

**APPLICATION FOR  
PEDDLERS AND SOLICITORS  
LICENSE**

NAME \_\_\_\_\_

PHYSICAL DESCRIPTION \_\_\_\_\_  
(PLEASE ATTACH PICTURE)

DATE AND PLACE OF BIRTH \_\_\_\_\_

PERMANENT HOME ADDRESS & PHONE \_\_\_\_\_

NAME & ADDRESS OF FIRM REPRESENTED  
(ATTACH LETTER OF AUTHORIZATION FROM SAID FIRM)

A) DETAILED STATEMENT DESCRIBING BUSINESS, TRADE,  
OCCUPATION OR PURPOSE FOR LICENSE: \_\_\_\_\_

B) THE NAME AND ADDRESS OF PERSON OR OFFICER UPON WHOM  
PROCESS OR OTHER LEGAL NOTICE MAY BE SERVED

LENTH OF TIME FOR WHICH LICENSE IS REQUIRED \_\_\_\_\_

DESCIRBE CONVEYANCE, IF ANY, IN WHICH SAID BUSINESS, TRADE,  
SOLICITATION OR COLLECTION SHALL BE USED.

IF A VEHICLE IS USED PLEASE SUPPLY DESCRIPTION OF VEHICLE AND  
LICENSE PLATE NUMBER \_\_\_\_\_

SET FORTH NUMBER OF ARRESTS OR CONVICTIONS FOR CRIMES AND THE  
NATURE WHEREOF

DESCRIBE LOCALITY WITHIN WHICH IT IS DESIRED TO CARRY ON OR  
ENGAGE IN SAID TRADE, BUSINESS, OCCUPATION OR SOLICIATION

PLEASE PROVIDE 2 BUSINESS REFERENCES \_\_\_\_\_

I acknowledge that I have received and reviewed the section of the Kent Town Code as it applies to Soliciting and understand that a violation of said section may result in revocation of this license and further penalties.

IN WITNESS WHEREOF, I HAVE EXECUTED THIS APPLICATION AND AFFIRM  
THE STATEMENTS THEREIN SET FORTH UNDER THE PENALTY OF PERJURY  
THE

DAY OF \_\_\_\_\_, 20

SWORN BEFORE ME THIS  
DAY OF \_\_\_\_\_, 20

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
NOTARY PUBLIC

**CHAPTER 53 PEDDLERS AND SOLICITORS**

[HISTORY: Adopted by the Town Board of the Town of Kent 10-1-1962. Amendments noted where applicable.]

**GENERAL REFERENCES**

Christmas tree sales — See Ch. 30.

Fees — See Ch. 36.

**§ 53-1 Definitions.**

For the purpose of this chapter, the terms used herein are defined as follows:

**HAWKER and PEDDLER**

Any person, either principal or agent, who, from a boat or a car or from any vehicle, in any public place, or by going from house to house on foot or on or from an animal or vehicle, sells or barter or offers for sale or barter or carries or exposes for sale or barter any goods, wares or merchandise.

**PERSON**

One or more persons of either sex, natural persons, corporations, partnerships, associations and all entities of any kind capable of doing business.

**SOLICITOR**

Any person who goes from place to place or house to house or who stands in any street or public place taking or offering to take orders for goods, wares or merchandise, including the sale of newspaper or magazine subscriptions.

[Amended 3-26-1973]

**VEHICLE**

Any car, truck, wagon, cart or other means of transportation of persons or commodities or of locomotion.

**§ 53-2 License required.**

[Amended 2-4-1991 by L.L. No. 1-1991]

No person shall hawk, peddle or solicit or travel through the Town of Kent for the purpose of hawking, peddling or soliciting within the Town goods, wares, merchandise or other articles of commerce without a license as a peddler granted by the Town Clerk. No person shall hawk, peddle or solicit fish, meats, fruits, farm products or farm produce or other unprocessed food products within the Town of Kent, except peddlers of fish, meats, fruits, farm products or farm produce and other unprocessed foods peddled by persons, or their servants or employees, who have produced the commodities which they sell in any part of the Town of Kent.

