

ORDINANCE NO. 170

**AN ORDINANCE REGULATING SOLICITING AND
PEDDLING WITHIN THE TOWNSHIP OF MILFORD,
BUCKS COUNTY, PENNSYLVANIA, REQUIRING
SOLICITORS AND PEDDLERS TO OBTAIN LICENSES,
ESTABLISHING LICENSE FEES, PROVIDING FOR THE
ENFORCEMENT THEREOF, AND PENALTIES FOR
VIOLATIONS THEREOF.**

BE IT ORDAINED and ENACTED by the Board of Supervisors of Milford Township, Bucks County, and it is hereby ORDAINED and ENACTED as follows:

SECTION 1. Definition

(a) "Soliciting" shall mean the seeking or taking of contracts or orders for any goods, wares, services, or merchandise for future delivery 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 Township of Milford, and shall further mean the seeking or taking of contracts or orders for home or other building repairs; improvement and alterations.

(b) "Peddling" shall mean 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 Township.

(c) "Person" shall mean any natural person, association, partnership, firm, organization or corporation.

SECTION 2. Prohibitions

No Person shall engage in soliciting or peddling as defined herein within Milford Township without having first obtained a license as herein provided.

SECTION 3. Licensing

(a) Every person desiring to engage in soliciting or peddling in Milford Township shall first make application to the Township for a license. The said application shall be upon a form provided by the Township and shall contain at least the following information verified by oath or affirmation.

1. Full name and address of the applicant.

2. Name of employer or a statement that such applicant is self-employed.
3. The nature of the goods, wares, services or merchandise offered for sale and the manner in which it will be offered.
4. 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.
5. Associations, partnerships, firms, organization or corporations shall provide proof of general comprehensive liability policy with limits of no less than \$1 million combined single limit coverage issued by an insurer licensed to do business in Pennsylvania and which names Milford Township as an additional insured.

(b) An individual application and license shall be required for each solicitor or peddler. No license under this Ordinance shall be transferable from one person to another.

(c) No license shall be issued until at least fifteen (15) days after the date for which application for a license is made to the Township.

SECTION 4. Exemptions

(a) The following persons are exempted from the licensing requirements of this chapter:

1. Persons soliciting contributions on behalf of organizations or nonprofit corporations or a political entity for the purpose of political canvassing.
2. Persons who have been licensed by the Commonwealth of Pennsylvania to engage in soliciting or peddling, including, but not limited to, real estate, insurance or securities brokers and salespeople.
3. Candidates for political office or persons on their behalf soliciting funds.
4. Authorized persons, carrying satisfactory identification, engaged in making surveys or collecting information for the federal, state, county, or Milford Township government or any agency thereof. Also exempt shall be authorized persons, carrying satisfactory identification, engaged in making surveys or collecting information for any bona fide educational or quasi-governmental agency, if such activity has previously been approved by the Milford Township Board of Supervisors.

SECTION 5. Fee

No license shall be issued under this Ordinance until an application fee is paid to the Township. The application fee shall be set by Resolution of the Board of Supervisors. A separate application shall be made and fee shall be paid by each person who shall actually conduct the soliciting or peddling.

SECTION 6. License

A license granted pursuant to this Ordinance shall be valid for three months after the date of issuance of such license. If the person holding a license desires to continue soliciting or peddling upon expiration of a license they shall be required to file a new application for a license and pay a new license fee.

SECTION 7. Rules of Conduct

(a) Every person who conducts soliciting or peddling as defined herein shall, in the carrying on of his/her soliciting or peddling in the Township, comply with the following rules of conduct:

1. He/She shall carry his/her license which shall contain a photo of the licensee; shall be visible at all times when soliciting and shall be presented upon request to any police officer, township employee or any person upon whom he/she shall call or with whom he/she shall talk in carrying on his/her licensed activities.
2. He/She shall not permit any other person to have possession of his/her license and shall immediately report its loss to Police Department and Milford Township. He/She shall not cause or permit his/her license to be altered or defaced.
3. He/She shall not enter or attempt to enter any dwelling house without invitation or permission of the occupant and shall immediately leave any premises upon request.
4. He/She shall not represent his/her license to be an endorsement of himself/herself or of his/her goods or services or of the goods or services of his/her principal employer.
5. He/She shall peddle or solicit only between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday unless specifically having been invited to a house by the occupant or having made an appointment with such person previously; provided, however, that ice cream trucks and peddlers engaged in similar activity shall be permitted to operate until

dusk, which, for the purposes of this subsection, is hereby defined as occurring 1/2 hour after sunset.

6. He/She shall comply with "No Soliciting" notices on any property or business in the Township.

7. In an effort to ensure pedestrian safety and maintain the efficient flow of traffic, no person, firm, or corporation shall distribute flyers or solicit funds in any manner, on any roadway, medial barrier, berm, shoulder, or traffic way within Milford Township.

SECTION 8. Suspension or Revocation of Licenses

Any license issued under this Ordinance may be suspended or revoked at any time by the Township upon proof being furnished to the Township 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.

SECTION 9. Violations and Penalties

Any person who shall violate any of the provisions of this Ordinance shall be guilty of a summary offense and upon conviction thereof, shall be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars, 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 Bucks County Prison for a period of not more than 30 days, for each violation.

SECTION 10. Repealer

All inconsistent provisions of all other Ordinances and Resolutions of Milford Township, Bucks County, Pennsylvania are hereby repealed to the extent of the inconsistency. All other provisions of the Ordinances and Resolutions of Milford Township, Bucks County, Pennsylvania shall remain in full force and effect.

SECTION 11. Severability

The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this Ordinance.

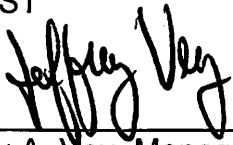
Section 12. Effective Date.

This Ordinance shall take effect five (5) days from the date of enactment by the Milford Township Board of Supervisors.

ORDAINED AND ENACTED into Ordinance this 1ST day of May, 2018.

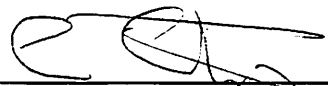
BOARD OF SUPERVISORS
MILFORD TOWNSHIP

ATTEST



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