

**GUILFORD POLICE DEPARTMENT
PEDDLER / SOLICITOR PERMIT APPLICATION**

1. COMPLETE THE ATTACHED APPLICATION - TYPE OR PRINT

2. ZONING ENFORCEMENT OFFICER

All applicants must contact the Zoning Enforcement Officer at Town Hall South, 50 Boston Street, to approve where vehicles can be parked before a peddler permit can be issued.

3. HEALTH INSPECTION CERTIFICATE

When food products are being sold, applicants must contact the Health Director of the Town of Guilford, located at Town Hall South, 50 Boston Street. The applicant must obtain this certificate before the Police Department can issue a peddler permit.

4. FEES

- a. The fee for an Annual Peddler or Solicitor Permit is \$ 200.00. The permit is valid for one year from the date of issuance.
- b. The fee for a One-Day Peddler or Solicitor Permit is \$25.00. The permit is valid only for the one day of issuance.

5. IDENTIFICATION

- a. The applicant is required to present satisfactory identification to the Police Department when submitting application.
- b. The numbered badge issued must be worn at all times.
- c. The license must be displayed at all times.

If all requirements have been met and the applicant has not been convicted of any crime or misdemeanor involving moral turpitude, or of any violation of this article, a permit may be issued. The permit may be picked up at the Guilford Police Department, Records Unit, 400 Church Street, during the Records Unit's business hours of 7:00 A.M. to 4:00 P.M.
Telephone: (203) 453-8065



TOWN OF GUILFORD
 POLICE DEPARTMENT
 400 Church Street - Guilford, Connecticut 06437
 Tel. (203) 453-8061 Fax (203) 453-8473
www.guilfordpd.com

**Peddler/Solicitor
 Permit
 Application**

Name: _____ Date of Application: _____

Address: _____ Telephone: _____

Date of Birth: _____ Sex: _____ Race: _____ Height: _____ Weight: _____ Eyes: _____

Hair: _____ Build: _____ Complexion: _____ S.S.#: _____

Driver License #: _____ Has your license ever been suspended: Yes No

If yes, please explain: _____

Employment (Name of Company): _____

Address: _____

Supervisor: _____

Product and/or merchandise to be sold: _____

Date permit needed: _____ What times do you intend to solicit?: _____

Where do you plan to conduct your business?: _____

Have you ever been convicted of ANY crime or misdemeanor?: Yes No

If yes, list below:

<u>Where (City, Town, State)</u>	<u>Date</u>	<u>Charges</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____

I hereby state that the above information is true and accurate to the best of my knowledge and ability:

 Signature

Before a permit can be considered, all applications for peddler/solicitor permits must be approved by the Zoning Enforcement Officer. Zoning Enforcement is located in Guilford Town Hall South, 50 Boston Street.

 Zoning Enforcement Officer

 Date

 Health Director

 Date

 Chief of Police

 Date

Town of Guilford, CT
Wednesday, July 8, 2020

Chapter 218. Peddling and Soliciting

[HISTORY: Adopted by the Board of Selectmen of the Town of Guilford 8-5-2019.^[1] Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also superseded former Ch. 218, Peddling and Soliciting, comprised of Art. I, Soliciting, adopted 2-14-1952 STM, as amended, and Art. II, Peddling, adopted 7-8-1965 STM, as amended.*

§ 218-1. Purpose.

The purpose of this chapter is to promote greater public safety and welfare in the Town, as authorized by Section 7-148(c)(7)(B) and (H) of the Connecticut General Statutes.

§ 218-2. Definitions.

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

HAWKER or PEDDLER

Any person, whether principal or agent, who goes from town to town or from place to place or house to house in the same town selling or bartering, or carrying for sale or barter, any goods, food, wares or merchandise, either on foot, pushcart or from any vehicle, including a mobile food service establishment (hereinafter referred interchangeably as "vendor," "hawker," or "peddler"). Such definitions are consistent with Section 21-36 of the Connecticut General Statutes.

