

W. B. IX

N O T I C E

The Board of Supervisors of West Bradford Township intend to consider the following ordinance at their regular meeting to be held on October 12, 1965 at 7:30 p.m., in the West Bradford Fire Hall:

AN ORDINANCE PROHIBITING THE SELLING, PURCHASING OR SOLICITING THE SALE OR PURCHASE OF GOODS OR SERVICES FROM HOUSE TO HOUSE AND ON PUBLIC STREETS WITHOUT LICENSE; PROVIDING FOR APPLICATION FOR LICENSE; ESTABLISHING PROCEDURE FOR IDENTIFICATION; ESTABLISHING RULES OF CONDUCT IN SELLING, PURCHASING OR SOLICITING; PROVIDING FOR REVOCATION OF LICENSES IN CERTAIN CASES; EXEMPTING CERTAIN PERSONS FROM THE TERMS THEREOF AND FIXING PENALTY FOR VIOLATIONS

In order to protect the health, safety and general welfare of the citizens of the Township of West Bradford, Chester County, Pennsylvania, by ensuring, or attempting to ensure, that persons engaged in selling, purchasing, soliciting, making surveys or distributing samples by visitation to private residences or on public streets therein will conduct their activities in a proper manner; and, further, in order to obtain positive identification of persons who shall have been so engaged in the Township, the Board of Supervisors of said Township hereby ENACTS AND ORDAINS:

SECTION 1. From and after the enactment hereof, it shall be unlawful for any person not exempted by Section 6 hereof who is not the holder of a valid and unexpired license issued pursuant to this ordinance to engage in selling, purchasing or soliciting the sale or purchase of food, printed matter, services, goods, wares or merchandise of any description, or in soliciting contributions, gifts or pledges of money or any other thing of value, or to engage in making surveys or distributing samples by visitation to private homes or residences or on the public streets or highways of West Bradford Township.

SECTION 2. Any person not exempted by Section 6 hereof desiring to obtain a license to engage in the activities described in Section 1 hereof, shall make application therefor, in person, to the Township Secretary. The applicant shall supply, over his signature, the following information: (1) his true name; (2) his place and date of birth; (3) his temporary address; (4) his residence address; (5) the address at which he will receive notices under this ordinance; (6) the name and address of his employer or principal, if any, and the nature of the business activity thereof; (7) the nature of business or activity in which the applicant wishes to engage within the Township; (8) and a true statement as to whether the applicant has been convicted in any jurisdiction of any crime other than of minor traffic violations and, if so, of what crime or crimes. The applicant shall, together with his application, submit to the Township Secretary his photograph, the fingerprints of his two hands and a written description of himself, all recorded by the West Bradford Township Police, and shall pay a fee in the amount of Three (\$3.00) Dollars to defray the cost of administering this ordinance.

Upon submission of said application and supporting evidence of identification and the payment of fee as aforesaid, there shall be issued to the applicant a license in the form of a card which shall, unless revoked, entitle the licensee to engage in the activities described in Section 1 hereof, for a period of one (1) year from the date of issuance.

Licenses may be renewed annually, upon payment of the fee herein above provided for and amendment of the original application to reflect any changes necessary in the information therein contained.

SECTION 3. Every person to whom a license has been issued hereunder shall, in the carrying on of his business or activities in the Township, comply

with the following rules of conduct:

- a. He shall carry his license card at all times and exhibit it upon request to any peace officer or any person upon whom he shall call or with whom he shall talk in carrying on his licensed activities.
- b. He shall not permit any other person to have possession of his license card and shall immediately report its loss to the Township Secretary. He shall not cause or permit his license card to be altered or defaced.
- c. He shall not enter, or attempt to enter, any dwelling house without invitation or permission of the occupant and shall immediately leave any premises upon request.
- d. He shall not represent his license card to be an endorsement of himself or of his goods or services or of his principal or employer.
- e. He shall immediately surrender his license card upon revocation of his license as hereinafter provided.

SECTION 4. Any license hereafter issued may be revoked by the Board of Supervisors upon the failure of the licensee to comply with the standards of conduct established by Section 3 hereof or upon ascertainment that the licensee has made any false statement in his application for license hereunder. Notice of revocation shall be given by written notice personally served or sent by registered mail to the address designated for this purpose in the application for license.

SECTION 5. Any person whose license has been revoked shall be entitled to appear, with counsel, if he so desires, before the Board of Supervisors at a regular or special meeting and be heard in behalf of a

request for reinstatement of his license.

SECTION 6. The following persons are exempted from the licensing requirements of this ordinance:

- a. Persons soliciting contributions in behalf of organizations or non-profit corporations exempted from the provisions of or duly registered pursuant to the Act of 1925, May 13, P.L. 644, as amended; who, while soliciting, are possessed of a card or other written evidence of their appointment or authority to solicit for said organization or corporation.
- b. Farmers engaged in selling only the produce of their own farms from a truck or other vehicle.
- c. Persons who have been licensed by the Commonwealth of Pennsylvania to engage in an activity described in Section 1 hereof, when so engaged; including, without limitation, real estate, insurance or securities brokers and salesmen.
- d. Authorized persons carrying satisfactory identification engaged in making surveys or collecting information for government, or any agency thereof. Also exempt shall be authorized persons carrying satisfactory identification engaged in making surveys or collecting information for any bona fide educational or quasi-governmental agency, if such activity has previously been approved by the Board of Supervisors.

SECTION 7. Any person who shall violate any provision of this ordinance shall, upon conviction thereof before a Justice of the Peace, be subject to a penalty or fine of not less than Ten (\$10.00) Dollars nor more than Three Hundred (\$300.00) Dollars, together with costs of prosecution, for each such violation, or in default of the payment thereof, shall suffer

imprisonment in Chester County Farms for a period of no more than thirty (30) days.

SECTION 8. If any section, provision or part of this ordinance shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining sections, provisions or parts of this ordinance. The Board of Supervisors hereby declares that it would have enacted and ordained the remaining sections, provisions or parts of this ordinance if it had known that such sections, provisions or parts thereof would be declared unconstitutional.

Horace W. Rodgers
Secretary