**§ 53-3 Application.**

[Added 3-26-1973]

Every applicant for a license under this chapter shall file with the Town Clerk a sworn written application, in duplicate, on a form to be furnished by said Clerk, which shall give the following information:

- A.**  
The name and a description of the applicant.
- B.**  
The permanent home address and full local address of the applicant.
- C.**  
A brief statement of the nature of the business and a description of the merchandise or service to be sold.
- D.**  
If employed, the name and address of the employer, together with credentials establishing the exact relationship.
- E.**  
The length of time for which the license is desired.
- F.**  
If a vehicle is to be used, a description of such vehicle and its license number.
- G.**  
The place where the goods or property to be sold or offered for sale are manufactured or produced, where such

goods or property are located at the time such application is filed and the proposed method of delivery.

H.

A photograph of the applicant taken within 60 days immediately prior to the date of the application, which photograph shall clearly show the head and shoulders of the applicant and shall measure two by two inches.

I.

Two business references located in the County of Putnam, State of New York, or, in lieu thereof, such other available evidence of the character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and responsibility.

J.

A statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.

**§ 53-4 Fee.**

[Added 3-26-1973; amended 12-3-1984 by L.L. No. 4-1984

Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. 1.

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At the time application is filed, a fee as set from time to time by resolution of the Town Board

Editor's Note: See Ch. 36, Fees.

shall be paid to the Town Clerk to cover the cost of processing the application and investigating the facts stated therein.

**§ 53-5 Issuance of license.**

[Amended 3-26-1973; 12-3-1984 by L.L. No. 4-1984]

The Town Clerk shall, upon payment of the fees and upon the filing of the application as provided in this chapter, grant a license signed by herself or her deputy authorizing the applicant to trade within this Town as a peddler, hawker or solicitor for a term of 90 days, such period being deemed to start upon the issuance of the license. Every such license or licenses issued prior to the amendment hereof on December 3, 1984, shall be renewed upon the expiration thereof by the Town Clerk for a ninety-day period upon the terms and conditions and upon the payment of fees required for a new application if renewal is applied for. No license issued under this chapter shall be assignable. All fees are to be paid over by the Town Clerk to the Town Supervisor and deposited to the credit of the Town of Kent. No license shall be refused except for a specific reason for the protection of the public safety, health, morals or general welfare.

**§ 53-6 Display of license.**

[Amended 3-26-1973]

Every person peddling or soliciting within this Town and having a license in accordance with the provisions of this chapter shall produce such license and exhibit the same to any officer or citizen who demands the production of the same. The refusal of any such person to produce a license when demanded shall be presumptive evidence that he is traveling and trading without a license.

**§ 53-7 Hours of business.**

[Added 3-26-1973]

Peddling, soliciting and canvassing shall be permitted only between the hours of 10:00 a.m. and 4:00 p.m., except upon specific invitation or establishment of an appointment by a resident of the Town of Kent.

**§ 53-8 Operation of business.**

A licensed hawker, peddler or solicitor shall:

A.

Not stand or permit the vehicle or vehicles used by him to stand in one public or private place for more than 10 minutes in any twenty-four-hour period nor in front of any premises for any period of time if the owner or lessee of the ground floor thereof objects. Every 10 minutes, the hawker, peddler or solicitor shall move his wares and vehicle or vehicles at least 500 feet to a new location. At no time during any twenty-four-hour period shall a hawker, peddler or solicitor occupy any site within 500 feet of a prior site occupied during such period.

