

**Village of Croton-on-Hudson**  
Application for Vendor, Hawker, Peddler, Solicitor License

Applicant : (last name, first) \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Phone number of Applicant: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Phone number of Buisness: \_\_\_\_\_

Describe all goods to be sold: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Method of distribution: \_\_\_\_\_

List of Applicants Soliciting: Name and address and phone number  
(use separate sheet if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of Vehicles to be used: \_\_\_\_\_  
(use separate sheet if necessary)

Make: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_

Plate#: \_\_\_\_\_ State: \_\_\_\_\_

Date and times you will be soliciting in the village:(use separate sheet if necessary) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All solicitors must provide a State or Federal picture I.D. (Drivers license, Passport)  
A valid vehicle registration(s) and insurance must be provided for all vehicles used.  
A copy of your license to operate a business, tax I.D. and insurance for your business,  
if applicable.

Village of Croton-on-Hudson, NY  
Thursday, February 25, 2016

## Chapter 172. Peddling and Soliciting

[HISTORY: Adopted by the Board of Trustees of the Village of Croton-on-Hudson as indicated in article histories. Amendments noted where applicable.]

### GENERAL REFERENCES

Penalties for offenses — See Ch. 1, 1-12.

Distribution of handbills — See Ch. 67.

Noise by peddlers — See Ch. 160.

Peddling in parks — See Ch. 168.

## Article I. Peddlers, Vendors and Hawkers

[Adopted 8-24-1987 by L.L. No. 4-1987]

### § 172-1. Definitions.

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

#### PERSON

Includes one or more persons of either sex, natural persons, corporations, partnerships, associations, joint-stock companies, societies and all other entities of any kind capable of being sued.

#### SOLICITOR

Any person who goes from place to place or house to house or who stands in any street or public place taking or offering to take orders for goods, wares or merchandise, except newspapers or milk, or for services to be performed in the future or for the making, manufacturing or repairing of any article or thing whatsoever for future delivery.

#### VENDOR, HAWKER or PEDDLER

Except as hereinabove expressly provided, any person, either principal or agent, who, from any vehicle or on any public street or public place or by going from house to house or place of business to place of business on foot or on or from any animal or vehicle, sells or barter, offers for sale or barter or carries or exposes for sale or barter any goods, wares or merchandise, except milk and newspapers.

### § 172-2. Applicability.

A. Nothing in this Article shall be held to apply to:

- (1) Any sales conducted pursuant to statute or by order of any court.
- (2) Any person selling personal property at wholesale to dealers in such articles.

- (3) Persons under the age of 18 years.
  - (4) Farmers and truck gardeners who, themselves or through their employees, vend, sell or dispose of products of their own farms and gardens.
  - (5) Any honorably discharged soldier, sailor or marine who has procured a license as provided by the General Business Law of the State of New York.
  - (6) Berry pickers who sell berries of their own picking.
  - (7) Any person, entity or organization authorized by the Board of Trustees of the Village of Croton-on-Hudson to conduct sales within any park or recreation area of the Village of Croton-on-Hudson.  
[Added 5-4-2009 by L.L. No. 3-2009]
- B. This Article shall also not apply so as to unlawfully interfere with interstate commerce.
- C. Those who shall be exempt from the terms of this Article shall, nevertheless, register with the Village Manager, at least 24 hours prior to issuance of the license, before doing any of the acts prohibited by this Article and receive from said Manager a license indicating that he has so registered.

### § 172-3. License required.

It shall be unlawful for any person within the corporate limits of the Village of Croton-on-Hudson to act as a vendor, hawker, peddler or solicitor, as herein defined, without first having obtained and paid for and having in force and effect a license therefor.

### § 172-4. Application for license.

Any person desiring to procure a license as herein provided shall file with the Village Manager, at least five business days prior to issuance of the license, a written application upon a form furnished by the Village Manager and shall file at the same time satisfactory proof of good character. Such application shall give the number and kind of vehicle to be used by the applicant in carrying on the business for which the license is desired; the kind of goods, wares and merchandise he desires to sell or the kind of service he desires to perform; the method of distribution; the name, address and age of the applicant; the name and address of the person, firm or corporation he represents; the length of time the applicant desires the license; and such other information as may be required by the Village Manager. Such application shall be accompanied by a certificate from the Westchester County Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved.

