

**WEST BRADFORD TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 22-01**

**AN ORDINANCE OF THE TOWNSHIP OF WEST  
BRADFORD, CHESTER COUNTY, PENNSYLVANIA,  
AMENDING CHAPTER 298 OF THE WEST BRADFORD  
TOWNSHIP CODE TITLED "PEDDLING AND  
SOLICITING," SHALL BE AMENDED TO REVISE  
APPLICATION REQUIREMENTS AND USE GENDER-  
NEUTRAL TERMINOLOGY THROUGHOUT.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of West Bradford Township that Chapter 298 of the West Bradford Township Code, titled "Peddling and Soliciting," is hereby amended as follows:

**SECTION 1.** Section 298 shall be amended as follows:

**"§298-1 License required.**

From and after the enactment hereof, it shall be unlawful for any person not exempted by § 298-6 hereof who is not the holder of a valid and unexpired license issued pursuant to this chapter 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.

**§ 298-2 Application for license.**

A. Any person not exempted by § 298-6 hereof desiring to obtain a license to engage in the activities described in § 298-1 hereof shall make application therefor, in person, to the Township Secretary. The applicant shall supply, over the applicant's signature, the following information:

- (1) The applicant's true name;
- (2) The applicant's place and date of birth;
- (3) The applicant's temporary address;

(4) The applicant's residence address;

(5) The address at which the applicant will receive notices under this chapter;

(6) The name and address of the applicant's 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; and

(8) A true statement as to whether the applicant has been convicted in any jurisdiction of any felonies or misdemeanors involving dishonesty, deceit, fraud, theft, sexual offenses, or crimes of violence in the past ten years and, if so, of what crime or crimes.

B. In addition to the application set forth in § 298-2A, the applicant shall submit the following to the Township Secretary:

(1) A photograph;

(2) A written description of the applicant;

(3) A copy of the applicant's criminal history/record from the Pennsylvania State Police that was processed by the Pennsylvania State Police within 60 days of the date of the submission of the completed application; and

(4) The fee for such license as shall be established from time to time by resolution of the Township Board of Supervisors.

C. Upon submission of said application with the payment of the fee and supporting documentation, the Township Secretary shall review the submission. If the application is complete with the full payment of the fee, all of the required supporting documentation has been provided, and the criminal history/record from the Pennsylvania State Police is free of any felony convictions or misdemeanor convictions involving dishonesty, deceit, fraud, theft, sexual offenses, or crimes of violence in the past ten years, the Township Secretary shall issue 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 § 298-1 hereof for a period of one year from the date of issuance.

(1) Applicant's criminal history/record from the Pennsylvania State Police must show no felony convictions or misdemeanor convictions involving dishonesty, deceit, fraud, theft, sexual offenses, or crimes of violence in the past ten years as a condition precedent to issuance of the permit.

(2) Appropriate grounds for denial of the application include the following:

- a. Applicant's failure to complete the application;
- b. Applicant's failure to present the supporting documentation as required by §298-2B;
- c. Applicant provided false or misleading information on the license application; and
- d. Applicant's criminal history/record from the Pennsylvania State Police does not meet the above requirements in §298-2C(1).

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

### **§ 298-3 Rules of conduct.**

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. The licensee shall carry the licensee's license card at all times and exhibit it upon request to any peace officer or any person upon whom the licensee shall call or with whom the licensee shall talk in carrying on the licensee's licensed activities.

B. The licensee shall not permit any other person to have possession of the licensee's license card and shall immediately report its loss to the Township Secretary. The licensee shall not cause or permit the licensee's license card to be altered or defaced.

C. The licensee 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. The licensee shall not represent the licensee's license card to be an endorsement of the licensee or of the licensee's goods or services or of the licensee's principal or employer.

E. The licensee shall immediately surrender the licensee's license card upon revocation of the licensee's license as hereinafter provided.

#### **§ 298-4 Revocation of license.**

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 § 298-3 hereof or upon ascertainment that the licensee has made any false statement in the licensee's application for license hereunder. Furthermore, a license may be revoked by the Board of Supervisors in the event that it comes to the attention of the Township that the licensee has been convicted of any felony convictions or misdemeanor convictions involving dishonesty, deceit, fraud, theft, sexual offenses, or crimes of violence in the past ten years, and such conviction has been confirmed. 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.

#### **§ 298-5 Reinstatement of revoked license.**

Any person whose license has been revoked shall be entitled to appear, with counsel if such person so desires, before the Board of Supervisors at a regular or special meeting and be heard on behalf of a request for reinstatement of such person's license.

#### **§ 298-6 Exemptions.**

The following persons are exempted from the licensing requirements of this chapter:

A. Persons soliciting contributions on behalf of organizations or nonprofit corporations exempted from the provisions of or duly registered pursuant to 10 P.S. § 162.1 et seq., Solicitation of Funds for Charitable Purposes Act, 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 § 298-1 hereof when so engaged, including, without limitation, real estate, insurance or securities brokers and salespeople.

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.

**§ 298-7 Violations and penalties.**

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense."

**SECTION 2. Severability.** If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

**SECTION 3. Repealer.** All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 4. Effective Date.** This Ordinance shall be effective five days following enactment as by law provided.

**ENACTED AND ORDAINED** this 12<sup>th</sup> day of April, 2022.

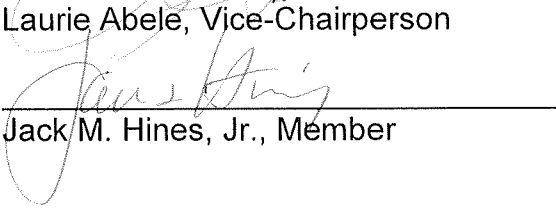
ATTEST:

  
Justin Yaich, Secretary

**WEST BRADFORD TOWNSHIP  
BOARD OF SUPERVISORS**

  
Kevin Houghton, Chairperson

  
Laurie Abele, Vice-Chairperson

  
Jack M. Hines, Jr., Member