

**OFFICIAL  
HARMONY TOWNSHIP  
ORDINANCE NO. 334**

AN ORDINANCE OF THE TOWNSHIP OF HARMONY, COUNTY OF BEAVER AND COMMONWEALTH OF PENNSYLVANIA AMENDING THE HARMONY TOWNSHIP CODE OF ORDINANCES, CHAPTER 13, PART 1, ENTITLED "PEDDLERS AND PEDDLING" SO AS TO ESTABLISH PROVISIONS THAT PROHIBIT PEDDLING ACTIVITY ON WEEKENDS AND HOLIDAYS AND ESTABLISH A WEEKLY LICENSE FEE OF TWENTY FIVE (\$25.00) DOLLARS PER PERSON

WHEREAS, the Township of Harmony has heretofore enacted into law the Harmony Township Code of Ordinances which, inter alia, regulate Peddling activities; and,

WHEREAS, the aforesaid provisions were enacted into law decades ago and are in need of revision to reflect current standards and costs.

NOW THEREFORE, BE IT ORDAINED and ENACTED as follows:

**SECTION I:** That Section 104 of Chapter 13, Part 1, of the Harmony Township of Ordinances is hereby repealed in it's entirety and in lieu thereof the following substituted:

"Section 104. Fees. No license shall be issued under this Part until the proper fee, as follows, shall be paid to the Township Secretary which monies contemplate reimbursement to the Township for the cost of License issuance and monitoring activity attendant to Peddling:

1. For each peddler the sum of Twenty Five (\$25.00) Dollars per week".

**SECTION II:** That Section 105 of Chapter 13, Part 1 of the Harmony Township Code of Ordinances is hereby amended so as to add the following sub-section "G" which provides as follows:

"G. No activity, licensed or regulated by this Chapter and other applicable ordinances, shall occur or take place on Saturdays, Sundays or legally recognized Holidays."

**SECTION III:** That any part of this Ordinance or of Chapter 13, Part 1 of the Harmony Township Code of Ordinances is intended to be severable and in the event that any particular provision of said law is deemed to be unlawful and/or unenforceable, then in that event, it is the intent of Harmony Township Commissioners that the remaining provisions remain in full force and effect.

**SECTION IV:** That the within Ordinance shall take full force and effect immediately upon passage and approval of same.

ENACTED this 23<sup>rd</sup> day of August, 2001 by the Harmony Township Board of Commissioners.

ATTEST

HARMONY TOWNSHIP

Lyla Swan  
Secretary

August J. Antonucci

Part I

Peddlers and Peddling

§101. Definitions.

PEDDLING, as used in this Part, shall mean engaging in peddling, canvassing, soliciting or taking of orders, either by sample or otherwise, for any goods, wares or merchandise, upon any of the streets or sidewalks or from house to house within the Township of Harmony. 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, (4) the sale of goods, wares and merchandise by civic and other accredited nonprofit organizations. [Ord. 270]

PEDDLER, as used in this Part, shall mean any person who shall engage in peddling, as hereinabove defined.

PERSON, as used in this Part, shall mean any natural person, association, partnership, firm or corporation.

(Ord. 56, 4/10/1956, §1; as amended by Ord. 270, 6/20/1990)

§102. License Required. No person shall engage in peddling in the Township of Harmony, without first having taken out a license as hereinafter provided. (Ord. 56, 4/10/1956, §2)

§103. Application; Nontransferability. Every person desiring to engage in peddling in the Township of Harmony shall first make application to the Secretary of the Township of Harmony 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, names and addresses of helpers he has. Provided: when 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 Chapter shall be transferable from one person to another. (Ord. 56, 4/10/1956, §3; as amended by Ord. 270, 6/20/1990)

§104. Fees. No license shall be issued under this Part until the proper fee, as follows, shall be paid to the Secretary of the Township, which said monies shall be thereafter paid over to the Township Treasurer for general Township purposes:

PEDDLING, CANVASSING, SOLICITING PERMIT	\$10.00 PER DAY PER PERSON
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of his or her activity in the Township of Harmony, comply with the following rules of conduct:

A. He or she shall carry his or her license card at all times and exhibit it upon request to any peace officer or any person upon whom he or she shall call or with whom he or she shall talk in carrying on his or here licensed activity.

B. He or she shall not permit any other person to have possession of said license card and shall immediately report its loss to the Harmony Township Police Department.

C. He or she shall not cause or permit said license card to be altered or defaced.

D. He or she 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.

E. He or she shall not represent the aforesaid license card to be an endorsement of the licensee or of the goods or services of his or principal or employer by the Township of Harmony.

F. No activity, licensed or regulated by this Chapter and other applicable ordinances, shall occur or take place between sunset and sunrise as determined by the National Weather Service.

(Ord. 56, 4/10/1956, §5; as amended by Ord. 270, 6/20/1990)

§106. Wares Not to be Hawked. No person, licensed as a peddler under this Part, shall hawk or cry his wares upon any of the streets or sidewalks of the Township, nor shall he use any loud speaker or horn or any other device for announcing his presence by which the public is annoyed. (Ord. 56, 4/10/1956, §7)

§107. Use of Streets. No person, licensed as a peddler under this Part, shall park any vehicle upon any of the streets or alleys of the Township in order to sort, re-arrange or clean any of his goods, wares or merchandise; nor may any such person 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 Township for longer than necessary in order to sell therefrom to persons residing in the immediate vicinity. (Ord. 56, 4/10/1956, §8)

§108. Occupying Street or Sidewalk. No person, licensed as a peddler under this Part, shall occupy any fixed location upon any of the streets, alleys or sidewalks of the Township for the purpose of peddling, with or without any stand or counter. (Ord. 56, 4/10/1956, §9)

§109. Duties of Township Secretary and Chief of Police. The Secretary of the Township shall keep a record of all licenses issued under this Part, and the Chief of Police shall apply daily to the Secretary for a list of all licenses issued hereunder since the previous day. The Chief of Police shall supervise the activities of all holders of such licenses. (Ord. 56, 4/10/1956, §10)

§110. Chief of Police May Suspend License. The Chief of Police of the Township of Harmony is hereby authorized to suspend any license issued under this Part 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 Part, or for giving false information upon any application for a license hereunder. (Ord. 56, 4/10/1956, §11)

§111. Penalties. Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 1 continues shall constitute a separate offense. (Ord. 56, 4/10/1956, §12; as amended by Ord. 270, 6/20/1990)