

ORDINANCE NO. 198

AN ORDINANCE REGULATING PEDDLERS, IMPOSING PENALTIES, ETC.

It is hereby ordained by Borough of Spring City, a Municipality located in Chester County, Pennsylvania, as follows:

SECTION 1. The word "peddling" as used in this Ordinance shall mean: engaged in peddling, canvassing, soliciting or taking of orders, of or for goods or merchandise, physically present, by sample, or by any other method whatsoever, including books, magazines, periodicals and rights or privileges, upon any of the streets, highways or sidewalks, or from premises to premises, within the limits of the Borough of Spring City, Chester County, Pennsylvania, PROVIDED, however, that the word "peddling" shall not apply (1) to farmers selling their own produce or products, (2) to the sale of goods, or merchandise donated by the owners thereof and the proceeds whereof are to be applied to any charitable or philanthropic purpose, (3) to any manufacturer or producer in the sale of bread or bakery products, meat or meat products, or milk or milk products, or (4) to the sale of goods, wares or merchandise, books, magazines or periodicals, the proceeds, profits, or any part thereof, is to be applied to any charitable or philanthropic purpose.

SECTION 2. No person shall engage in "peddling" in said Borough of Spring City without first having taken out and obtained a license as herein provided, which license shall be carried by the licensee at all times and exhibited by the licensee to each and every person to whom such licensee desires to endeavor to sell.

SECTION 3. Every person desiring to engage in "peddling" as hereinabove defined, in said Borough of Spring City, shall first make application to the Borough Secretary of said Borough of Spring City, for a license. If such person shall be required to obtain or have license from the County of Ches-

ter or from the Commonwealth of Pennsylvania, he shall exhibit such license when making application for license hereunder. When making application for license hereunder, each such person or applicant shall: give his name, address, previous criminal record, if any, name and address of employer or employers, type or character of goods or merchandise which he desires to sell or "peddle," length of time for which license is desired, make and license number of automobile to be used in connection therewith, and the names and addresses of each and every helper or assistant. Each such helper or assistant shall make like application for license and shall obtain license before engaging in any peddling in said Borough. No license issued under this Ordinance shall be transferable.

SECTION 4. No license shall be issued under this Ordinance unless and until the appropriate fee for the same has been first paid. All such fees shall be made payable to the Borough of Spring City, for the use of said Borough. License fees hereunder are as follows:

(a) For each Peddler: \$2.00 per day; \$10.00 per month; \$25.00 per year.

(b) For each and every additional Peddler, assistant or helper, employed by, working with, or helping or assisting a Peddler: \$2.00 per day; \$10.00 per month; \$25 per year.

SECTION 5. No person licensed as a peddler under this Ordinance shall engage in peddling at any time on Sunday.

SECTION 6. The Secretary or the Clerk of the Borough Council of the Borough of Spring City, or the Chief of Police or Senior Police Officer then on duty, of the Borough of Spring City, acting alone, may suspend any license issued under this Ordinance, when such suspension is deemed to be beneficial to the public health, safety or morals, or for the violation of any of the provisions of this Ordinance, or for giving false information upon

any application for a license hereunder, or for the making of false statements during peddling activities, and to do so until the next regular meeting of the Borough Council of the said Borough of Spring City without opportunity of the Licensee to be first heard. In the event of any such suspension, the Licensee may request opportunity to be heard by the Borough Council of the Borough of Spring City, at its next regular meeting, at which time the Borough Council may either continue the suspension of license, revoke the license, or reinstate the same. No License Fee paid hereunder, nor any part thereof, shall be refunded in the event of suspension or revocation of License.

SECTION 7. Any person violating any of the provisions of this Ordinance shall be sentenced to a fine of not more than One Hundred (\$100.00) Dollars, together with costs of prosecution, and in default of payment thereof, to imprisonment for not more than thirty (30) days.

SECTION 8. The sections and provisions, and parts of sections and provisions of this Ordinance are severable. In the event any section or provision, or any part of any section or provision, of this Ordinance, is deemed unconstitutional by competent and appropriate Court, the remaining sections and provisions and portions of sections and provisions of this Ordinance shall be construed as though the unconstitutional provisions were not a part hereof.

SECTION 9. This Ordinance shall become effective, the first day of January, A.D. 1963.

ADOPTED, ENACTED AND ORDAINED this third day of December, A.D. 1962.

BOROUGH OF SPRING CITY
BY: Richard W. Latshaw
President of Borough Council,
Borough of Spring City.

ATTEST: Calvin M. Adams
Borough Secretary,
Borough of Spring City.