

## **PEDDLERS AND SOLICITORS ORDINANCE**

ORDINANCE OF THE TOWN OF STONINGTON, CT, REGARDING PEDDLERS and SOLICITORS.

WHEREAS, The Town of Stonington currently has an Ordinance adopted December, 1915, which regulates peddlers; and

WHEREAS, Said Ordinance does not provide current restrictions to the extent necessary to regulate the actions and permitting of peddlers and solicitors; and

WHEREAS, Section 7-148 of the General Statutes of Connecticut, Revision of 1958, as amended, specifically empowers Towns to Regulate the use of streets, sidewalks, highways, public places and grounds for public and private purposes; and

WHEREAS, Section 7-148 of the General Statutes of Connecticut specifically empowers the Town to regulate and keep streets, sidewalks and public places free from undue noise and nuisances; and

WHEREAS, Section 7-148 of the General Statutes of Connecticut specifically empowers the Town to make and enforce police, sanitary or other similar regulations to protect to promote the peace, safety, good government and welfare of the municipality and its inhabitants.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

A. That the ordinances of the Town of Stonington be amended by repealing the existing ordinance re: licensing of itinerant vendors (dated September 21, 1915) and adding a section to read as follows:

Peddlers Ordinance

### Section 1- Required for persons over 15

No person over the age of 15, except those exempt from regulation by state law, shall engage in the peddling, vending or selling of any provisions, fruits, goods, wares or merchandise upon any of the public highways of the town, or from house to house therein, without first having obtained a license from the Chief of Police.

### Section 2- Application; issuance

(a) Any person desiring a peddler's license shall apply in writing to the Chief of Police on forms to be provided by the town, which shall contain such information as may be reasonably required to identify the applicant, and shall also furnish to the Chief of Police such credentials, including photo identification, disclosure of criminal convictions, and proof of liability insurance.

(b) The Chief of Police shall issue such a license to the applicant who thus establishes his/her identity, good moral character, provides proof of insurance and who pays to the town the license fee provided for in this article.

(c) The Board of Police Commissioners may waive the requirement for a peddler's license for special events such as, but not limited to, the Taste of Mystic, Mystic Outdoor Art Festival, or Riverglow.

Peddler's working in conjunction with the event organizers and are part of the event organizers plan will be exempt as long as a waiver has been granted to the event organizers by the Commission.

### Section 3- Fee; term

The fee for a peddler's license shall be set from time to time by the Board of Police Commissioners. Each license issued under this division shall expire on December 31 succeeding the date of its issuance. The current fee as of 2012 shall be \$25.00.

### Section 4- Revocation

Any peddler's license may be revoked by the Chief of Police or designee for any false statement made by the applicant in his/her application for a license or contained in the credentials or evidence furnished by him/her to secure a license, for the violation by the holder thereof of any of the provisions of this ordinance or other ordinances of the Town of Stonington or of any State or Federal law or whenever the holder of such license shall in the judgment of the Chief of Police or designee fail to cooperate with Law Enforcement in matters of traffic direction, roadway obstruction or behavior that compromises public safety.

### Section 5- Records required to be kept by Chief of Police

It shall be the duty of the Chief of Police to keep a record of all licenses issued by him under the provisions of this ordinance giving the number and date of each license, the name, age and residence of eh person so licensed and the amount of license fee paid.

### Section 6- Penalty for violating article

Any person violating the provisions of this ordinance (failure to license) shall be deemed to have committed an infraction under the State of Connecticut's Infractions schedule which is updated on occasion. Each day on which a violation occurs or continues after the time for correction of violation given in any order has elapsed shall be considered a separate violation of this ordinance.

## SOLICITORS

### Section 1- Permit – Required for persons over 17

It shall be unlawful for any person over the age of 17 to solicit orders of purchase for future delivery of any goods, wares, services or merchandise including magazines and other printed matter, from door to door without first obtaining from the Chief of Police a solicitor's permit to do so.

### Section 2- Application

A person desiring a solicitors' permit shall apply therefore in writing over his signature to the Chief of Police on forms provided by the town, which shall contain the following information:

- (1) The name, home address and local address, if any, of the applicant.
- (2) Any physical description of the applicant, setting forth the applicant's age and physical descriptors.

- (3) The name and address of the person for whom or through whom orders are to be solicited or filled.
- (4) The place or residence and nature of the employment of the applicant during the last preceding year.
- (5) The nature of the goods, wares and merchandise for which orders are to be solicited.
- (6) A statement as to whether the applicant has been convicted of any crime or misdemeanor and if so, what and any pending criminal court actions.
- (7) Such other credentials and other evidence of identity including a photograph to be attached to the permit and good conduct of the applicant as may reasonably be required by the Chief of Police.

#### Section 3— Issuance; hours solicitation permitted; term

If the Chief of Police shall determine after reasonable investigation that the applicant is of good character and proposes to engage in a lawful and legitimate commercial enterprise, he shall then issue the solicitor's permit which permit shall authorize the activity described in this ordinance during the hours of 8:30 a.m. to 9:00 p.m. daily for a period of one year from the date of such permit.

#### Section 4— Revocation

Any solicitor's permit may be revoked by the Chief of Police or designee for any false statement made by the applicant in his application for a permit or contained in the credentials or evidence furnished by him/her to secure a permit, for violation by the holder thereof of any of the provisions of this ordinance or other ordinances of the Town of Stonington or of any State or Federal law or whenever the holder of such permit shall in the judgment of the Chief of Police or designee fail to cooperate with Law Enforcement or public in matters of trespass, traffic direction, roadway obstruction or behavior that compromises public safety.

#### Section 5— Possession, display

The solicitor's permit shall be carried at all times by the applicant to whom issued when soliciting or canvassing in the town and shall be exhibited by any such applicant whenever he shall be requested so to do by any police officer or any person solicited.

#### Section 6- Penalty for violating article

Any person violating the provisions of this ordinance (failure to obtain permit; violation of hours) shall be deemed to have committed an infraction under the State of Connecticut's Infractions schedule which is updated on occasion. Each day on which a violation occurs or continues after the time for correction of violation given in any order has elapsed shall be considered a separate violation of this ordinance.

Section 7- Fee; term

The fee for a solicitor's license shall be set from time to time by the Board of Police Commissioners. Each license issued under this division shall expire one (1) year from the date of its issuance. The current fee as of 2012 shall be \$15.00 per group or organization.

B. Any fundraising activities commenced or implemented by any school, youth athletic team, Boy Scout Troop, Girl Scout Troop, or similar type of youth organization, provided that said school, team, troop or organization is located within the Town of Stonington, shall be exempt from the provisions of this ordinance.

C. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

D. If any provision of this ordinance or the application thereof is held to be invalid such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions of applications; and to this end the provisions of this ordinance and the various applications thereof are declared to be severable.

This ordinance shall become effective following approval by Town Meeting and fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington.

Adopted: October 9, 2012

Effective: November 3, 2012

Repeals Itinerant Vendor Ordinance dated September 21, 1915