SOLICITOR

Any person, whether principal or agent, who goes from town to town or from place to place or house to house in the same town for the purpose of taking or attempting to take orders for the sale of goods, food, wares or merchandise, including periodical subscriptions, for future delivery or for services to be performed in the future, either on foot or from any vehicle. The term "solicitor" shall also include any person who requests, place to place or house to house, directly or indirectly for money, credit, property, financial assistance or other thing of any kind or value on the plea or representation that such money, credit, property, financial assistance or other thing of any kind or value is to be used for a charitable purpose or benefit a charitable organization, as more fully described in Section 21a-190a of the Connecticut General Statutes. Telephonic sales solicitations shall be governed by the Connecticut General Statutes. Such definition is consistent with Section 21a-190a(3) of the Connecticut General Statutes.

§ 218-3. License required.

No person shall solicit, hawk or peddle, as those terms are defined in § 218-2, in the Town of Guilford, without a license issued by the Guilford Police Department, upon the filing of an application as hereafter provided.

§ 218-4. Exceptions.

The license requirement of § 218-3 shall not apply to the following:

- A. As mandated by Section 21-37 of the Connecticut General Statutes, sales by farmers and gardeners of the produce of their farms, gardens and greenhouses, including fruit, vegetables and flowers, or to the sale, distributions and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods, to sales on approval, to conditional sales of merchandise, or to the taking of orders for merchandise for future delivery when full payment is not required at the time of solicitation;
- B. Any person under 18 years of age; and
- C. Charitable organizations, as defined in Section 21a-190a of the Connecticut General Statutes, which are in compliance with the Solicitation of Charitable Funds Act set forth in Sections 21a-175 et seq. and regulations pertaining thereto, including any requirement to carry current proof of registration with the State Department of Consumer Protection when soliciting.

§ 218-5. Application for license.

The hawker, peddler or solicitor shall make application to the Chief of Police or his/her designee, for a license at least five days prior to the date of his/her contemplated peddling or soliciting activities. A separate license shall be required for each peddler, solicitor or hawker, provided that only one license shall be required for each peddler vehicle, pushcart or mobile food service establishment.

- A. The license application for peddlers, hawkers and solicitors shall be on a form available at the Police Department and shall include the following information:
 - (1) Name and permanent address of applicant and each person who conducts peddling or soliciting activities associated with any pushcart, vehicle or mobile food service establishment;
 - (2) Driver's license number or other verifiable government identification of the applicant and of each person who conducts peddling or soliciting activities associated with any pushcart, vehicle or mobile food service establishment;
 - (3) Type of vending operation to be conducted (i.e., pushcart, motor vehicle, other), as applicable;
 - (4) Type of product to be sold (i.e., food, beverages, novelties, other), as applicable;
 - (5) Statement as to whether the applicant, and each person who conducts peddling or soliciting activities associated with any pushcart, vehicle or mobile food service establishment, has ever been convicted of a crime or misdemeanor involving moral turpitude. A criminal record check shall be completed by the Guilford Police Department for each person conducting vending or soliciting activities; and
 - (6) If the application is for a temporary license, the desired date of commencement.
- B. The Police Department may request the applicant to submit the following together with his/her application to the Police Department:
 - (1) Identification in the form of a government-issued ID of the applicant and each person who conducts peddling and soliciting activities;
 - (2) Photograph of applicant and each person who conducts peddling or soliciting activities;
 - (3) Application fee in the amount described in this chapter;
 - (4) Proof of insurance for vehicular, property, casualty or liability as may be reasonable and customary for the nature of the proposed operation;

- (5) Copy of registration for any vehicle, including a mobile food service establishment, to be used in the vending activities, as applicable; and
- (6) Except with respect to peddling on public streets and state highways, if peddling from a peddler vehicle, pushcart or mobile food service establishment is to take place on private, state or Town property, the applicant shall provide, as applicable, the Zoning Enforcement Officer's approval that the operation is in compliance with applicable zoning regulations, including any revised site plan requirements under Article IX of Chapter 273 of the Town Zoning Code. For purposes of vending on Town property, the vendor shall obtain the permission of the governing agency of the subject property, as defined in Chapter 214 of the Town Code.

§ 218-6. Issuance of license; fee.

Upon compliance by the applicant with the provisions of § 218-5, the Police Department shall issue a license authorizing the applicant to conduct vending or soliciting activities for a period not to exceed one year from the date of issuance for a fee of \$200, to cover the administrative costs of the review and issuance of the license, provided that temporary licenses may be issued for a period not to exceed one day, for a reduced fee of \$25. The license is non-transferable.

