

Soliciting, Peddling & Flea Mkt

ORDINANCE NO. 51

SOLICITING PEDDLING AND FLEA MARKETS

AN ORDINANCE PROVIDING FOR THE REGISTRATION, REGULATION AND CONTROL OF SOLICITING AND PEDDLING IN POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Pocono Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

SECTION 1: PERMIT REQUIRED

Every person whether as principal or agent (excepting farmers selling their own produce and retail peddlers or deliverers of dairy products and food peddlers authorized by an employer for the sale of food products to his employees and not the general public) is forbidden to solicit, hawk or peddle any merchandise or any articles of trade or solicit funds or monies or merchandise door to door within the Township of Pocono, unless and until a permit is obtained.

SECTION 2: CLASSES AND APPLICATION FOR PERMIT

Every person or organization desiring to solicit, hawk, or peddle shall first make application to the Township Zoning Officer for a permit. The permit application shall state the names or name, place of residence, type of organization or kind of article or product to be sold, period of time the applicant desires to solicit, hawk, or peddle and, if other than a charitable organization, such applicant shall present two photographs, 1 1/4" x 1 1/2", of himself or herself.

(b) The application for permit shall specify whether the application is for a class I or class II permit. A class II permit shall only be available to individuals desiring to solicit, hawk, or peddle any merchandise or any articles of trade on site in a recognized and lawful flea market for which a land development plan has been filed and approved by the Supervisors pursuant to the Township's Subdivision and Land Development Ordinance.

(c) The Supervisors shall have the right and the authority to prescribe fees for issuance of class I and class II permits and to amend the fee schedule upon public notice by resolution from time to time.

SECTION 3: ISSUANCE OF PERMIT

That the Township of Pocono shall thereupon, after payment of the prescribed fee, issue a permit in duplicate. One copy of the permit is to be given to the applicant, and one copy is to be filed in the office of the Township Zoning Officer. The permit shall state the names and addresses and places of residence, type of article to be sold, duration of the permit, name of the principal, name of the charitable organization and in the case of all other than charitable organizations, it shall be affixed to each copy one of the photographs directed to be presented. If the permit is a class II permit, the permit shall also contain the name and address of the owner of the recognized flea market together with appropriate evidence that the applicant is authorized to solicit, hawk, or peddle within the flea market. The permit shall be valid only for the period inscribed upon the permit and in no event longer than one year.

SECTION 4: INSPECTION OF PERMIT

Every permittee soliciting, hawking, or peddling door to door within the limits of Pocono Township, Monroe County, Pennsylvania, shall upon request, produce the permit for inspection.

SECTION 5: FINE

Any person who violates the provisions of this ordinance shall, upon conviction, be subject to a fine of not less than \$250.00 nor more than \$750.00, plus costs.

SECTION 6: SEVERABILITY

The provisions of this ordinance are severable and if any provision is held to be invalid, the decision so holding shall not be construed to affect or impair the remaining provisions of this ordinance. It is hereby declared as the intent of the Supervisors of this ordinance would have been adopted had such invalid provision not been included.

SECTION 7: REPEALER

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance, including Ordinance No. 13 as originally enacted, be in the same are hereby repealed.

ORDAINED AND ENACTED into an Ordinance this 3rd day of June, 1991

TOWNSHIP OF POCONO

By: L. Patrick Ross
L. Patrick Ross

By: John M. Wolfe
John Wolfe

By: John A. Smiley Jr.
John A. Smiley Jr.

Attest: Jane Cilurso
Jane Cilurso, Secretary

(Township Seal)