

**PENN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA  
APPLICATION FOR CERTIFICATE OF REGISTRATION TO PEDDLE OR SOLICIT**

- 1) Name of Applicant: \_\_\_\_\_
- 2) Applicant Status: Corp. \_\_\_\_ Individual \_\_\_\_ Partnership \_\_\_\_
- 3) If Corporation: Date of Filing \_\_\_\_\_ State \_\_\_\_
- 4) Business Location and registered office: \_\_\_\_\_  
\_\_\_\_\_
- 5) If corporation, provide Certificate of Good Standing \_\_\_\_\_.
- 6) If partnership, provide list and address of all partners (may attach copy)  
\_\_\_\_\_  
\_\_\_\_\_
- 7) If individual, provide permanent address (post office box unacceptable)  
\_\_\_\_\_  
\_\_\_\_\_
- 8) Names, addresses and telephone numbers of the organization's or legal entity's officers/representatives:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 9) Names, addresses and relationship to applicant of all individuals who will perform activities under this application (include employment status):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 10) Provide Certificate of Insurance for Workers Compensation Insurance or recognizable affidavit for exemption.
- 11) Provide a record of criminal history, as maintained and provided by the PA State Police, for individuals/entity identified as applicants and/or participants.
- 12) Provide not less than three personal references for each individual/entities described in paragraph eleven, which must include an address, telephone number and email address (if available) for each (may attach).  
\_\_\_\_\_

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- 13) Names and addresses of all sponsors, promoters, and solicitors connected with the activities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 14) Description of peddling, solicitation and/or activities you, your entity and/or individuals will conduct in the Township: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 15) Location of specific location requested for approval by this Application (Note-must have an approved permit for each nonresidential location and specific addresses for residential location): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 16) Periods of engagement for the above described activities (must include only Monday through Saturday 9:00 a.m.-5:00 p.m. and may not occur on State and/or Federal holidays. Permit will issue for no more than six days):  
\_\_\_\_\_  
\_\_\_\_\_
- 17) If the activities include requests for donations, provide income tax records for not less than the three prior years prior to this application, which must disclose source and disposition of all funds (May attach copy). \_\_\_\_\_
- 18) Do you understand that you may not enter any property which is posted with a sign containing any prohibition against peddling or soliciting, and that if you do not comply, the Township may file for sanctions? \_\_\_\_\_
- 19) Do you understand and agree that you will not park any vehicle upon or along any street, alley, or sidewalk for the purpose of sorting, rearranging goods, merchandise or dispose any carton, wrapping material, stock, wares or foodstuffs? \_\_\_\_\_

20) Do you agree that you will not solicit and/or peddle or occupy any street, alley, sidewalk (or any portion of these) for the purpose of peddling and/or soliciting? \_\_\_\_\_

21) Type, ownership and license number of vehicle(s) (Must include gross weight of vehicles):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

22) Attach proof of insurance for each vehicle and operator.

23) Proof of general liability insurance:

Name of provider: \_\_\_\_\_

Amount of general liability coverage (minimum \$1,000,000.00): \_\_\_\_\_

Attach Certificate with identification additional insured for Township.

24) Are any commissions, fees, wages, or other compensation to be paid in connection with the activities described? Yes  No

If yes, provide details as to the amount to be expended from the funds: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

25) Is applicant required to obtain a permit, registration or license from any other controlling agency, municipality or controlling entity? Yes  No

If yes, provide copy of permit, registration or license.

26) Has any state, municipality and/or agency denied you a permits for similar activities?

Yes  No  \_\_\_\_\_

**THE APPLICANT EXPRESSLY AUTHORIZES THE TOWNSHIP TO REQUEST INFORMATION CONCERNING THEIR CRIMINAL AND/OR CIVIL HISTORY, AND THAT AN EXECUTED COPY OF THE APPLICATION SHALL CONSTITUTE SUFFICIENT AFFIRMATION FOR ANY REPORTING AGENCY TO PROVIDE SUCH INFORMATION.**

**I DECLARE THAT UNDER THE PENALTIES OF PERJURY THIS APPLICATION (INCLUDING ANY ACCOMPANYING DOCUMENTATION) HAS BEEN EXAMINED BY ME AND IS A TRUE, CORRECT AND COMPLETE APPLICATION.**

**I AFFIRM THAT I HAVE REVIEWED PENN TOWNSHIP ORDINANCE NO. 2012-06 AND THAT THE INTENDED PEDDLING OR SOLICITATION COMPLIES WITH ALL REQUIREMENTS OF THIS ORDINANCE.**