§ 218-7. Veteran fee waiver.

The license fee shall be waived for veterans "who served in time of war," as defined in Section 27-103 of the Connecticut General Statutes, who: i) have resided within Connecticut for a period of two years next preceding the date of application for such permit; ii) are hawkers or peddlers; and iii) are "principals," pursuant to the provisions of Sections 21-36 and 21-37 of the Connecticut General Statutes.

§ 218-8. Identification badge.

The Chief of Police shall issue a badge to each individual who conducts peddling or soliciting activities under this chapter, regardless of whether or not a license fee is required. Each person shall conspicuously affix the badge to his/her outermost garment while conducting such door-to-door activities. The badge shall include the name of the licensee and the individual, the license number and the time period for which the license is valid.

§ 218-9. Rules and regulations.

The Board of Selectmen, upon the recommendation of the Chief of Police and, for applicable provisions, the Police Commission, may make such rules and regulations regulating solicitors and peddlers consistent with this chapter as the Board deems the public welfare requires and as otherwise in compliance with laws.

§ 218-10. Revocation or denial of license.

- A. In the interest of the health and safety of the community, an application for a license may be denied or a license may be revoked for any one of the following reasons:
 - (1) Fraud, misrepresentation or false statements contained in the license application;
 - (2) Fraud, misrepresentation or false statements made in the course of the activities conducted under the license;

- (3) Any violation of this chapter, the rules and regulations adopted pursuant to the provisions of this chapter or local, state or federal law;
- (4) The applicant or licensee has been convicted of a crime or misdemeanor involving moral turpitude; or
- (5) Conduct of activities regulated by this chapter in such a manner as to create a public nuisance, constitute a breach of the peace or endanger the health, safety or general welfare of the public.

§ 218-11. Notice; appeals.

- A. The Chief of Police or his or her designee shall provide written notice to the person whose license is denied or revoked, which notice shall set forth the grounds of the denial or revocation and shall be mailed to the person's address as shown on the license application form or to the person's last known address.
- B. Any person aggrieved by the action or decision of the Chief of Police to deny or revoke the license shall have the right to appeal to the Board of Selectmen within 15 days of receipt of such notice of decision. The Board of Selectmen shall schedule a hearing within 10 days of receipt of an appeal and shall render a decision not later than 10 days following the close of the hearing; provided, however, that upon a written showing of special circumstances to the satisfaction of the Board of Selectmen, an aggrieved person shall be granted an expedited hearing to be held within three business days of receipt of the written request.

§ 218-12. Records.

The Chief of Police shall keep a record of all licenses granted under the provisions of this chapter.

§ 218-13. Penalties for offenses.

Any person who shall peddle or solicit without being duly licensed as herein provided or who shall violate the provisions of this chapter shall be fined not more than \$199 for each offense, pursuant to Section 21-38 of the Connecticut General Statutes. An infractions ticket shall be issued as authorized by the State of Connecticut for violation of a municipal ordinance and payment or a plea of not guilty sent to the State of Connecticut Centralized Infractions Bureau.

§ 218-14. Conflict with statutory provisions.

Should any provisions of the Chapter be found with finality by a court of competent jurisdiction to be prohibited by the Connecticut General Statutes, the provisions of such statutes shall prevail.

§ 218-15. Other Town authorities.

Nothing in this chapter shall limit the power and authority of the Zoning Enforcement Officer, the Planning and Zoning Commission, the Police Commission, the Fire Marshal or the Director of Health to enforce their related regulations, codes, laws or ordinances.

RULES AND REGULATIONS

To

Town Code, Chapter 218

Adopted by the Board of Selectmen, upon the recommendation of the Police Chief and the Police Commission, at a Board of Selectmen meeting held on September, 16 2019.

1. Purpose.

The purpose of these rules and regulations is to promote greater public safety and welfare in the Town.

2. Authority.

In accordance with Chapter 218 of the Town Code, the Board of Selectmen, upon the recommendation of the Chief of Police and the Police Commission, hereby establishes the following rules and regulations applicable to peddlers and solicitors, which are in addition to the provisions of Chapter 218. These rules and regulations supersede any and all previously adopted rules and regulations.

