

PART 1

TRANSIENT RETAIL BUSINESS

§101. DEFINITIONS.

BOARD OF SUPERVISORS - West Manheim Township Board of Supervisors.

CHARITABLE ORGANIZATION - an organization or individual established for charity, nonprofit, to aid the needy.

LICENSE - a document, tag or plate issued by the Township Secretary authorizing individual(s) to solicit, peddle or canvass per this Part.

POLICE DEPARTMENT - West Manheim Township Police Department

TOWNSHIP SECRETARY - West Manheim Township Secretary or designee.

(Ord. 4-92, 7/2/1992, Intro.)

§102. LICENSE REQUIRED.

From and after passage of this Part it shall be unlawful for any person, firm or corporation, whether as principal or agent, to commence or do a transient retail business for the sale of any goods, wares or merchandise whatsoever or to hire, lease or occupy a room, apartment, store, shop building or other structure for exhibition or sale of such goods, wares or merchandise without first procuring a license to do so from the Township Secretary for a fee, as per resolution, to be paid each calendar year. Each license shall be issued from the date of application to December 31 in the year in which the application is made.

(Ord. 4-92, 7/2/1992, §1)

§103. IDENTIFICATION.

It shall be unlawful for any person to hawk, peddle or sell, with or without a vehicle, any goods, wares, merchandise, produce or articles or services of whatsoever kind or to do or perform anything of a commercial nature, utilizing the streets of the Township therefor, or to canvass or solicit money, gifts or contributions for any purpose, unless and until registered with the Township Secretary, providing proof of name, date of birth, Social Security number, address, business, name and address of principal, together with such other information as may be proper for police processing and to safeguard health and property.

(Ord. 4-92, 7/2/1992, §2)

§104. LICENSE REQUIRED.

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

All peddlers, hawkers, hucksters, vendors, agents, solicitors, canvassers, salesmen and distributors not engaged in interstate commerce, for transacting any business in said Township, shall procure a license so to do, from the Township Secretary and shall pay a fee, as per resolution, per year. Each license shall be issued from the date of application to December 31 in the year in which the application is made.

(Ord. 4-92, 7/2/1992, §3)

§105. NUISANCES PROHIBITED.

Nothing may be licensed under this Part which is prohibited by State law or other Township ordinances. The payment of a license fee does not permit the holder to create a nuisance or danger. Licenses granted to individuals are personal, not transferable, and do not permit the employment of unlicensed agents.

(Ord. 4-92, 7/2/1992, §4)

§106. REVOCATION OF LICENSE.

All licenses shall be revocable at any time by resolution of the Township Board and no license shall be issued to extend beyond December 31 following the date of issue.

(Ord. 4-92, 7/2/1992, §5)

§107. APPLICATION FOR LICENSE.

Applicants for a license shall be required to make an appointment with the Secretary and Police Department for processing. The required fee(s) and completed application(s) shall be presented to the Secretary. The applicant shall then present himself/herself to the Police Department for fingerprinting and review of the application. Upon completion of said application, there shall be a 48-hour waiting period for processing by the Police Department. The applicant(s) will be instructed when they may return to the Police Department to pick up his license.

(Ord. 4-92, 7/2/1992, §6)

§108. DISPLAY OF LICENSE.

Licensees are required to display their license on an outer garment, visible to the general public, and make same available for public or police inspection. It shall be the duty of the police officer to require any person seen engaged in the activities covered by this Part, and who is not known by such officer to be duly licensed, to produce his license and to enforce the provisions of this Part against any person(s) found to be violating the same.

(Ord. 4-92, 7/2/1992, §7)

§109. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 4-92, 7/2/1992, §8; as amended by A.O.)

§110. EXEMPTIONS.

The provisions of this Part shall not apply to farmers selling their own produce, or persons soliciting for funds or selling goods, wares or merchandise under the auspices of the South Western School District, West Manheim Recreational Association, West Manheim Lions Club or any fire company members in the Township. Charitable or religious organizations may be exempt from the license fee; however, registration procedures shall be required. Additionally, the Board of Supervisors may grant exemptions upon formal request.

(Ord. 4-92, 7/2/1992, §9)