

WEST CALN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 01 of 2022

AN ORDINANCE OF WEST CALN TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA, AMENDING THE WEST CALN TOWNSHIP CODE
OF ORDINANCES TO PROVIDE FOR SOLICITATION AND
PEDDLING REGULATIONS WITHIN WEST CALN TOWNSHIP.

WHEREAS, the Board of Supervisors have determined certain regulations over solicitation and peddling should be adopted in the Township in order to better protect the general health, welfare and safety.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of West Caln Township as follows:

SECTION 1. A new ordinance is hereby adopted, entitled as follows and shall read as follows:

**“West Caln Township
Peddling and Soliciting Ordinance**

§ 1-101. License required.

From and after the enactment hereof, it shall be unlawful for any person not exempted by § 1-106 hereof who is not the holder of a valid and unexpired license issued pursuant to this ordinance to engage in selling, purchasing or soliciting the sale or purchase of food, printed matter, services, goods, wares or merchandise of any description, or in soliciting contributions, gifts or pledges of money or any other thing of value, or to engage in making surveys or distributing samples by visitation to private homes or residences or on the public streets or highways of the Township.

§ 1-102 Application for license.

- A. Any person not exempted by § 1-106 hereof desiring to obtain a license to engage in the activities described in § 1-101 hereof shall make application to the Township Secretary. The applicant shall

submit in writing to the Township the following information (or complete an application if one is available):

- (1) His true name;
 - (2) His date of birth;
 - (3) A phone number to reach him at and the address at which he will receive notices under this ordinance;
 - (4) The name and address of his employer or principal, if any, and the nature of the business activity thereof;
 - (5) The nature of business or activity in which the applicant wishes to engage within the Township; and
 - (6) A fee (if any) for such license as may be established from time to time by resolution of the Township Board of Supervisors.
- C. Upon submission of said application with the payment of the fee and supporting documentation, the Township Secretary shall review the submission. If the application is complete with the full payment of the fee and all of the required supporting documentation has been provided, the Township Secretary shall issue to the applicant a license in the form of a card or a similar type document (a "License Card") which shall, unless revoked, entitle the licensee to engage in the activities described in § 1-101 hereof for a period of one year from the date of issuance. If the applicant failed to complete the application and/or failed to present all of the supporting documentation, then the Township Secretary shall deny said application.
- D. Licenses may be renewed annually, upon payment of any required fee and amendment of the original application to reflect any changes necessary in the information therein contained.

§ 1-103 Rules of conduct.

Every person to whom a license has been issued hereunder shall, in the carrying on of his business or activities in the Township, comply with the following rules of conduct:

- A. He shall carry his License Card at all times and exhibit it upon request to any police officer or any person upon whom he shall call or with whom he shall talk in carrying on his licensed activities.
- B. He shall not permit any other person to have possession of his License Card and shall immediately report its loss to the Township Secretary. He shall not cause or permit his License Card to be altered or defaced.
- C. He shall not enter or attempt to enter any dwelling house without invitation or permission of the occupant and shall immediately leave any premises upon request.

- D. He shall not represent his License Card to be an endorsement of himself or of his goods or services or of his principal or employer.
- E. He shall immediately surrender his License Card upon revocation of his license as hereinafter provided.

§ 1-104 Revocation of license.

Any license hereafter issued may be revoked by the Board of Supervisors upon the failure of the licensee to comply with the standards of conduct established by § 1-103 hereof. Furthermore, a license may be revoked by the Board of Supervisors in the event that it comes to the attention of the Township that the licensee has been convicted of any misdemeanor or felony, or convicted of any summary crime of dishonesty, and such conviction has been confirmed. Notice of revocation shall be given by written notice personally handed to licensee or by regular mail to the address designated for this purpose in the application for license.

§ 1-105 Reinstatement of revoked license.

Any person whose license has been revoked shall be entitled to appear before the Board of Supervisors at a regular meeting and be heard on his request for reinstatement of his license. At least three days prior to the meeting, such person shall request that the Township Secretary place the item on the meeting agenda for consideration.

§ 1-106 Exemptions.

The following persons are exempted from the licensing requirements of this ordinance:

- A. Persons soliciting contributions on behalf of schools, youth groups, and organizations or nonprofit corporations exempted from the provisions of or duly registered pursuant to 10 P.S. § 162.1 et seq., Solicitation of Funds for Charitable Purposes Act, as amended, who, while soliciting, are possessed of a card or other written evidence of their appointment or authority to solicit for said organization or corporation.
- B. Persons who have been licensed by the Commonwealth of Pennsylvania to engage in an activity described in § 1-101 hereof when so engaged, including, without limitation, real estate, insurance or securities brokers and salesmen.
- C. Authorized persons carrying satisfactory identification engaged in making surveys or collecting information for government or any agency thereof.

§ 1-107 Violations and penalties.

Any person who violates or permits a violation of this ordinance shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this ordinance that is violated shall also constitute a separate offense.”

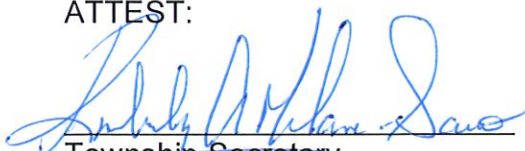
SECTION 2. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

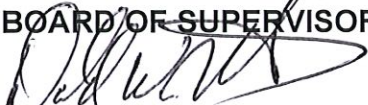
SECTION 4. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

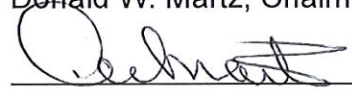
ENACTED AND ORDAINED this 13th day of April, 2022.

ATTEST:


Township Secretary
Asst. Township Secretary

WEST CALN TOWNSHIP
BOARD OF SUPERVISORS


Donald W. Martz, Chairman


Allen R. Martin, Vice Chairman


Joseph G. Hutton, Member