3. School property.

No peddling or soliciting shall be permitted on any property controlled by the Board of Education without the written permission of the Superintendent of Schools. Peddling and soliciting shall be prohibited on any public streets or State highways within a distance of three hundred (300) feet of the property boundaries of any Guilford public school while school is in session, unless the Superintendent of Schools has provided a written waiver of such requirement or as otherwise required by law.

4. Specific requirements for mobile food establishments, other peddler vehicles, including push carts.

a). Affix license. Each licensee who conducts peddling from a vehicle, push cart or mobile food service establishment shall affix a copy of the license in a conspicuous place on its vehicle, push cart or mobile food service establishment.

b). Refuse. Adequate provisions shall be made to collect, store and dispose of all used containers, wrappings and other disposables connected with the peddling operation, which containers shall be either placed inside or affixed to the vehicle, mobile food

establishment or push cart, which provisions shall be reasonably acceptable to the Health Director.

c). Power Source. All power sources used in connection with the peddling operation shall either be placed inside or affixed to the vehicle, mobile food service establishment or push cart. Power sources shall be maintained in good working order and shall be shielded in a manner to effectively reduce noise levels.

d). Signage; awnings and umbrellas. Signage, awnings and umbrellas shall be affixed to the vehicle, mobile food service establishment or push cart so as to be an integral part of such mobile food establishment, vehicle or cart and the same shall not interfere with motor vehicle site lines nor pedestrian sidewalk access. No freestanding or portable signs or umbrellas shall be permitted. Any peddling from private property, State, or Town property shall comply with applicable Town zoning regulations, including signage regulations. The limitation imposed by this Section may be suspended during parades, races, firework display or other similar one-day events, at the discretion of the Police Chief.

e). Equipment and personal property. No tents, dining tables, seating, equipment or personal property shall be permitted to be placed outside of the mobile food service establishment, vehicle or push cart. Placing condiments and other related items on shelves which are attached to the vehicle is permitted. The limitation imposed by this Section may be suspended during parades, races, fireworks displays or other similar one-day events, at the discretion of the Chief of Police.

f). Deliveries. In the interest of public safety, including traffic safety, licensees shall be prohibited from receiving deliveries in conjunction with their business operation when the mobile food establishment, vehicle or push cart is located on a State highway, public street or Town property.

g). Lighting and sound systems. Any lighting and sound systems projecting from the mobile food service establishment, vehicle or push cart shall comply with applicable Town zoning regulations and the Town Noise Ordinance set forth in Chapter 208 of the Town Code.

h). Traffic safety. Peddlers vending from public streets or if permitted, from State highways, shall be required to park in a location, and in such a manner, that travel upon the public street, drivers' visibility of intersections, driveways and pedestrians, and the lawful movement of vehicles and pedestrians on the public street and adjacent sidewalks are not impeded. Peddlers vending from public streets or if permitted, from State highways, shall vend from the curb side and not from the side facing motorized traffic. Peddlers shall comply with State and local traffic laws, including Section 14-251 of the

Connecticut General Statutes, State Department of Transportation encroachment permit regulations and Chapter 259 of the Town Code, entitled “Vehicles and Traffic.”

i). Encroachment permit for State highways. Notwithstanding the foregoing, parking a mobile food service establishment or vehicle on a State highway or State right of way, shall be subject to State law, including the Department of Transportation encroachment permit requirements.

5. Preferred peddler vending locations.

Pursuant to Chapter 214 of the Town Code, entitled “Parks and Public Places,” the governing agency with respect to Town parking lots and parking areas is the Board of Selectmen. Accordingly, the Town parking lots at Jacob’s Beach, Chittenden Park, Chaffinch, Lake Quonnipaug, Bittner Park, Town Hall, the Marina and Guilford Lakes Golf Course are hereby designated preferred peddler vending locations for mobile food establishments and other peddler vehicles, including push carts. Such mobile food establishments and other peddling vehicles, including push carts shall park only in the areas designated for such use within said parking lots, on a first come first serve basis. Reservation of such areas, by placement of personal property or personal vehicles or otherwise, shall be prohibited. Peddlers shall be responsible for any site plan approval as may be needed for the use of such areas.