

## PART 1

### TRANSIENT RETAIL BUSINESS

#### §13-101. DEFINITIONS

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

LEGAL HOLIDAY – New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

PERSON – any natural person, partnership, association, corporation or other legal entity.

TRANSIENT RETAIL BUSINESS – engaging in peddling, soliciting or taking orders, either by sample or otherwise, for any goods, wares, services or merchandise upon any street, sidewalk or public ground or from house-to-house, within the Township of Upper Salford.

#### §13-102. LICENSE REQUIRED; CONDITIONS OF ISSUANCE; FEE

No person shall engage in any transient retail business within the Township of Upper Salford without first having obtained from the Township Zoning Officer a license, for which a fee shall be charged pursuant to a resolution of the Board of Supervisors.

#### §13-103. EXCEPTIONS

A. No license fee shall be charged:

1. To farmers selling their own produce.
2. For 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.
3. To any manufacturer or producer in the sale of bread or bakery products, meat and meat products, milk or milk products.
4. To children under the age of eighteen (18) years who take orders for and deliver newspapers, greeting cards, candy, bakery products and the like or who represent schools, churches, scouts or similar organizations.
5. To any persons seeking or taking of orders for insurance policies under the insurance laws of the Commonwealth of Pennsylvania.

6. To any person who has complied with the provisions of the Charitable Organizations Reform Act, 10 P. S. §161.1 *et seq*, as hereafter amended, supplemented or modified.
  7. To persons selling goods or merchandise from property which is owned by such person.
- B. The Township Zoning Officer may exempt from payment of a license fee, but not from registration, persons working without compensation and selling goods or merchandise for the sole benefit of any nonprofit corporation; provided, further, that every license issued under the provisions of this Part shall be issued on an individual basis to any person or persons engaging in such business; every individual shall obtain a separate license issued to him in his name, and the license fee hereby imposed shall be applicable to every such individual license, except that a representative of a charitable organization may obtain a license for applicants which are soliciting for such charitable organizations.

#### **§13-104. LICENSE APPLICATION**

Every person desiring a license under this Part shall first make application to the Township Zoning Officer for such license. The applicant shall state in such application:

- A. The person's name and permanent address.
- B. The person's criminal record, if any.
- C. The name and address of the person by whom he or she is employed.
- D. Type of goods, wares, services or merchandise which the person wishes to deal with in such transient retail business.
- E. Length of time for which license is to be issued, not to exceed thirty (30) days.
- F. Type and license number of vehicle to be used, if any.

#### **§13-105. ISSUANCE OF LICENSE, CUSTODY, DISPLAY AND EXHIBIT**

Upon receipt of such application and the prescribed fee, the Township Zoning Officer, if such official shall find such application in order, shall issue the license required in this Part. Such license shall contain the information required to be given on the application thereof. Every license holder shall carry such license upon his or her person if engaged in transient retail business from house-to-house or upon any of the streets or roads of the Township or shall display such license at the location where such person shall engage in the business of doing so at a fixed location. The licensee shall exhibit such license upon request to all municipal officials and citizens or residents of the Township of Upper Salford.

**§13-106. PROHIBITED ACTS**

No person in any transient retail business shall:

- A. Sell any product or type of product or service not mentioned in such person's license.
- B. Engage in any business activity, except by prior appointment, at any time on a Sunday or legal holiday or at any time before 8:00 A.M. or after 6:00 P. M. on any day of the week other than a Sunday or legal holiday.

**§13-107. RECORDS AND REPORTS; PUBLIC INSPECTION**

The Township Zoning Officer shall keep a record of all licenses issued hereunder and shall make such record available for inspection by all residents of the Township and any other person desiring to inspect the same.

**§13-108. DENIAL, SUSPENSION AND REVOCATION OF LICENSE**

The Township Zoning Officer is authorized to deny, suspend or revoke any license issued under this Part when the Zoning Officer deems such denial, suspension or revocation to be beneficial to the public health, safety, morals, or for violation of any provision of this Part or for giving false information upon an application for a license hereunder. Appeals from any suspension, revocation or denial of a license may be made to the Board of Supervisors at any time within ten (10) days after such suspension, revocation or denial and a hearing shall be held within thirty (30) days of such petition. A part of a license fee shall be refunded to any person whose license shall have been suspended or revoked.

**§13-109. PENALTIES**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars (\$1,00.00) and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense



# Upper Salford Township

P.O. Box 100 • Salfordville, PA 18958-0100  
(610) 287-6160 • FAX (610) 287-9435

## REGISTRATION FOR LICENSE TO SOLICIT IN UPPER SALFORD TOWNSHIP

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone #: \_\_\_\_\_

Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone #: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

\_\_\_\_\_

Dates of Solicitation: \_\_\_\_\_

Location of Solicitation: \_\_\_\_\_

Driver's License #: \_\_\_\_\_ State: \_\_\_\_\_

Vehicle: Type: \_\_\_\_\_ License Plate #: \_\_\_\_\_

Criminal record, if any: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Fee: \$30.00 Date Paid: \_\_\_\_\_

### Office Use Only

Verifications: \_\_\_\_\_

Approval: \_\_\_\_\_

Date of Issuance: \_\_\_\_\_

Permit#: \_\_\_\_\_