



PEDDLER'S PERMITS

- \$200 1st Applicant
- \$50 each additional
- All applications must be handed in at the same time
- Copy Current Driver's License
- Copy of Social Security Card
- Background Checks
- Strictly for Town of Monroe / Village has to be done separately
- Approval by Town Clerk

PEDDLER'S APPLICATION
Town of Monroe

DATE _____

NAME: _____ AGE _____

PHYSICAL DESCRIPTION OF APPLICANT _____

NAME & ADDRESS OF FIRM REPRESENTED _____

LENGTH OF TIME FOR WHICH APPLICATION IS NEEDED _____

DESCRIPTION OF GOODS, WARES OR MERCHANDISE _____

HAVE YOU EVER BEEN CONVICTED OF A FELONY OR MISDEMEANOR ?
IF SO: DETAILS OF CONVICTION: _____

APPLICANTS VALID NEW YORK SALES TAX NUMBER ISSUED BY NYS DEPT OF
TAX & FINANCE: _____

IS A VEHICLE BEING USED ? YES NO

DISCRIPTION OF VEHICLE _____

LICENSE NUMBER OF VEHICLE _____

LOCATION FROM WHICH THE APPLICANT INTENDS TO SELL OR OFFER TO SELL
GOODS, WARES, OR MERCHANDISE OR SOLICIT ORDERS FOR SAME _____

NAME & ADDRESS IN STATE OF N.Y. OF A PERSON UPON WHOM LEGAL NOTICE
OR PROCESS MAY BE SERVED. _____

ATTACH A LETTER FROM THE PROPERTY OWNER GRANTING PERMISSION TO THE
APPLICANT TO MAINTAIN A TRANSIENT RETAIL BUSINESS OR ROADSIDE FARM
MARKET OR FOOD VENDING BUSINESS ON PROPERTY WITHIN TOWN. _____

ANY FALSE STATEMENT CONTAINED IN ANY APPLICATION SHALL BE GROUNDS
FOR DENIAL/REVOCAION OF THE LICENSE.

Chapter 35. Peddling and Soliciting

[HISTORY: Adopted by the Town Board of the Town of Monroe 4-19-1999 by L.L. No. 1-1999. Amendments noted where applicable.]

GENERAL REFERENCES

Noise — See Ch. 33A.

§ 35-1. Legislative intent.

The purpose of this chapter is to assist in the orderly government of the Town of Monroe and to assist in the orderly management of the business, peace, health, safety and welfare of its inhabitants and the protection and security of their property.

§ 35-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CANVASSEER

Any person who, by going from house to house or place of business to place of business, or any combination thereof, seeks contributions, fund-raises, petitions, solicits memberships, disseminates information or conducts activities which would not be characteristic of a peddler or solicitor.

FOOD VENDING BUSINESS

The sale of prepared food products for immediate consumption from a motor vehicle, trailer, platform, stand or tent on any highway or other place within the town other than within a fully enclosed building or a stand or outside sales and eating place maintained as an adjunct to a food vending business maintained in an adjoining fully enclosed building.

PEDDLER

Any person who, in any street or public place or by going from house to house or from place to place, or any combination thereof, on foot or from any vehicle, either standing or moving in any street, sells, barter or offers for sale or barter or displays for sale or barter any goods, wares, merchandise or services, except as hereinafter exempted.

PERSON

One or more persons, corporations, partnerships, associations, organizations and all other entities.

ROADSIDE FARM MARKET

A truck gardener or farmer who himself or by his agents sells or barter products of his own farm or garden from any location within the town, other than his residence or farm.

SOLICITOR

Any person, either principal or agent, travelling either by foot or by any conveyance from place to place, from house to house, from street to street, or any combination thereof, who takes or offers to take orders for the sale of any goods, wares or merchandise for present or future delivery or for the performance of future services, whether or not he collects advance payments for such sale or service, except as hereinafter exempted.

TOWN

The Town of Monroe.

TOWN BOARD

The Town Board of the Town of Monroe.

