

Chapter 150

PEDDLING AND SOLICITING

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[HISTORY: Adopted by the Borough Council of the Borough of Camp Hill 4-13-1971 by Ord. No. 784, approved 4-13-1971. Amendments noted where applicable.]

GENERAL REFERENCES

Sale of drug paraphernalia — See Ch. 102.

Food handlers — See Ch. 117.

§ 150-1. Definitions.

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

PEDDLER — Any person who shall engage in soliciting as hereinafter defined.

PEDDLING — The selling or offering for sale of any goods, wares, services or merchandise for immediate delivery which the person selling or offering for sale carries with him in traveling or has in his possession or control upon any of the streets or sidewalks or from house to house or by visitation to private residences or by entering in or upon private property within said Borough.

PERSON — Any person, association, partnership, firm, organization or corporation.

SOLICITING — The seeking or taking of contract or orders for any goods, wares, services or merchandise for future delivery or for subscriptions or contributions upon any of the streets or sidewalks or from house to house or by visitation to private residences or by entering in or upon private property within the Borough of Camp Hill, and shall further mean the seeking or taking of contracts or orders for home or other building repairs, improvement and alterations and also orders or contracts for any mechanical, electrical, plumbing or heating device or equipment for houses or other building improvements or repairs upon or from places aforesaid within said Borough.

SOLICITOR — Any person who shall engage in soliciting as hereinabove defined.

- B. The words "soliciting" and "peddling" shall not apply to:

- (1) Farmers seeking or taking orders for the sale of their own products.
- (2) The seeking or taking of orders by any manufacturer or producer for the sale of bread and bakery products, meat and meat products or milk and milk products.
- (3) The sale of goods, wares and merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.
- (4) Any honorably discharged soldier, sailor or marine of the military service who complies with the Act of Assembly of the Commonwealth of Pennsylvania of 1867, April 8, P.L. 50, as amended,¹ and who procures from the Prothonotary of the proper county a certificate in pursuance of said Act of Assembly.
- (5) The seeking or taking of orders by insurance agents or brokers or stock or banking brokers licensed under the insurance laws of the Commonwealth of Pennsylvania for insurance.
- (6) Persons, corporations, partnerships and associations and their agents or employees who have complied with the provisions of the Act of Assembly of the Commonwealth of Pennsylvania of 1925, P.L. 644, as amended,² governing solicitations for charitable, benevolent, patriotic or other purposes.
- (7) Any person taking orders for merchandise from dealers or merchants for resale to an ultimate consumer.

§ 150-2. License required.

No person shall engage in soliciting or peddling in the Borough of Camp Hill without first having taken out a license as herein provided.

§ 150-3. License application.

- A. Every person desiring to engage in soliciting or peddling in the Borough of Camp Hill shall first make application to said Borough for a license. If such person shall also be required to obtain a license from any county officer, he shall, on making such application, exhibit a valid county license. Said application shall be upon a blank provided by said Borough and shall contain at least the following information verified by oath or affirmation:
- (1) Full name of the applicant and local address, if any.
 - (2) Permanent address.
 - (3) Name of employer or a statement that such applicant is self-employed.
 - (4) The nature of the goods, wares, services or merchandise offered for sale.

1. Editor's Note: This enactment was codified as 60 P.S. § 61, which was repealed 11-24-1992 by P.L. 717, No. 108.

2. Editor's Note: For current provisions, see 10 P.S. § 162.1 et seq.

- (5) A statement as to whether or not the applicant has ever been convicted of any crime and, if the answer is in the affirmative, the nature of the offense or offenses and the punishment imposed.
 - (6) The type of vehicle to be used, if any.
 - (7) Upon request, the applicant shall also submit to fingerprinting and furnish a photograph.
- B. Where a person makes application for himself and one or more helpers, all applicable personal information specified above shall be given for each helper and verified or affirmed by oath or affirmation by him, and an individual license shall be required for each helper. No license under this chapter shall be transferable from one person to another.
- C. The application shall be filed at least 15 days prior to the date the solicitation or peddling is to commence.

§ 150-4. Fees. [Amended 3-13-1996 by Ord. No. 947, approved 3-13-1996]

No license shall be issued under this chapter until the required fee as established by resolution of the Borough Council shall be paid to the Borough Secretary, and it shall be for the use of the Borough of Camp Hill. A separate permit fee shall be paid by each person who shall actually conduct the soliciting or peddling and shall apply where an employer desires to secure licenses for his employees, agents or servants.

§ 150-5. License term; expiration and renewal.

The license granted pursuant to this chapter shall be valid for 30 days after the date of such license, and, upon the expiration of any license, if the person holding the same shall desire to continue or renew soliciting or peddling, he shall be required to file a new application for a permit and pay a new license fee. Such licenses may be issued in advance for consecutive thirty-day periods not exceeding 12 in number, upon payment in advance of the sum of \$25 for one year or a license fee of \$2.50 for each thirty-day period in § 150-4 hereof.

§ 150-6. Contents and display of license.

Such license, when issued, shall state, inter alia, the products to be sold or services to be rendered by the licensee. Every solicitor or peddler shall at all times when engaged in soliciting or peddling in the Borough of Camp Hill carry such license upon his person and shall exhibit it upon request to all police officers, officials and citizens. No solicitor or peddler shall engage in selling any products or services not mentioned on such license.

§ 150-7. Vehicle restrictions.

No person licensed as a solicitor or peddler under this chapter shall park any vehicle upon any of the streets, highways or alleys of said Borough in order to sort, rearrange or clean any of his goods, wares, services or merchandise; nor shall any such person place or deposit any

refuse on any such streets, highways or alleys; nor shall any person maintain or keep a street or curbstone market by parking any vehicle upon any street or alley in said Borough for longer than necessary in order to sell therefrom to persons residing in the immediate vicinity.

§ 150-8. Hours.

No person licensed as a solicitor or peddler under this chapter shall engage in soliciting or peddling on any day of the week before 9:00 a.m. or after 6:00 p.m. During the time of the year when Eastern standard time is effective, the aforesaid hours shall be Eastern standard time, and during the time of the year when daylight saving time is effective, the aforesaid hours shall be daylight saving time.

§ 150-9. Duties of Chief of Police.

The Chief of Police shall keep a record of all licenses issued under this chapter and shall supervise the activities of all holders of such licenses.

§ 150-10. Suspension or revocation of license.

Any license issued under this chapter may be suspended or revoked at any time by the Chief of Police upon proof being furnished to him that the application for the license contained false information or that the applicant or licensee was convicted of a crime involving moral turpitude after the issuance of such license and that the licensee was convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania or any ordinance of the Borough of Camp Hill.

§ 150-11. Noise or sound-making devices.

No person licensed as a solicitor or peddler under this chapter shall hawk or cry his wares or services upon any of the streets or sidewalks of said Borough, nor shall be use any loudspeaker, bell, whistle or other device for announcing his presence by which the public is annoyed.

§ 150-12. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300, and costs of prosecution, for each and every offense, or in default of the payment of such fine and costs, to undergo imprisonment in the Cumberland County Jail for a period of one-day for each dollar of fine and costs not paid, said term not to exceed 30 days.