

LOWER MILFORD TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. 113

**AN ORDINANCE OF THE TOWNSHIP OF LOWER MILFORD
REGULATING CANVASSING, PEDDLING AND/OR SOLICITING**

BE IT ENACTED AND ORDAINED by Lower Milford Township, Lehigh County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as granted by the Pennsylvania Second Class Township Code, as follows that no person shall engage in canvassing, peddling and/or soliciting in the Township for commercial purposes without first having registered and obtained a permit from the Lower Milford Township Police Department, hereinafter referred to as Police Department.

SECTION 1. DEFINITIONS:

As used in this Ordinance, the following terms shall have the definitions indicated:

CANVASSING, PEDDLING AND /OR SOLICITING - the taking of orders for goods, wares or merchandise or for any commercial purpose, including subscriptions for magazines or other printed matter and the obtaining of information and/or contracts for home and building devices, repairs and improvements, if such solicitation is in person at the business or residence of the person being solicited. In no manner shall this section apply to religious, charitable or political activities or causes.

SECTION 2. PERMIT REQUIRED:

No person shall engage in canvassing, peddling and/or soliciting in the Township for commercial purposes without first having registered and obtained a permit from the Police Department.

SECTION 3. APPLICATION, ISSUANCE OF PERMIT:

- a. Any person desiring to engage in canvassing, peddling and/or soliciting shall submit a written application to the Police Department, during regular business hours, on a form to be furnished by the Township and pay an application fee as required.
- b. The application shall state his/her name, business address, name and address of employer, if any, what he/she desires to canvas, peddle and/or solicit for, the length of time he/she wishes to engage in this work, the make and type of vehicle, if any, he/she will use, its registration number and whether and by whom he/she is being paid. The applicant shall provide acceptable proof of identification, a copy of which will be made part of the permit.

- c. Each application shall require a one time non-refundable fee to be established by Resolution of the Board of Supervisors of Lower Milford Township.
- d. Hours of solicitation shall not be before 9am and after 7pm Monday through Saturday. No Sunday solicitation is permitted.
- e. The Police Department shall conduct a records check on the applicant prior to issuance of a permit.
- f. Upon approval of any application, the Police Department will issue a permit to the applicant. As well as an identification tag with the Police Department Logo will be provided with the applicants permit and must be worn on the outermost garment when soliciting.
- g. A permit will be valid for a specific time period as determined at time of application. Such permit may not be transferred from one person to another.

SECTION 4. CONDITION OF PERMIT:

The applicant shall conduct his/her canvassing, peddling and/or soliciting in accordance with the laws of the Commonwealth of Pennsylvania and the ordinances of Lower Milford Township and only during the hours of 9:00 a.m. to 7:00 p.m. excluding Sundays.

SECTION 5. EXCEPTIONS:

This section shall not apply to boys or girls under 18 years of age who take orders for and deliver newspapers, greeting cards, candy, cookies and other fund raising items, and the like or who represent the Boy Scouts, Girl Scouts, schools, churches or similar organizations.

SECTION 6. ENFORCEMENT:

The Lower Milford Township Police shall be charged with the responsibility of enforcing the provisions of this Ordinance.

SECTION 7. VIOLATIONS AND PENALTIES:

This Ordinance shall be enforced as a summary offense under the Pennsylvania Rules of Criminal Procedure. Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this Ordinance shall, upon conviction before a District Judge, be sentenced to pay a fine of not less that \$50.00, nor more than \$600.00 per violation, plus costs of prosecution, and, in default of payment of such costs and prosecution, imprisonment for a term not exceeding 90 days; provided, however, that if the District Judge determines that the Defendant is without the financial means to pay the fines and costs immediately or in a single remittance, such Defendant shall be permitted to pay the fines or costs in installments and over such periods of time as the District Judge deems to be just.

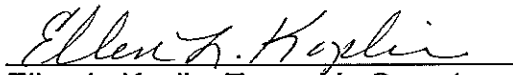
SECTION 8. All Ordinances or parts of Ordinances, which are inconsistent herewith, are hereby repealed.

SECTION 9. This Ordinance shall be known as the "Solicitation Ordinance".

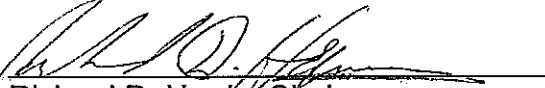
SECTION 10. This Ordinance shall be effective five days after adoption by the Board of Supervisors of Lower Milford Township.

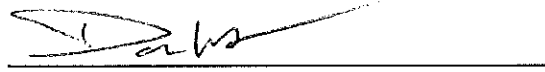
ORDAINED AND ENACTED as an Ordinance of Lower Milford Township, Lehigh County, Pennsylvania, this 16th day of July, 2009.

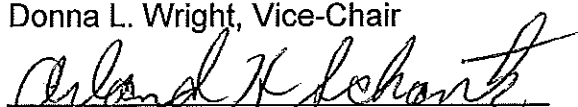
ATTEST:


Ellen L. Koplin, Township Secretary

LOWER MILFORD TOWNSHIP
BOARD OF SUPERVISORS


Richard D. Harris, Chairman


Donna L. Wright, Vice-Chair


Arland H. Schantz, Supervisor