**THE APPLICANT AGREES TO PAY ALL COSTS INCURRED BY PENN TOWNSHIP AND/OR ITS ZONING OFFICER FOR THE PROCESS, REVIEW, ISSUANCE AND ENFORCEMENT OF THIS APPLICATION ACCORDING TO THE FEE SCHEDULE ADOPTED BY THE TOWNSHIP. APPLICANT AGREES TO DEPOSIT THE SUM OF**

**\$250.00 AT THE TIME OF THE SUBMISSION OF THIS APPLICATION TO THE PENN TOWNSHIP ZONING OFFICER, WHO WILL PROVIDE REGULAR STATEMENT OF THOSE AMOUNTS APPLIED. IN THE EVENT THAT TOTAL REMAINING IS LESS THAN \$250.00, APPLICANT/ PERMITTEE WILL MAINTAIN THIS SUM UNTIL THE COMPLETION OF THE PERIOD OF ISSUANCE OF THE PERMIT. ZONING OFFICER WILL RETURN ANY UNUSED PORTION.**

**Signature of Applicant:**

**(INDIVIDUAL APPLICANT)**

Witness: \_\_\_\_\_ (SEAL)  
Signature

\_\_\_\_\_ Trading or D/B/A

or

**(PARTNERSHIP APPLICANT)**

Witness: \_\_\_\_\_ Name of Partnership \_\_\_\_\_

Partner: \_\_\_\_\_ (SEAL)

Partner: \_\_\_\_\_ (SEAL)

or

**(CORPORATION OR LIMITED LIABILITY COMPANY APPLICANT)**

Attest: \_\_\_\_\_ Name of Corporation or LLC:

Secretary

By: \_\_\_\_\_ (SEAL)  
(name of corporate officer)

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**Township Use Only**

- 1) Proof of current status of authority under the Commonwealth of PA and Certificate of Good Standing Required: Yes  No  Provided: Yes  No
- 2) Proof of Worker's Compensation or Proof of Worker's Compensation Exemption Required: Yes  No  Provided: Yes  No

3) Certificate of General Liability Insurance Coverage Required: Yes  No

Provided: Yes  No

4) Proof of Vehicle Insurance Required: Yes  No  Provided: Yes  No

5) Payment of Fee \_\_\_\_\_

Date Application Received by Township: \_\_\_\_\_

Date Application Approved by Township: \_\_\_\_\_ Termination Date \_\_\_\_\_

Date Application Denied by Township: \_\_\_\_\_

\_\_\_\_\_  
Signature of Township Representative

**ORDINANCE NO. 2012-06  
PENN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF PENN, CHESTER COUNTY, PENNSYLVANIA, REGULATING PEDDLERS AND SOLICITORS IN THE TOWNSHIP BY REQUIRING CERTIFICATES OF REGISTRATION FOR PEDDLING AND SOLICITING; BY LIMITING THE TIME AND PLACE OF PEDDLING AND SOLICITING; BY ENABLING OCCUPANTS AND OWNERS OF PREMISES TO LIMIT ACCESS BY PEDDLERS AND SOLICITORS; AND BY PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.**

**WHEREAS**, the Second Class Township Code empowers the Board of Supervisors of Penn Township to regulate peddling and soliciting within the Township; and

**WHEREAS**, the Board of Supervisors has been informed of problems within the Township concerning peddling and soliciting that are not addressed by existing Township ordinances.

**NOW, THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of Penn Township, as follows:

**SECTION I. Findings.**

The Penn Township Board of Supervisors has determined that the safety and privacy of Township residents, particularly the elderly, may be jeopardized by fraudulent schemes to sell goods and services to Township residents, and that it is in the best interest of the Township to differentiate between certain categories of Peddlers and Solicitors.

**SECTION II. Purposes.**

It is the purpose and intent of this Ordinance to provide the Township with standards defining and regulating Peddling and Soliciting. These standards are intended to maintain the safe travel along roads within the Township and protect the safety and privacy of the residents of Penn Township by regulating the behavior of Peddlers and Solicitors by limiting Peddler's and Solicitor's access to residents who do not wish to interact with them.

**SECTION III. Definitions.**

The following words shall have the following meanings when used in this Ordinance, unless the context requires otherwise:

**CERTIFICATE OF REGISTRATION** - A Peddler's or Solicitor's authority issued in accordance with the provision of this Ordinance.