[Amended 12-3-1984 by L.L. No. 4-1984]

| <b>Type of Permit, Application or License</b>  | <b>Fee</b>  |
|--|---|
| Operating permit   | \$50  |
| <b>Chapter 39, Flood Damage Prevention</b>   |   |
| Flood hazard construction application  | \$500   |
| Application for variance from requirements of Chapter 39   | \$500   |
| <b>Chapter 39A, Freshwater Wetlands</b>  |   |
| Permit application fee   | \$500   |
| <b>Chapter 41, Games of Chance</b>   |   |
| License fee  | \$25  |
| License fee for leased premises  | \$50  |
| Additional license fee upon filing of statement of receipts and expenses                           | 5% of net proceeds for license period covered                       |
| <b>Chapter 50, Park District No. 1</b>   |   |
| Reissuance of lost boat registration sticker   | \$5   |
| <b>Chapter 53, Peddlers and Solicitors</b>   |   |
| Application  | \$150   |
| <b>Chapter 54, Plumbing<sup>3</sup></b>  |   |
| Permit for five fixtures   | \$50  |
| Each additional fixture  | \$5   |
| <b>Chapter 56, Public Assembly</b>   |   |
| Application for permit   | \$200   |
| <b>Chapter 63, Soil Removal</b>  |   |
| Application for permit   | \$500   |
| <b>Chapter 66, Steep Slope Protection and Stormwater Management</b>                                |   |
| Application for permit   | \$500   |
| Inspection fee   | 4% of performance bond or surety established pursuant to § 66-7B(1) |
| SWPPP review   |   |
| <b>Chapter 70, Vehicles, Abandoned</b>   |   |
| 90-day unlicensed vehicle  | \$50  |
| <b>Chapter 75, Water</b>   |   |
| <b>Art. I, Water District No. 1</b>  |   |
| Cost of service lines and taps   |   |
| Installation of service line from main to approximate property line, including tapping of the main |   |

B.

Not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale, nor offer for sale any unwholesome, tainted or diseased provisions or merchandise.

C.

Keep the vehicle and receptacle used by him or her in a clean and sanitary condition and the foodstuffs and edibles offered for sale well covered and protected from dirt, dust and disease.

D.

Not permit any vehicle used to stop or remain on any crosswalk.

E.

Not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.

F.

Not peddle within 500 feet of any church or place of worship or any place occupied exclusively as a public or private school.

[Added 12-3-1984 by L.L. No. 4-1984]

G.

Not sell from any point within 500 feet of any place of business selling substantially similar merchandise.

[Added 12-3-1984 by L.L. No. 4-1984]

H.

Not call attention to his goods by any loud or unusual noise or any animated or electrical sign or signs of any sort in excess of two by four feet. Only signs permanently attached to the vehicle or vehicles are permitted.

[Added 12-3-1984 by L.L. No. 4-1984]

**§ 53-9 Revocation of license.**

[Amended 3-26-1973; 12-3-1984 by L.L. No. 4-1984]

A.

The Supervisor may, at any time, for a violation of this chapter or any other ordinance or law, revoke any license. When a license shall be revoked, no refund of any portion of the license fee shall be made. Notice of such revocation and the reason or reasons therefor, in writing, shall be served by the Supervisor upon the person named in the application or by mailing the same to the address given in the application. A copy of such notice shall be filed in the office of the Town Clerk.

B.

Upon revocation of such license, the Supervisor shall file a notice of such revocation with the Police Department of the Town of Kent, which Department shall enforce this chapter.

C.

Notwithstanding the foregoing, at any time and regardless of whether the license of a hawker, peddler or solicitor has been revoked, the Police Department of the Town of Kent shall enforce any and all provisions of this chapter upon notice, whether by complaint or not, of any violation thereof.

**§ 53-10 Exemptions.**

[Amended 3-26-1973]

A.

No part of this chapter shall be enforced so as to conflict with Article 4, § 32, of the General Business Law of the State of New York, providing for exemption for veterans.

B.

The requirements of this chapter shall not apply to the following, provided that official uniforms, clothing or other suitable identification is displayed:

(1)

Any recognized nonprofit, religious, charitable, educational, civic or political organization.