



## SOLICITATION PERMIT FOR BOROUGH OF TOPTON

(10 DAY NOTICE REQUIRED)

Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_

Applicant Address \_\_\_\_\_

DOB \_\_\_\_\_ SSN \_\_\_\_\_

Criminal History (if any) with description of offense(s) \_\_\_\_\_

Company Name \_\_\_\_\_ Phone \_\_\_\_\_

Company Address \_\_\_\_\_

Supervisor's Name \_\_\_\_\_ Phone \_\_\_\_\_

Reason for Solicitation \_\_\_\_\_

Type of Goods Offered for Sale \_\_\_\_\_

Vehicle Info \_\_\_\_\_

Make

Model

Color

Plate No.

State

Dates Soliciting in Borough \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

**Space below for Borough use only – do not write below this line**

Permit # \_\_\_\_\_ Date Issued \_\_\_\_\_ Expiration Date \_\_\_\_\_

Amount Paid \_\_\_\_\_ (\$50 per day per person or \$150 per week per person)

Authorized by \_\_\_\_\_

PLEASE SUPPLY COMPANY **AND** GOVERNMENT ISSUED PHOTO IDENTIFICATION FOR

ALL PERSONS SOLICITING IN THE BOROUGH OF TOPTON

## SUMMARY OF ORDINANCE 1-2019

1. Every license holder shall carry such license upon his person if engaged in transient retail business from house to house or upon any of streets, alleys, sidewalks or public grounds. He shall exhibit such license, upon request, to all police officers, municipal officials and citizens or residents of the Borough. Applicant's employer's photo identification badge shall be visibly worn at all times. The license holder shall only be entitled to carry said license for the length of time for which the license is issued. When the time period for the license has expired, the license holder shall apply for a new license and pay a new license fee then in effect.
2. Solicitation Hours: Transient Retail Businesses may not engage in any business activity, except by prior appointment with the owner of a property, at any time on a Sunday or legal holiday, or at any time before 12:00 p.m. or after 7:00 p.m. on any other day.
3. The license holder shall not sell any product or type of product not mentioned in his or her license.
4. The license holder shall not enter or attempt to enter any dwelling without the invitation or permission of the occupant and shall immediately leave any premises upon request of the occupant.
5. The license holder shall not permit any person to have possession of his or her license and shall immediately report its loss to the Borough Manager.
6. No permittee shall make any untrue statements or misrepresentations in the course of soliciting, or omit to state any material fact necessary to prevent any statement made from being misleading. No permittee shall utilize any unfair or deceptive acts or practices in the course of soliciting. In determining whether or not a practice is unfair or deceptive under this section, definitions, standards, or interpretations relating thereto under the Pennsylvania Unfair Trade Practices and Consumer Protection Law as amended from time to time, shall apply. (73 P.S. §201-1 et seq.)
7. No person, licensed under this Ordinance, shall park any vehicle upon any of the streets or alleys of the Borough in order to sort, rearrange or clean any of his goods, wares or merchandise; nor may any such person place or deposit any refuse upon any of such streets or alleys; nor may such person maintain or keep a street or curbside marked by parking any vehicle upon any street or alley in the Borough for longer than necessary in order to sell or distribute therefrom to persons residing in the immediate vicinity.
8. No person, licensed under this Ordinance, shall occupy any fixed location upon any of the streets, alleys, sidewalks or public grounds, with or without any stand or counter.
9. Persons licensed under this Ordinance shall not solicit sales or other businesses the addresses which are included on the "No Solicitation" List, a copy of which will be provided to the licensee.
10. Persons licensed under this Ordinance shall not solicit at any residence or business which has a posted "No Solicitors" or "No Solicitation" sign.
11. The license holder shall not hawk or cry his or her wares upon any of the streets, alleys, sidewalks or other public grounds in the Borough.
12. The license holder when operating from a vehicle, stop or park such vehicle upon any of the streets or alleys in the Borough for longer than necessary in order to sell therefrom to persons residing or working in the immediate vicinity.
13. The license holder shall not park any vehicle upon any of the streets or alleys in the Borough for the purpose of cleaning any goods, wares, or merchandise or of disposing of any carton, wrapping material or of any stock or wares or food stuffs which have become unsaleable through handling, age or otherwise.
14. Suspension and Revocation of License; Appeal. The Borough Manager is hereby authorized to suspend or revoke any license issued under this Ordinance when he or she deems such suspension or revocation to be beneficial to the public health, safety, or morals, for violation of any provision of this Ordinance, or if false information is given in any application for a license hereunder. No part of a license fee shall be refunded to any person whose license shall have been suspended or revoked. Any person whose license is suspended or revoked shall immediately surrender his or her license to the Borough Manager. If a company or other entity has more than one person engaging in solicitation in the Borough, and the permit issued to any one such person is revoked, the permits for all solicitors working for that company may be revoked.
15. Violations and Penalties. Any person, firm or corporation who shall violate any provision of this Ordinance, upon conviction thereof in an action brought before a magisterial district judge 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 One Thousand and 00/100 Dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (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.
16. Nonliability of Borough. All peddlers and solicitors, including nonprofit corporations and agencies, shall hold harmless the Borough from any liability, damage or injury which is causally related to an act of negligence on the part of such peddler or solicitor.