

TOWN OF CHATHAM
LOCAL LAW #3 OF 2015
REGULATING PEDDLERS AND SOLICITORS WITHIN THE TOWN

Section 1. Definitions.

PEDDLER- Any person, either principal or agent, who in any public street, road or highway or public place or from any vacant property, whether publicly or privately owned, or by going from place to place or house to house, whether on foot, or from any animal or vehicle, delivers or distributes advertising matter, literature, pamphlets, samples or handbills, or sells, or offers for sale, barter or exchange, any goods, wares, merchandise, service or any other article or thing whatsoever, either in his possession or not in his possession, either for immediate or future delivery.

PERSON- A natural person, corporation, partnership, association, joint stock company, society or any other entity of any kind.

SOLICITOR- Any person, either principal or agent, who, in any public street, road or highway or public place or from any vacant property, whether publicly or privately owned, or by going from place to place or house to house requests or accepts a contribution.

Section 2. Permit Required.

A Peddler or Solicitor acting as such within the Town of Chatham, shall first obtain a permit therefor as provided in this local law.

Section 3. Application for Permit.

A permit under this section shall only be issued to a natural person. Each natural person desiring a permit shall submit an application therefor. An application to act as Peddler or Solicitor in the form prescribed by the Chatham Town Clerk and shall be in substantially the same form annexed hereto. The applicant, at the time of executing such application, shall also submit identification reasonably satisfactory to the Chatham Town Clerk which shall include a photograph identification and a specimen of the applicant's signature.

The Chatham Town Clerk shall approve or disapprove the application within seven (7) days of the receipt thereof. The denial of any application shall specify the reason therefor. Such reason must relate to the protection of the public safety, health, morals or general welfare of the residents of the Town. The Chatham Town Clerk shall deny an application by any person who shall have been convicted of any crime or of any violation of this local law.

Section 4. Revocation and Suspension.

Such permit shall be revoked automatically upon conviction of a crime or violation of this local law and is subject to cancellation or suspension. Upon the refusal of the Town Clerk to issue a license to any applicant, the procedure prescribed in Section 137 of the Town Law shall be complied with. When a license shall be revoked, no refund of any unearned portion of the license fee shall be made. Notice of such revocation and the reason therefor in writing shall be served by the Town Clerk upon

applicant or by mailing the same to the address given in the application, and a copy of such notice shall be filed with the Town Clerk.

Section 5. Fees.

The fee per person for a Peddler's or Solicitor's permit shall be set by the town board from time to time.

Section 6. Expiration of Permits.

Permits issued pursuant to this local law shall expire thirty (30) days from the date of issuance of said permit.

Section 7. Age Restriction for Permittees.

No permit shall be issued under this local law to any person under the age of eighteen (18) years. However, persons under the age of eighteen (18) years may peddle or solicit in connection with exempt transactions as defined in Section 10 Article II of this local law.

Section 8. Transferability.

No permit shall be transferable from one person to another.

Section 9. Hours.

Within the Town of Chatham, Soliciting or Peddling shall be prohibited before the hour of 9:00 a.m. or after the later of (a) 8:00 p.m. or (b) one-half hour after sunset.

Section 10. Violations and Penalties.

A. Any violations by a person, firm or corporation of any provision of this local law shall be deemed a violation punishable by a fine and shall be prosecuted by the Town Code Enforcement Officer or his/her designee.

B. Any person who takes part in or assists in any violation of this local law shall also be subject to the penalties provided herein.

C. Each day that a violation of this local law is committed or permitted to exist shall constitute a separate offense.

Section 11. Severability.

If any clause, sentence, paragraph, or part of this local law or application thereof to any person or circumstances shall be adjudged by any court to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph, or part thereof and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

Section 12. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

TOWN OF CHATHAM
488 ROUTE 295
CHATHAM, NEW YORK 12037

Office Use Only:
Date: _____
Fee Paid: _____
Permit: _____

**APPLICATION AND LICENSE FOR
PEDDLING AND SOLICITING**

Name of Business: _____

Address: _____

Phone: () _____

Name of Applicant: _____

Address: _____

Phone: () _____

Is applicant a citizen of the United States: _____ Yes _____ No

Does applicant have a record of convictions: _____ Yes _____ No

If yes explain: _____

Is Applicant _____ Owner _____ Representative

Physical Description of Applicant:

Age _____ Height _____ Color of hair _____

Sex _____ Weight _____ Color of eyes _____

Description of goods, wares, merchandise and or services offered:

Permit Starting Date: _____ Expiration Date: _____

Did applicant submit identification showing photograph and signature specimen?

_____ Yes _____ No

Location of Solicitation, or if door-to-door, what area of town _____

Description of transportation: _____ foot _____ cycle _____ auto _____ year

_____ Make _____ Model _____ Color _____ License plate number _____

Date:

Signature of Applicant

_____ Approved _____ Disapproved
(Town Seal)

_____ Receipt of copy of Local Law (to be initialed by applicant)

Dated:

Town Clerk