**PEDDLER** – Any Person engaged in Peddling.

**PEDDLE** – To engage in the peddling, soliciting, hawking, vending, taking of orders (either by sample or otherwise), selling, or offering for sale any services, goods, wares, merchandise, printed matter, or food products by visitation to private homes or residences without the direct invitation of the inhabitants thereof, or on the public streets or highways of the Township. Provided, the word “Peddling” shall not apply to:

- Farmers selling their own produce; or
- The sale of goods, wares and merchandise, donated by the owners thereof, the proceeds whereof shall be applied to any charitable or philanthropic purpose (but in no event to an organization which seeks to affect legislation); or
- Any manufacturer or producer of bread and bakery products, meat and meat products, or milk and milk products.

**PERSON** – Any individual, joint venture, association, partnership, trust, corporation, or other legal entity.

**SOLICIT** – To engage in the solicitation of any money or gift of any services, goods, wares, merchandise, or other articles of value by visitation to private homes or residences without the direct invitation of the inhabitants thereof, or on the public streets or highways of the Township, whether or not accompanied by the dissemination of information. This action shall include visits from house to house, place to place, at a fixed location, or from street to street traveling by foot, vehicle or any type of conveyance, soliciting, taking or attempting to take orders for the sale of merchandise or services of any kind for future performance or delivery, whether or not collecting advance payments, or who engages in these types of activities in any street or public place, and/or from a stationary location within the Township as prohibited by this law.

**SOLICITOR** – Any Person engaged in Soliciting.

**STREET** – Any street, road, highway, or alley (including the area of any right of way, whether improved or unimproved) and shall include the sidewalk within the lines of or alongside of the same.

#### **SECTION IV. Posting.**

Any Person who is the owner or lawful occupant of private property within the Township may prohibit the practice of going in or upon the private property of such owner or occupant by Peddlers or Solicitors by posting upon such property a sign which reads “No Peddling or Soliciting” or substantially similar language in a location which is reasonably visible to Persons who intend to enter upon such property.

#### **SECTION V. Prohibition against Entering Upon Posted Property.**

Any and all Peddlers and Solicitors are prohibited from entering upon any property that is posted with a "No Peddling or Soliciting" sign and may be prosecuted for trespassing and/or a violation of this Ordinance. If such sign is posted, the Peddler or Solicitor, whether licensed in accordance with this Ordinance or not, shall immediately and peacefully depart from the property.

#### **SECTION VI. Prohibition against Use of Public Roads, Streets, Alleys and/or Highways**

No peddler and/or solicitor may use or occupy any portion of any street, highway, road, alley and/or any other public access way. This prohibition shall include any area located within the public highway, paved, improved and/or unimproved areas of the Township right of way.

#### **SECTION VII. Conduct of Peddlers and Solicitors.**

Every Peddler and Solicitor, whether licensed in accordance with this Ordinance or not, shall, in the carrying on of his or her business or activities in the Township, comply with the following rules of conduct:

- A. The Peddler or Solicitor shall carry official identification, such as a driver's license, upon his or her person at all times and shall exhibit it upon request of any person to whom the Peddler or Solicitor is attempting to Peddle or Solicit to.
- B. The Peddler shall not enter or attempt to enter any dwelling house or place of business without invitation or permission of the occupant and shall immediately leave the premises upon request.
- C. The Peddler or Solicitor shall only engage in Peddling or Soliciting within the Township on Monday through Saturday from 9:00 a.m. to 5:00 p.m. No Peddling or Soliciting shall be allowed on Sundays or on any State or Federal legal holidays.
- D. The Peddler or Solicitor shall not call out or shout to sell his or her services or goods, nor shall the Peddler or Solicitor use any loudspeaker or horn or other device for announcing his or her presence by which the public is annoyed.
- E. The Peddler or Solicitor shall not occupy any fixed location upon or along any of the streets, alleys, or sidewalks of the Township for the purpose of Peddling or Soliciting, with or without any stand, counter, or cart.
- F. The Peddler or Solicitor shall not Peddle or Solicit in any Township park without first acquiring a permit from the Township.
- G. The Peddler or Solicitor shall not park any vehicle upon or along any of the streets, alleys, or sidewalks of the Township for the purpose of sorting, rearranging, or cleaning any of his or her goods, wares, or merchandise or for the purpose of disposing of any carton, wrapping material, stock, wares, or foodstuffs.



H. The Peddler or Solicitor shall not operate from or use in conjunction with his or her activities any vehicle with a gross vehicle weight rating of 10,000 lbs. or larger.

I. The Peddler or Solicitor shall not engage in any activity that creates a public nuisance, disrupts traffic, and/or disturbs the peace and tranquility of the Township.

J. The Peddler or Solicitor must comply with all Township ordinances, including but not limited to the requirements for signs within the Township.

