

AN ORDINANCE OF WOODWARD TOWNSHIP, CLINTON COUNTY RELATING TO SOLICITORS AND TRANSIENT VENDORS

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Supervisors of Woodward Township, Clinton County, Pennsylvania, that the above ordinance is hereby enacted as follows:

§ 101 Purpose.

It is the purpose of this Section to regulate solicitors and transient vendors who conduct businesses defined herein within the streets and homes of Woodward Township. It is the intent of this Part to prevent fraud, burglary (including preparation for burglary by learning which residents are home and at what hours) and other crimes; to prevent unethical and dishonest business practices; to protect the privacy interest of the residents of the Township, including the right not to be unduly annoyed in their homes and to be able to exclude trespassers from private property; to promote the safety and welfare of the residents of Woodward Township.

§ 102 Definitions.

For the purpose of interpreting this Part, words used herein shall have the following definitions:

CONDUCTING BUSINESS

The conducting of retail sales of goods, wares, services or merchandise on the streets or in the homes of the Township, including solicitation and taking of orders, whether verbal or written. This phrase includes work commonly done by peddlers, hawkers, auctioneers, hucksters or other door-to-door salesmen. It does not include sales of milk or milk products or bakery products.

SOLICITOR

Any person, including someone who has a residence or business office within the geographic limits of the Township of Woodward, who goes from private house to house, conveying or transporting goods, wares, services or merchandise, or offering or exposing the same for sale or making sales or delivering articles, goods, wares, services or merchandise to purchasers; any person who goes from private house to house, soliciting or attempting to take orders from individuals for sale of goods, wares, services or merchandise, including magazines, books, periodicals or personal property of any nature whatsoever, for future delivery, or for service to be performed at that time or in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of

such order or whether or not he is collecting advance payments on such orders; any person who goes from private house to private house soliciting donations or money for themselves or for any organization for any purpose, whether or not anything of value is given in return.

TRANSIENT VENDOR

Includes any person, corporation, partnership, association or any agent thereof who conducts a business in the Township, either from door-to-door or in any other manner where the vendor does not have either a residence or a business office within the geographic limits of the Township of Woodward.

§ 103 General Provision.

Hereafter, no solicitor or transient vendor may conduct a business within the geographic limits of Woodward Township without first obtaining a permit in accordance with the requirements of this Part.

§ 104 Permits and Fees.

(A) The following shall be exempt from the requirement of obtaining a permit:

- (1) Farmers selling their own produce.
- (2) The seller of goods, wares and merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.
- (3) Any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk and dairy products.
- (4) Any person or persons selling or taking orders for merchandise who have been requested or invited to do so by the owner or occupant of a private residence.
- (5) Any Township resident under the age of 18 years who take orders for and delivers newspapers, greeting cards, candy, bakery products and the like, or who represent the Boy Scouts or Girl Scouts or similar organizations.

(B) All other solicitors and transient vendors shall be required to pay a permit fee, in an amount initially set as one hundred dollars (\$100.00). Said fee may be updated from time to time by resolution.

(C) No permits shall be issued unless and until the necessary fee is paid and the following information be given by the applicant:

- (1). His full identification, including proof by vehicle operator's plate number and/ or motor vehicle registration number and including sufficient physical identification.

(2). The name of the vendor's business or his employer, the address of that business, the kind of merchandise sold and the type of transaction conducted.

(3). The length of time for which the permit shall be issued, the number and names of vendor's helpers.

(4). Any criminal record of the vendor shall be disclosed at the time of the application.

(5). The individual applicant may be subject to being fingerprinted and photographed.

(D). The application for permit shall be filed at least three days prior to the date the permit is to be issued and no soliciting or selling can commence before the effective date of the permit.

(E). Any solicitor or transient vendor shall carry a permit at all times while conducting business in Woodward Township.

(F). Permits are not transferable and an individual permit shall be required for each person.

§ 105 Records.

The Township Zoning Officer is hereby required to keep records of all permits issued under this Part and shall keep a daily list of current permits issued.

§106 Right to Deny or Revoke.

The Township Zoning Officer shall have the power and is hereby authorized to deny application for and suspend or revoke any permit issued under this Part when he/she, in his/her judgment, deems such denial, suspension or revocation to be beneficial to the public health, safety or morals, or for violation of any of the provisions of this Part, or for giving false information upon any application for a permit.

§ 107 Appeals.

Any person aggrieved by the action of the Township Zoning Officer or his/her designee in the denial of a permit approval or revocation of a permit shall have the right of appeal to the Board of Supervisors of Woodward Township. Such appeal shall be perfected by filing of said appeal with the Woodward Township Board of Supervisors within seven days after the permit application denial or permit revocation, and the payment of a fee to be established by Resolution. The Board of Supervisors of the Township of Woodward shall set a time and place for the hearing on such appeal. A notice of such hearing shall be given to the person aggrieved by certified mail, postage prepaid to the licensee at his last known address at least seven days prior to the date set for hearing.

§108 List of All Residents not Wishing to be Solicited.

Any person seeking a licensing permit under the provisions of this Part shall, in signing the application to obtain the same, agree that he or she will not solicit homes whose owners or residents have signed a registration list which indicates that such owner or resident of such home does not wish to be solicited. Such a list shall be made available to the residents of the Township and shall be held by the Township Secretary, and a copy thereof shall be given to each person obtaining a license under the provisions of this Part. In the event that such persons soliciting within the boundaries of the Township shall fail to recognize the wishes of the homeowners or the resident of such home, then such attempt to solicit such home shall be deemed a breach of this Part and shall result in the revocation of the solicitor's permit. Any resident requesting to be on said list may revoke their inclusion in writing at any time.

§109 Signs.

Any person seeking a licensing permit under the provision of this Part shall agree not to conduct any business at any private property which is posted with a "No Solicitors" or "No Trespassing" sign which shall be reasonably visible to persons entering the property or the driveway or sidewalk if any. Any person who violates this Section shall be deemed to be in breach of this Part and such action shall result in the revocation of the permit.

§110 Manner of Conducting Business.

(A) No solicitor or transient vendor shall deposit any refuses or waste on the streets or alleys or any private or public property in Woodward Township, nor may he be parked or stopped for a longer time than is necessary for the reasonable conduct of his business.

(B) The hours during which a solicitor or transient vendor may conduct business in Woodward Township shall be limited from 9:00 a.m. to 7:00 p.m.

§111 Penalties.

Any person who violates or permits a violation of this Part shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a Magisterial District Judge, pay a fine of not more than \$600, plus all court costs, including reasonable attorneys' fees, incurred by the Township in the enforcement of this Part. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

ADOPTED AND ENACTED, this ___ day of _____, 2026, at a regular meeting of the Board of Supervisors of Woodward Township.

ATTEST:

Secretary

Kyle Coleman, Chairperson

Mike Fetzer, Supervisor

John Barth, Supervisor