

**TOWNSHIP OF LOWER SAUCON
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2013-05

AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA AMENDING AND REVISING CHAPTER 125 (PEDDLING AND SOLICITING) OF THE CODE OF THE TOWNSHIP OF LOWER SAUCON TO REVISE THE HOURS THAT PEDDLING IS PERMITTED TO 9:00 AM TO 6:00 PM, MONDAY – SATURDAY; TO CLARIFY AND REVISE THE EXISTING APPLICATION AND PERMIT REQUIREMENTS; AND TO REQUIRE NOTIFICATION TO THE POLICE DEPARTMENT OF PEDDLING ACTIVITIES

WHEREAS, Lower Saucon Township is a Township of the Second Class, Optional Plan, located in Northampton County, Commonwealth of Pennsylvania; and

WHEREAS, the Township of Lower Saucon adopted Ordinance #98-17 on May 20, 1998, enacting the Code of the Township of Lower Saucon (hereinafter referred to as the “Code”); and

WHEREAS, the Township of Lower Saucon has previously adopted Chapter 125 of the Code of Lower Saucon Township (hereinafter “Code”) relating to Peddling and Soliciting; and

WHEREAS, the Township of Lower Saucon desires to amend Chapter 125, Peddling and Soliciting to revise the hours that peddling is permitted to 9:00 am to 6:00 pm, Monday – Saturday; to clarify and revise the existing application and permit requirements; and to require notification to the Police Department of peddling activities; and

WHEREAS, the adoption of this Ordinance is intended to promote the health, safety, comfort, convenience, and general welfare of the citizens of Lower Saucon Township.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Township of Lower Saucon, County of Northampton, and Commonwealth of Pennsylvania as follows:

SECTION 1. Whereas Clauses.

The foregoing Whereas clauses are incorporated herein as if the same were fully set forth again at length.

SECTION 2. Amendment to Chapter 125 (Peddling and Soliciting), Section 125-2 (License required).

Chapter 125 (PEDDLING AND SOLICITING), Section 125-2 (License required), of the Code of the Township of Lower Saucon, is hereby deleted in its entirety and replaced as follows:

§125-2. Permit required.

No persons shall engage in peddling in Lower Saucon Township without first obtaining a permit for such activities from the Lower Saucon Township Police Department, as hereinafter provided. Once a permit has been obtained, no persons shall engage in peddling in Lower Saucon Township unless they have notified the Police Department, at least 24 hours in advance, of the dates they intend to conduct such peddling activities in the Township.

SECTION 3. Amendment to Chapter 125 (Peddling and Soliciting), changing the term “License” to “Permit”:

All references in Chapter 125 to the term “License or license” shall be deleted and replaced with the term “Permit or permit”.

SECTION 4. Amendment to Chapter 125 (Peddling and Soliciting), Section 125-3(A) (Application requirements; license nontransferable).

Chapter 125 (PEDDLING AND SOLICITING), Section 125-3(A) of the Code of the Township of Lower Saucon, is hereby deleted in its entirety and replaced as follows:

- A. Every person desiring to engage in peddling in Lower Saucon Township shall first submit an application for a permit, along with the required permit fee, to the Lower Saucon Township Police Department. If such person shall also be required to obtain a permit from Northampton County to engage in such activities; then he or she shall submit the County permit at the time of the application to the Township. The application shall require the disclosure of the person’s name and address, his or her previous criminal record (along with a copy of a criminal history report obtained from the PA State Police, at the applicant’s expense), the type of goods, wares and merchandise he or she wishes to peddle, the length of time for which he or she wishes to be permitted, the type and make of vehicle he or she uses, if applicable, and the number of persons assisting the applicant in the peddling activities. All information required to be submitted for the applicant shall also be submitted for each person assisting the applicant. No permit shall be issued to any person who has, within the last 10 years from the date of the application, been convicted, or served a sentence or period of criminal probation, for any felony or misdemeanor involving moral turpitude (as that term is defined in Section 237.9 of the Pennsylvania Code, as may be amended from time to time). Only one permit per organization shall be required. All permits shall be valid for a maximum period of six (6) months.

SECTION 5. Amendment to Chapter 125 (Peddling and Soliciting), Section 125-6 (Hours and Registration of “Do Not Solicit” properties).

Chapter 125 (PEDDLING AND SOLICITING), Section 125-6 of the Code of the Township of Lower Saucon, is hereby deleted in its entirety and replaced as follows:

§125-6. Hours and Registration of “Do Not Peddle” properties.

- A. No person obtaining a permit under the provisions of this Chapter shall engage in peddling before 9:00 am or after 6:00 pm. In addition, no peddling is permitted on Sundays.
- B. The Lower Saucon Township Police Department shall maintain a registry of individual property owners who have registered their property with the Department as a “No Peddling” property. The Department shall provide all persons issued a permit with a copy of this registry. Any contact with a property owner listed on the registry shall constitute a violation of this Chapter, and shall be grounds for revocation of a permit.

SECTION 6. Severability.

The provisions of this Ordinance are severable. If any sentence, clause, or Section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid; 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 adopted had such unconstitutional illegal or invalid provision not been included herein.

SECTION 7. Repealer.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. Effective Date.

This Ordinance shall become effective five (5) days after adoption thereof.

ENACTED and ORDAINED this 4th day of December, 2013.

ATTEST

LOWER SAUCON TOWNSHIP

Jack Cahalan
Township Manager

Glenn C. Kern
Council President