

**Town of Ashford  
Peddling and Soliciting Law  
of the year 1987**

Be it enacted by the Town Board of the Town of Ashford, New York as follows:

Section 1. LEGISLATIVE INTENT:

This local law is enacted for the purpose of regulating the itinerant merchandising and soliciting in the Town of Ashford.

Section 2. LICENSE REQUIRED:

It shall be unlawful for any person within the jurisdiction of this local law to act as a peddler, vendor, or solicitor, as herein defined, without first having obtained and paid for, and having in force and effect, a license therefore.

Section 3. EXEMPTION:

- A. The provision of this local law shall not apply to the peddling or selling on meats, fish, fruits, and farm produce by farmers and by persons who raise such commodities.

No license or permit fees shall be required to be paid by not for profit organizations, including churches, schools, and social organizations.

Section 4. APPLICATION FOR LICENSE:

Every applicant for a license is required to submit to the Town Clerk a written, notarized application stating the following information:

- A. Name of applicant.
- B. Permanent home address.
- C. Name and address of firm representing, if any.
- D. Physical description of the applicant, Social Security number and date of birth.
- E. A description of the goods, wares or commodities to be offered for sale.
- F. The license number and description of vehicle(s), if any, to be used by the applicant.

- G. If the applicant has one or more employees who will work within the Town, the same information as herein above set forth must be supplied as to each and every employee before the issuance of a license.

Section 5. GRANTING OF LICENSE:

Upon receipt of the application and the license fee, and if approved by the Town Board, the Town Clerk shall issue a license to the applicant. This license shall be non-transferable and shall be produced upon the demand of any Town Official, prospective buyer, police officer, or peace officer.

Section 6 RECORDING OF LICENSE:

- A. The Town Clerk shall keep a record of all applications, the determinations made thereon and of all licenses issued in accordance with this local law. The record shall contain the name and address of the person licensed, the location of the business, the amount of the license fee paid and the date of revocation of any license revoked.
- B. All licenses hereunder shall expire on the 30<sup>th</sup> day following the date of issuance.

Section 7. SCHEDULE OF FEES:

The fees for all licenses are hereby fixed at (\$25.00) dollars.

Section 8. RESTRICTIONS:

Licensed peddler, vendor, or solicitor shall:

- A. Not engage in such business at any time between the hours of 7:30 p.m. and 9:00a.m.
- B. Not call attention to his goods by blowing a horn, by ringing a bell, other than a house doorbell, by shouting or crying out, or by any loud or unusual noise.
- C. Not frequent any street in an exclusive nature so as to cause a private or public nuisance.

Section 9. REVOCATION OF LICENSE:

- A. Licenses issued under the provisions of this local law may be revoked by the Town Board for any of the following causes:
  - (1) Fraud, misrepresentation or false statement made in the application for the license..

(2) Fraud, Misrepresentation or false statement made in the course of carrying on the business as peddler, vendor, or solicitor.

(3) Any violation of this local law.

Section 10. APPEAL:

Any person aggrieved by the actions of the Town Clerk or the Town Board in the denial of an application for a license or in a decision with reference to the revocation of a license shall have the right to appeal to the Town Board.

Section 11. PENALTY:

Any person who violates any of the provisions of this law shall be subject to a minimum fine of \$100. (not to exceed \$500.) for each and every violation. It is expressly set forth that each day the violation continues shall constitute a separate violation.

Section 12. VALIDITY:

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudged finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part therefore directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions not been included.

Section 13. EFFECTIVE DATE:

This law shall become effective immediately. Effective date September 9, 1987.