

**Chapter 96**  
**PEDDLING AND SOLICITING**

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**[HISTORY: Adopted by the Board of Supervisors of the Township of Scott 4-28-1992 as Ord. No. 2-1992. Amendments noted where applicable.]**

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**§ 96-1. Purpose.**

This chapter is being enacted for the following purposes:

- A. To control the nuisances and inconvenience resulting from soliciting and/or peddling within the Township of Scott.
- B. To regulate solicitation and peddling with the Township of Scott by providing for the issuance of licenses for said acts.<sup>1</sup>

**§ 96-2. Definitions.**

Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meanings herein indicated:

**BOARD OF SUPERVISORS** — The governing body of the Township of Scott, Columbia County, Pennsylvania.

**PEDDLER** — Any person engaged in the act of peddling as defined within this section.

**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 public highways, 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.

**SOLICITING** — The seeking or taking of contracts 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

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

entering in or upon private property, except at the request of the property owners, within the township.

**SOLICITOR** — Any person engaged in the act of soliciting as defined within this section.

**TOWNSHIP** — The Township of Scott, Columbia County, Pennsylvania.

### § 96-3. Applicability.

This chapter shall not apply and no license fee shall be charged to:

- A. Farmers seeking or taking orders for the immediate sale of their own products.
- B. Persons taking orders for merchandise from dealers, distributors, manufacturers or merchants for resale to an ultimate consumer, dealer or distributor.
- C. Any school student attending any school district serving the township.
- D. Organizations which solicit only within the membership of the organization by the members thereof.
- E. 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.
- F. Any manufacturer or product in the sale of bread and bakery products, meat and meat products or milk and milk products.
- G. 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 the Boy Scouts or Girl Scouts or similar organizations.
- H. The seeking or taking of orders by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania.
- I. Any person who has complied with the provisions of the Solicitation of Charitable Funds Act, August 9, 1963, P.L. 628, 10 P.S. § 61 (1982),<sup>2</sup> hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania, and who procures from the Prothonotary a certificate in pursuance of the Act of 1867.
- J. Providing estimates for the repair, remodeling or construction of properties; provided, however, that the contractor providing the estimate is initially contacted by the property owner and requested to provide an estimate.

### § 96-4. License required.<sup>3</sup>

No person shall engage in soliciting or peddling in the township without first having obtained a license as provided in this chapter.

<sup>2</sup> Editor's Note: Said Solicitation of Charitable Funds Act was repealed 4-30-1986 by P.L. 107, No. 36, § 19, effective 4-30-1986. See now 10 P.S. § 161.1 et seq.

<sup>3</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

**§ 96-5. Application for license.<sup>4</sup>**

- A. Every person desiring to engage in soliciting or peddling in the township shall first make application to the Township Secretary for a license. The application shall be made on a form provided by the township and shall contain the following information:
- (1) The full name, address and telephone number of the applicant.
  - (2) The name, address and telephone number of the 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 and the punishment imposed.
  - (5) The type and license number of vehicle to be used, if any.
  - (6) The length of time for which the license is to be issued.
- B. Where an individual makes application for himself and one (1) or more other individuals, all applicable personal information specified above shall be given for each individual and verified or affirmed by oath or affirmation by the individual to be licensed. An individual license shall be required for each solicitor or peddler. No license under this chapter shall be transferable from one individual to another.

**§ 96-6. License fee.**

No person shall engage in any transient retail business or engage in any peddling or soliciting within the township without first having obtained from the Scott Township Secretary a license for which a fee shall be charged, established pursuant to a resolution of the Board of Supervisors.<sup>5</sup>

**§ 96-7. License provisions.**

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

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<sup>4</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>5</sup> Editor's Note: The current fee schedule is on file in the Administrative Offices of the township.

**§ 96-8. Prohibited acts.<sup>6</sup>**

No person licensed to engage in peddling or soliciting within the township shall:

- A. Sell any product or type of product not mentioned in his license.
- B. Hawk or cry his wares upon any of the streets, alleys, sidewalks or public grounds in the Township of Scott, Columbia County, Pennsylvania.
- C. When operating from a vehicle, stop or park such vehicle upon any of the streets or alleys in the Township of Scott, Columbia County, Pennsylvania, for longer than necessary in order to sell therefrom to persons residing or working in the immediate vicinity.
- D. Park any vehicle upon any of the streets or alleys in the township for the purpose of sorting, rearranging or cleaning any of his goods, wares or merchandise or of disposing of any carton, wrapping material or stock, wares or foodstuffs which have become unsaleable through handling, age or otherwise.
- E. Engage in any business activity, except by prior appointment, at any time before 9:00 a.m. or after 8:00 p.m.

**§ 96-9. Supervision; records; reports.**

The Scott Township Secretary shall supervise the activities of all persons holding licenses under this chapter. He shall keep a record of all licenses hereunder and shall make a report thereof each month to the Board of Supervisors.

**§ 96-10. Denial, suspension and revocation of license; appeal.**

The Scott Township Secretary is hereby authorized to deny, suspend or revoke any license issued under this chapter when he deems such denial, suspension or revocation to be beneficial to the public health, safety or morals or for violation of any provision of this chapter or for giving false information upon any 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 the petition for appeal. No part of a license fee shall be refunded to any person whose license shall have been suspended or revoked.

**§ 96-11. Violations and penalties.**

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.) and, in default of payment, to imprisonment for not more than thirty (30) days. Each day that a violation of this chapter continues shall constitute a separate offense.

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<sup>6</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.