K. Every Peddler or Solicitor must provide a certificate for proof of general liability insurance with limits of not less than \$1,000,000.00 coverage per person from a recognized and licensed insurance company having rating of not less than "A" from the Best Company or similar rating entity.

L. No person or legal entity may attempt to peddle, solicit or distribute materials or printed material without providing identification identifying the approved certificate of registration from the Township.

M. No person may occupy any public street, road, highway, alley or sidewalk and/or operate in any congested area where the activities may impede or inconvenience the public.

#### **SECTION VIII. Application Procedures.**

No person shall engage in Peddling or Soliciting in the Township of Penn without first having obtained a Certificate of Registration to Peddle or Solicit, respectively, as more fully set forth in this Ordinance. The application must be submitted not less than thirty days prior to the proposed activities.

A. Application Procedure. Every applicant for a certificate under this Ordinance shall file with the Board of Supervisors or its designee a sworn statement on a form furnished by the Township, which shall give or be accompanied by the following information:

1. The name and description of the applicant. If other than a person, proof of current status of its authority under the Commonwealth of Pennsylvania, together with a Certificate of Good Standing.

2. The permanent home address and full local address of the applicant.

3. The names and addresses of all individuals who will perform activities under this Ordinance (all persons and/or entities must satisfy the terms of this Ordinance).

4. The relationship of those individuals to the applicant, which must include the employment status of those individuals. In the event the applicant is not the employer, the employer must submit and satisfy a separate application. Applicant, and/or employer must provide proof of Worker's Compensation Insurance for any person engaged in the activities described herein, unless excluded by exemption under the Workers Compensation law. The applicant must establish the applicability of the exemption to Township's satisfaction.

5. A certificate of insurance providing coverage for general liability of not less than \$ 1,000,000.00 per person covering all actions described in the application, from a recognized insurance company, authorized to do business in the Commonwealth of

Pennsylvania, with a rating of not less than "A" from the Best Company, or similar recognized rating company.

6. The length of time (which may not exceed 30 days for each application) requested; location of activities.

7. Type and ownership of vehicle; license number; proof of insurance for use and location of activities and described in the application.

8. A statement as to whether the applicant and/or any individual associated with the applicant's activities has been convicted of any crime or ordinance, the nature of the offense and punishment and/or penalty assessed.

9. The name, address and telephone number of the organization or legal entity represented and the names, telephone numbers and addresses of its legal officer/representatives.

10. The names and addresses of all sponsors, promoters, and solicitors connected with the activities.

11. A specific outline and description of proposed activities.

12. A statement as to whether or not any commission, fee, wage, or other compensation is to be paid in connection with the activities described, and, if so, details as to the amount to be expended from the funds.

13. To the extent any other controlling agency, municipality or controlling entity requires a permit, registration or license, include a copy of such response.

B. Every individual and/or entity actually performing any of the activities described; every legal entity and/or organization utilizing another person or entity must obtain a certificate of registration before conducting any activities in the Township.

C. The applicant expressly authorizes the Township to request information concerning their criminal and/or civil history, and that an executed copy of the application shall constitute sufficient affirmation for any reporting agency to provide such information.

D. No Certificate of Registration issued under this Ordinance shall be transferable.

E. All fees shall be set by resolution of the Penn Township Board of Supervisors.

F. All Certificates of Registration issued by the Township shall be exhibited in clear view by the Person Peddling or Soliciting at all times, and it shall not be altered or used by any other Person except the applicant.

G. All Certificates of Registration shall expire after thirty (30) days but may be renewed for additional thirty (30) day periods by request to the Township.

H. The issuance of a Certification of Registrations grants the applicant the privilege of conducting the permitted activity described in the application under the terms of the Ordinance within the Township. The issuance of a Certificate does not confer any property right upon the applicant.

#### **SECTION IX. Exemptions.**

A. Persons engaged in door-to-door canvassing on religious or political subjects, or distributing religious or political handbills shall be exempt from the Certificate requirements of this Ordinance. All such Persons, however, shall carry official identification, such a drivers license, upon his or her person at all times and shall exhibit it upon request of any Person to whom the Peddler or Solicitor is attempting to Peddle to or Solicit.

B. The application and Certificate of Registration requirements may be waived by the Township for Persons Soliciting or Peddling on behalf of organizations of purely public charities, such as local churches, scout troops, civic and service organizations, fire companies, athletic organizations, and the like, provided however, that any such group must notify the Township in writing in advance of any such Peddling or Solicitation setting forth the dates of such Peddling or Solicitation will take place within the Township.

