

**AN ORDINANCE REGULATING PEDDLING WITHIN THE BOROUGH OF ALBURTIS REQUIRING PEDDLERS TO OBTAIN LICENSES AND PRESCRIBING PENALTIES FOR VIOLATION.**

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Be it ordained and enacted by the Mayor and Borough Council of the Borough of Alburdis, Lehigh County, Pennsylvania and it is hereby ordained and enacted by authority of the same.

**Section 1.**

(a) The word "peddling", as used in this ordinance, shall mean engaging in peddling, canvassing, soliciting or taking of orders, either by sample or otherwise, for the sale of any goods, wares or merchandise, upon any of the streets or sidewalks or from house to house within the Borough of Alburdis. PROVIDED: the word "peddling" shall not apply (1) to farmers selling their own produce, (2) to the sale of goods, wares and merchandise, donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose, or (3) to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk or milk products.

(b) The word "peddler", as used in this ordinance, shall mean any person who shall engage in peddling, as hereinabove defined.

(c) The word "person", as used in this ordinance, shall mean any natural person, association, partnership, firm or corporation.

(d) In this ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

**Section 2.**

**No person shall engage in peddling in the Borough of Alburdis**

without first having taken out a license as herein provided.

**Section 3.**

Every person desiring to engage in peddling in the Borough of Alburdis shall first make application to the Mayor for a license. If such person shall also be required to obtain a license from any county officer, he shall, when making such application, exhibit a valid county license. Upon such application, such person shall give his name; address; his previous criminal record, if any; the name of the person for whom he works, if any; the type of goods, wares and merchandise he wishes to peddle; the length of time for which he wishes to be licensed; the type of vehicle he uses, if any; and the number of helpers he has. PROVIDED; where a person makes application for himself and one or more helpers, all applicable personal information specified above shall be given for each helper, and an individual license shall be required for each helper. No license issued under this ordinance shall be transferable from one person to another.

**Section 4.**

No license shall be issued under this ordinance until the proper fee, as follows, shall be paid to the Mayor, which shall be for the use of the Borough:

(a) Foot peddler: one dollar (\$1.00) per day; three dollars (\$3.00) per month; ten dollars (\$10.00) per year.

(b) Peddler operating from a motor vehicle: two dollars (\$2.00) per day; five dollars (\$5.00) per month; fifteen dollars (\$15.00) per year.

(c) Each and every additional peddler employed by a pedler operating from a motor vehicle: one dollar (\$1.00) per day; three dollars (\$3.00) per month; ten dollars (\$10.00) per year.

Section 5.

Upon making application therefor and paying the proper fee, as herein specified, a license shall be issued to every peddler. Such license shall contain the information required to be given upon the application therefor. Every peddler shall at all times when engaged in peddling in the Borough, carry such license upon his person, and shall exhibit such license, upon request, to all police officers, borough officials and citizens. No peddler shall engage in selling any product not mentioned upon such license nor shall any person having a foot peddler's license operate from or with any motor vehicle.

Section 6.

No person licensed as a peddler under this ordinance, shall hawk or cry his wares upon any of the streets or sidewalks of the Borough, nor shall he use any loud speaker or horn or any other device for announcing his presence by which the public is annoyed.

Section 7.

No person licensed as a peddler under this ordinance, shall place or deposit any refuse upon any of such streets or alleys; nor may any such person maintain or keep a street or curbstone market by parking any vehicle upon any street or alley in the Borough for longer than necessary in order to sell therefrom to persons residing in the immediate vicinity.

Section 8.

No person, licensed as a peddler under this ordinance, shall occupy any fixed location upon any of the streets, alleys or sidewalks of the Borough for the purpose of peddling, with or without any stand or counter.

Section 9.

ordinance, and the Chief of Police shall apply to the Mayor for a list of all licenses issued hereunder. The Mayor and the Chief of Police shall supervise the activities of all holders of such licenses.

Section 10.

The Mayor of the Borough of Alburdis is hereby authorized to suspend any license issued under this ordinance when he deems such suspension to be beneficial to the public health, safety or morals, or for violation of any of the provisions of this ordinance, or for giving false information upon any application for a license hereunder.

Section 11.

Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of payment thereof, to imprisonment for not more than thirty (30) days.

Section 12.

The provisions of this ordinance shall be severable and if any provision thereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been enacted had such unconstitutional, invalid or illegal provision not been included therein.

Ordained and enacted by Council this \_\_\_\_\_ day of \_\_\_\_\_ A. D., 1963.

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President of Council

Attest:

*Jayne Schadler*  
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Secretary

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A. D., 1963.

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