

AN ORDINANCE REGULATING PEDDLING WITHIN THE TOWNSHIP OF WINFIELD, REQUIRING PEDDLERS OF GOODS, WARES, MERCHANDISE, FOODSTUFFS, AND PRODUCTS WITHIN THE LIMITS OF WINFIELD TOWNSHIP, TO OBTAIN LICENSES, PROVIDING FOR THE ISSUANCE OF SUCH LICENSES, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND EXCEPTING THEREFROM CERTAIN CHARITABLE, PATRIOTIC, RELIGIOUS AND CIVIC ORGANIZATIONS.

The Township of Winfield hereby ordains as follows:

SECTION 1: (a) the word "peddling" as used in this Ordinance, shall mean engaging in peddling, canvassing, soliciting, or taking of orders, either by sample or otherwise, for any goods, wares, merchandise, food stuffs, and produce, upon any of the roads, streets or sidewalks or from house to house within the Township of Winfield. PROVIDED: The word "peddling" shall not apply (1) to farmers selling their own produce, (2) to the sale of goods, wares, and merchandise donated by the owners thereof, the proceeds thereof are to be applied to a charitable, patriotic, religious, civic, or philanthropic purposes or (3) to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk or milk products;

(b) the word "peddler as used in this Ordinance, shall mean any person who shall engage in peddling as here above defined;

(c) the word "person" as used in this Ordinance shall mean any natural person, association, partnership, firm or corporation;

(d) In this Ordinance, the singular shall include the plural and the masculine shall include the feminine, and the neuter.

SECTION 2: No person shall engage in peddling in the Township of Winfield without first having taken out a license as herein provided.

SECTION 3: Every person desiring to engage in peddling in the Township of Winfield shall first make application to the Township Secretary for a license. Upon such application, such person shall give his name; address, his previous criminal record, if any; the name of the person for whom he works, if any; the type of goods, wares, and merchandise he wishes to peddle; the length of time for which he desires to be licensed; the type of vehicle he uses, if any; and the number of helpers he has. PROVIDED: Whereas person making application for himself and one or more helpers, and applicable personal information specified above shall be given for each helper, and an individual license shall be required for each helper. PROVIDED, further, that any person making application for a license may obtain an individual license for himself and three helpers and no more. No licenses issued under this Ordinance shall be transferable from one person to another.

SECTION 4: No license shall be issued under this Ordinance until the proper fee, as follows, shall be paid to the Township Secretary, which said license shall be for the use of the Township of Winfield:

(a) Corporations or firms, \$100.00 per year

(b) For each individual and vehicle, either or both, \$1.00 per day; \$4.00 per week; \$15.00 per month and \$100.00 per year, which may be prorated and paid in quarterly payments, with an additional fee of 25¢ for the issuance of a daily license; 50¢ for a weekly license; and \$1.00 for all other licenses.

SECTION 5: Every peddler granted a license as herein provided, shall at all times, when engaged in peddling in Winfield Township, carry such license upon his person and shall exhibit such license upon request to all police officers, township officials and citizens. No peddler shall engage in selling any product not mentioned upon such license, nor shall any person having an individual license operate from or with any horse drawn or motor vehicle.

SECTION 6: No person licensed as a peddler under this Ordinance shall engage in peddling at any time on Sunday, or upon any other day of the week before 9:00 o'clock A.M. or after 6:00 o'clock P.M.

SECTION 7: No person, licensed as a peddler under this Ordinance, shall hawk, or cry his wares upon any of the roads, streets or sidewalks of the township, nor shall he use any loud speaker or horn or any other device for announcing his presence by which the public is annoyed.

SECTION 8: No person, licensed as a peddler under this Ordinance, shall occupy any fixed location upon any of the roads, streets, alleys, or sidewalks of the township for the purpose of peddling with or without any stand or counter.

SECTION 9: The Board of Supervisors of Winfield Township is hereby authorized to suspend any license issued under this Ordinance when it deems such suspension to be beneficial to the public health, safety, or morals, or for violation of any of the provisions of this Ordinance, or for giving false information upon any application for a license hereunder.

SECTION 10: Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Twenty-five (\$25.00) Dollars and cost of prosecution, and in default of payment thereof, to imprisonment for not more than ten (10) days.

SECTION 11: The provisions of this Ordinance shall be severable, and if any provision thereof shall be held to be unconstitutional, invalid, or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

It is hereby declared as a legislative intent that this Ordinance would have been enacted had such unconstitutional, invalid or illegal provision not been included therein.

ORDAINED AND ENACTED at a meeting of the Board of Supervisors of Winfield Township, Butler County, Pennsylvania, held this 25th day of March, 1982.

WINFIELD TOWNSHIP BOARD OF SUPERVISORS

Richard W. Vandame
Chairman

Joseph J. Schreider

Attest:

Margaret McCracken
Secretary