TOWN CLERK

The Town Clerk of the Town of Monroe.

TRANSIENT RETAIL BUSINESS

A business conducted in any motor vehicle, trailer or tent or on any street or other open place for the sale of retail goods, wares or merchandise, excepting prepared food and farm products.

§ 35-3. Exemptions.

- A. This chapter shall not apply to sales within a residence where the merchant also resides in such residence within the Town and shall not apply to door-to-door sales by local civic groups, churches, school-sponsored programs, Girl or Boy Scout programs, Little League, Pop Warner League, Rotary Club, Lions Club and like civic-minded groups, including but not limited to persons soliciting contributions on behalf of organizations registered under the provisions of New York State Executive Law § 172 or exempted from registration under New York State Executive Law § 172-a.
- B. The provisions of this chapter shall not apply to persons engaged in the sale of cosmetics or household goods within a residence, provided that such sales occur solely and exclusively within a residence by permission of the owner thereof. It is the intent of this section to exempt persons who sell cosmetics and household goods in individual or group sales within residences with the permission of the owner or occupant of the residence.
- C. The provisions of this chapter shall not apply to any person or persons engaged in the sale or solicitations of sales of any product or service for which the person or persons hold a valid license from the State of New York.
- D. The provisions of this chapter shall not apply to sales conducted pursuant to statute or order of any court.
- E. The provisions of this chapter shall not apply to any honorably discharged member of the Armed Forces of the United States who is a cripple as a result of injuries received while in the service of said Armed Forces.

§ 35-4. License required.

It shall be unlawful for any person to conduct or operate a transient retail business, roadside farm market or food vending business or engage in hawking, peddling or soliciting sales of any products to which this chapter applies within the town without first obtaining a license from the Town Clerk. All licenses shall be nontransferable. The licensee shall have such license in his possession at all times and shall exhibit the same at any time upon demand by any police officer, town constable, the Town Clerk or any other officer of the town designated by the Town Board and upon demand by any customer or prospective customer.

§ 35-5. Fee for license.

- A. The fees for licenses required by this chapter shall be fixed by resolution of the Town Board; a copy of the resolution shall be maintained on file in the office of the Town Clerk.
- B. Any person who presents a valid current license issued by the Orange County Clerk pursuant to the provisions of the General Business Law of the State of New York shall be exempt from paying the fees required by the town for the issuance of a license under this chapter.

§ 35-6. Application for license.

- A. Every applicant for a license is required to submit to the Town Clerk a written application setting forth the following information:
- (1) The name, age and physical description of the applicant.
 - (2) His/her address.
 - (3) The name and address of the firm represented, if any.
 - (4) The length of time for which the license is required.
 - (5) A description of the goods, wares or merchandise offered for sale.
 - (6) A statement that the applicant has never been convicted of a felony or misdemeanor or, if so, the details of the conviction.
 - (7) The valid sales tax number issued to the applicant by the New York State Department of Taxation and Finance.
 - (8) A description of the vehicle, including license number of the vehicle the applicant intends to use in the town.
 - (9) The location from which the applicant intends to sell or offer to sell goods, wares, or merchandise or solicit orders for the same.
 - (10) The name and address within the State of New York of a person upon whom legal notice or process may be served.
 - (11) A letter from the property owner granting permission to the applicant to maintain a transient retail business or roadside farm market or food vending business on property within the town.
- B. Any false statement contained in any application shall be grounds for denial/revocation of the license.

§ 35-7. Granting of license.

Upon receipt of the completed application and of the license fee, if required, the Town Clerk shall, after review, issue a license to the applicant, which shall be nontransferable and shall be in the continuous possession of the licensee while engaged in the business licensed. No license shall be valid for more than one year from the date of issue. In the event that the applicant has employees or agents working with or for the applicant, a separate application must be filed for each employee or agent. The license fee for each additional license shall be 25% of the license fee set forth by the Town Board in the resolution fixing license fees.

§ 35-8. Appeals.