C. Any Person who is required to register with the Commonwealth of Pennsylvania in connection with Peddling or Soliciting for any charitable organization, shall carry proof of this registration upon his or her person at all times and shall exhibit it upon request of any Person to whom the Peddler or Solicitor is attempting to Peddle to or Solicit.

#### **SECTION X. Certificate of Registration, Suspension or Revocation.**

The Township is hereby authorized to suspend or revoke any Certification of Registration issued under this Ordinance for any violation of any of the provisions of this Ordinance, or for giving false information upon any application for an applicant. The Township is further authorized to refuse a Certificate of Registration to any Person with a prior criminal record and to any other Person who would present a threat of harm or danger.

#### **SECTION XI. Violations and Penalties. Noncompliance of any provision of this Ordinance constitutes a violation.**

A. Any person who or which has violated or permitted the violation of the provisions of this Ordinance (hereinafter the "Violator") shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorneys fees incurred by the Township as a result thereof. Each day that a violation continues shall constitute a separate violation.

B. Notwithstanding anything herein to the contrary, any suit for financial penalty brought by or on behalf of Penn Township against a Violator under this Ordinance shall in no way constitute an election of remedies, and the Township, and any other person having a cause of action against this Violator, shall be entitled to pursue any such remedies against this Violator as provided by law or in equity.

#### **SECTION XII. Repealer.**

All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed.

**SECTION XIII. 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 of this Ordinance. 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.

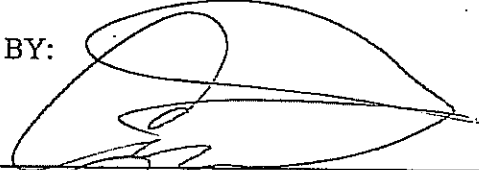
**SECTION XIV. Effective Date.**

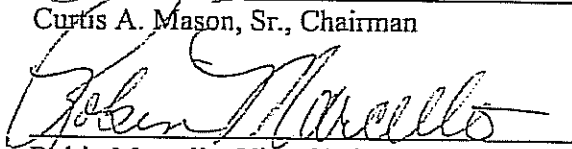
This Ordinance shall become effective five (5) days after enactment or upon recordation of this Ordinance within the Township's official Ordinance Book, whichever comes later.

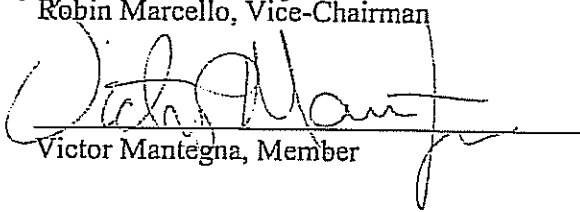
ENACTED and ORDAINED this 5 day of DEC 2012 by and on behalf of the Board of Supervisors of Penn Township, Chester County, Pennsylvania.

BOARD OF SUPERVISORS  
PENN TOWNSHIP

BY:

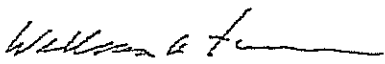
  
Curtis A. Mason, Sr., Chairman

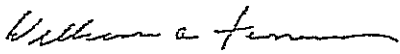
  
Robin Marcello, Vice-Chairman

  
Victor Mantegna, Member

\_\_\_\_\_  
Thomas Barlow, Member

ATTEST:

  
William A. Finnen, Secretary

  
William A. Finnen, Member

**RESOLUTION 2015-03**

**PENN TOWNSHIP**

**CHESTER COUNTY, PENNSYLVANIA**

A Resolution to establish the fee schedule  
for a Certificate of Registration for Solicitation

**Whereas**, the Board of Supervisors of Penn Township, Chester County, Pennsylvania, in accordance with authority provided under the Second Class Township Code (and as has been otherwise provided it by the General Assembly), has adopted the Zoning Ordinance of Penn Township, including all codification, consolidation, and revisions of the Ordinances and;

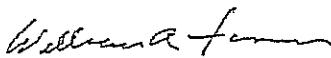
**Whereas**, included in the Code of Ordinances, Ordinance No. 2012-06 provides regulations and requirements for soliciting and peddling; and;

**Whereas**, it is the desire of the Board of Supervisors of Penn Township, Chester County to enact fees by Resolution;

**Now, therefore be it resolved** by the Board of Supervisors of Penn Township, Chester County that the fee should be established as \$500 per year for a Certificate of Registration Solicitation permit.

This Resolution shall become effective immediately.

RESOLVED AND ENACTED into a Resolution on this 18<sup>th</sup> day of March, 2015.

  
\_\_\_\_\_  
William A. Finnen  
Secretary, Penn Township, Chester County