Township Police Department conducts for the purpose of crime prevention. This disclosure provision is to protect the Township's citizens from fraudulent solicitation by requiring a person, before permit him, her, it or them to engage in peddling and/or solicitation activities, to establish his, her, its or their identity and authority to act for the cause which he, she, it or they purport to represent. This information will be used for internal processing only and will not be publicly released.

§ 83.5. Procedure for Issuance of License.

Any person seeking a license shall apply by completing and submitting an application form, including all required disclosure information and applicable fee. The Township Manager is designated as the person responsible in the first instance for making a determination whether to issue a license.

Upon completion of an application by any person or persons, partnership or corporation for a license, the Township Manager shall within five (5) business days either issue the license or make a determination not to issue the license.

In the event the Manager does not issue the license, the applicant may file an appeal by writing a letter to the Board of Supervisors within ten (10) days of the denial. The Board of Supervisors, either themselves or through an appointed hearing officer, shall conduct an informal hearing within twenty (20) days of the filing of the appeal. The Board or the hearing officer shall issue a final decision within five (5) days of the hearing. This decision shall be considered a final adjudication for purposes of the Local Agency Law, and may be appealed to the Court of Common Pleas.

§ 83.6. Applicability.

Provided that nothing contained in this Chapter shall be construed to prohibit any person or persons, partnership or corporation having a regular place of business within the said Township from peddling or selling goods or services from his/her own store, nor shall it prohibit any person or persons, partnership or corporation from delivering goods purchased at his/her store or place of business, to the

residences or places of business of the purchaser.

§83.7. Hours of Operation

Activities licensed under this Chapter shall be conducted only between the hours of 9:00 a.m. to 9:00 p.m.

§83.8. Violations

That upon the failure of said person or persons, partnership or corporation to secure a license pursuant to the terms set forth in this Chapter 83, he, she, they or it shall be subject to the provisions of Chapter 5, "Enforcement of Ordinances; Penalties".

2. The provisions of this Ordinance are severable. If one or more provisions are found to be invalid, the remaining provisions are to remain in full force and effect.

3. This Ordinance is effective immediately.

DULY ORDAINED AND ENACTED this 9th day of June, 2004, by the Board of Supervisors of the Township of Findlay in lawful session duly assembled.

ATTEST:

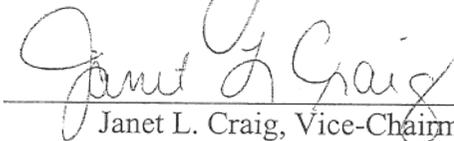


Secretary

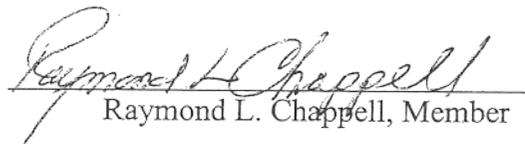
FINDLAY TOWNSHIP
BOARD OF SUPERVISORS



Thomas J. Gallant, Chairman



Janet L. Craig, Vice-Chairman



Raymond L. Chappell, Member