

## Chapter 148

## PEDDLING AND SOLICITING

- § 148-1. Definitions and word usage.
- § 148-2. Exemptions.
- § 148-3. Permit required.
- § 148-4. License and fee.
- § 148-5. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Vernon as Art. VI of the 1952 Code. Sections 148-1B and 148-5 added and §§ 148-2 and 148-4 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

§ 148-1. Definitions and word usage.

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

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

**HAWKERS or PEDDLERS** — Includes any person, either principal or agent, who in any public street or public place or by going from house to house or place of business to place of business, on foot or by means of any conveyance, sells, barter, offers for sale, carries or exposes for sale or barter any goods or merchandise except milk, fresh fruits and vegetables, newspapers and periodicals.

**SOLICITOR** — Includes any person who goes from house to house or from place to place or who stands in any street or public place, taking or offering to take orders for goods, wares or merchandise except newspapers, fresh fruits and vegetables or milk.

B. The term “shall” is mandatory; “may” is permissive.<sup>1</sup>

### § 148-2. Exemptions.<sup>2</sup>

The provisions of this chapter shall not 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 village; nor to farmers or truck gardeners who sell or dispose of products of their own farms; nor to any honorably discharged soldier, sailor or marine who has procured a license as provided by the laws of the State of New York; nor to those engaged in interstate traffic and commerce, except that they shall obtain a permit as required herein but any fee shall be waived.

### § 148-3. Permit required.

It shall be unlawful for any person, either principal or agent, to conduct any business, solicitation or presentation of any kind by going house to house or door to door within the corporate limits of the Village of Vernon without first having registered with the Village of Vernon Police Department and having in their possession a valid registration permit with a current effective date. Said permit shall be signed by the Commissioner of Public Safety and issued free of charge. [Amended 9-12-1984<sup>3</sup>]

<sup>1</sup> Editor's Note: Added at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>2</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>3</sup> Editor's Note: Original Section 6.4, regarding charitable solicitations, which immediately followed this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

**§ 148-4. License and fee.<sup>4</sup>**

No person shall conduct a transient retail business in any store, office, building or tent in the Village of Vernon for the sale of advertised or represented to be bankrupt stock, assigned stock, fire damaged, water damaged or by any like representation or device without first having taken out a license and paying the fee therefor, which said fee shall be as set forth from time to time by resolution of the Board of Trustees. Said license shall be issued by the Police Department.

**§ 148-5. Penalties for offenses.<sup>5</sup>**

Any person convicted of violating any provision of this chapter shall be guilty of a violation punishable by a fine of not more than two hundred fifty dollars (\$250.) or fifteen (15) days' imprisonment, or both.

<sup>4</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>5</sup> Editor's Note: Added at time of adoption of Code; see Ch. 1, General Provisions, Art. I.