In the event that the Town Clerk determines not to issue a license to any applicant or in the event that any license issued is revoked by the Town Clerk for failure to comply with any of the provisions of this Chapter or because the Town Clerk determines that the application for the license contains a false statement, the aggrieved applicant or the aggrieved licensee shall have the right of appeal to the Town Board. Such appeal shall be taken by filing a written statement with the Town Board setting forth fully the grounds for appeal within 10 days after the notice of the action complained of has been mailed to such aggrieved person's last known address. The Town Board shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given, by certified mail, to such aggrieved person's last known address. The hearing shall be held not more than 30 days after receipt of the written statement by the Town Board.

§ 35-9. Restrictions and prohibitions.

A licensed peddler or solicitor shall:

- A. Not conduct business in a town right-of-way or on town property.
- B. Not falsely or fraudulently misrepresent the quality or quantity of any article offered for sale or offer for sale any unwholesome, tainted or diseased provisions or merchandise.
- C. Not conduct activities in such a manner as to interfere with the pedestrian or vehicular use of the public streets and places.
- D. Not cause or permit the public streets and places to be littered. with papers, wrappings or other debris or refuse.
- E. Not conduct business within 100 feet of a street intersection.
- F. Not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon the streets, sidewalks or other public place for the purpose of selling or exposing for sale any goods, wares or merchandise.
- G. Not enter any house or building where there is posted on the front of the building or premises a written notice stating "No peddlers or solicitors" or similarly phrased notice unless prior consent of the owner or occupant has been received.
- H. Immediately move from a location if so ordered by any police officer or town officer on grounds that the location is unsafe. Refusal to obey such order shall be grounds for suspension or revocation of the license. Such order may be appealed to the Town Board in the manner set forth above.

§ 35-10. Records.

It shall be the duty of the Town Clerk to keep a record of all applications and of all licenses granted under this chapter, including the date of revocations of all licenses revoked.

§ 35-11. Penalties for offenses.

Any person violating any provision of this chapter shall, upon conviction, be guilty of a violation punishable by a fine of not more than \$500 or by a term of imprisonment not exceeding 15 days, or by both such fine and imprisonment. Each day such violation continues shall constitute a separate and distinct offense.

TOWN OF MONROE

BACKGROUND VERIFICATION AUTHORIZATION AND HOLD HARMLESS STATEMENT

To Whom It May Concern:

I hereby authorize and request any present or former employer, educational institution, military service, police department, criminal justice agency, financial institution, credit bureau, department of motor vehicles, or other persons or organizations having personal knowledge about me, to furnish bearer with any and all information in their possession regarding me in connection with an application for employment.

I am willing to allow a photocopy or fax copy of this authorization to be accepted with the same authority as the original, and I specifically waive any written notice from any present or former employer who may provide information based upon this authorized request. I understand this authorization is to be part of the written *Application for Employment Form* which I have signed.

I have been given a stand-alone notification that a consumer report may be requested and used for the purpose of evaluating me for employment, promotion, reassignment, or retention as an employee.

I certify that all of the information provided on the *Application for Employment* and/or *Supplemental Applicant Information Forms* is true and complete. I understand that falsification, misrepresentation, or omission of any material fact may be cause for rejection of my application, or if hired, termination of my employment.

I authorize the investigation of all statements contained on my resume, the *Application for Employment Form*, the *Supplemental Application Information Form*, or furnished elsewhere, as may be necessary for the Town to arrive at an employment decision.

I hold harmless and release from all liability the employer and all organizations or individuals furnishing information regarding my employment or personal background that may be used in connection with this application for employment.

I understand and agree that, if hired, my employment is for no definite period and may, regardless of the date of payment of my wages or salary, be terminated at any time, subject to applicable federal, state and/or local rules and regulations and/or collective bargaining agreements.

Applicant Name (Print):	Social Security Number:	Date:
Applicant Signature:	BIRTHDATE:	
Applicant Current Address (Street, City, State, Zip)		
Applicant Previous Address (if residing at current address for less than two (2) years) (Street, City, State, Zip)		