### § 172-5. Issuance of license.

Upon the filing of the application and certificate as provided in the preceding section, the Village Manager shall, upon his approval of such application, issue to the applicant a license as provided in § 172-3, signed by said Manager. Except as hereinafter provided, no license shall be refused except for a specific reason and for the protection of the public safety, health, morals or general welfare. A license shall not be assignable. Any holder of such license who permits it to be used by any other person and any person who uses such license granted to any other person shall each be guilty of a violation of this Article. Whenever a license shall be lost or destroyed on the part of the holder or his agent or employee, a duplicate in lieu thereof, under the original application, may be issued by the Village

Manager upon the filing with him by the licensee of an affidavit setting forth the circumstances of the loss and what, if any, search has been made for its recovery. All licenses shall be issued in a form approved by the Village Manager. Each license shall automatically expire one calendar year from the date of issuance of such license, but any license may specifically state and provide for an earlier expiration date. Such license shall include the right to use only one vehicle in carrying on the business for which the person is licensed. No license shall be granted to a person under 18 years of age. No applicant to whom a license has been refused or who has a license which has been revoked shall make further application until a period of at least six months shall have elapsed since the last previous rejection or revocation, unless he can show that the reason for such rejection no longer exists. Every licensee, while exercising his license, shall carry the license with him and shall exhibit the same upon demand.

## § 172-6. License fee.

The license fee shall be in an amount set by resolution of the Board of Trustees, and if the licensee shall have more than one person to whom or vehicle for which he desires a license issued, there shall be an additional fee for each license so issued.<sup>[1]</sup>

[1] *Editor's Note: The current fee resolution is on file in the office of the Village Clerk.*

## § 172-7. Revocation of license.

The Village Manager may, at any time, for a violation of this Article or any other law, revoke any license. When a license shall be revoked, no refund of any unearned portion of the license fee shall be made. Notice of such revocation and the reason or reasons therefor, in writing, shall be served by the Village Manager upon the person named in the application or by mailing the same to the address given in the application.

## § 172-8. Restrictions and prohibitions.

- A. It shall be unlawful for any person to enter upon private property for the purpose of peddling or soliciting before the hour of 9:00 a.m. of any day or after one-half hour before sunset of any day or after the hour of 7:00 p.m. of any day except upon the invitation of the householder or occupant.
- B. It shall be unlawful for any peddler or solicitor in plying his trade to ring the bell or knock upon or enter any building whereon there is painted or otherwise affixed or displayed to public view any sign containing any or all of the following words: "No Peddlers," "No Solicitors," "No Agents" or other wording, the purpose of which purports to prohibit peddling or soliciting on the premises.
- C. No peddler or solicitor shall peddle, vend or sell his goods or wares within 200 feet of any place occupied exclusively as a public or private school or for school purposes, nor shall he permit his cart, wagon or vehicle to stand on any public highway within said distance of such school property.
- D. No peddler or solicitor shall falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale. No person shall, by any trick or device or by any false representation, obtain or attempt to obtain admission to the house or garage of any person or corporation in the Village of Croton-on-Hudson.
- E. No peddler or solicitor shall blow a horn, ring a bell or use any other noisy device to attract public attention to his wares or shout or cry out his wares <sup>[1]</sup>

[1] *Editor's Note: See also Ch. 160, Noise.*

- F. It shall be unlawful to stand or permit the vehicle used by any peddler or solicitor to stand in one place in any public place or street for more than 10 minutes or in front of any premises for any time if the owner or the lessee of the ground floor thereof objects.
- G. It shall be unlawful to create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.

### § 172-9. Copies of orders.

All orders taken by licensed solicitors who demand, accept or receive payment or deposit of money in advance of final delivery shall be in writing, made in duplicate, stating the terms thereof and the amount paid in advance, and one copy shall be given to the purchaser at the time the deposit is paid to the solicitor.

### § 172-10. Municipal records.

It shall be the duty of the Village Manager to keep a record of all applications and of all licenses granted under the provisions of this Article, giving the number and date of each license fee paid and the date of revocation of all licenses revoked.

### § 172-11. Penalties for offenses.

[Amended 5-7-1990 by L.L. No. 2-1990]

Any person who, himself or by his clerk, agent or employee, shall act as a vendor, hawker, peddler or solicitor, as herein defined, without license, or shall violate any of the provisions of this Article or, having had his license revoked, shall continue to act as a vendor, hawker, peddler or solicitor shall, upon conviction, be punishable as provided in § 1-12 of Chapter 1, General Provisions.<sup>[1]</sup>

[1] *Editor's Note: Former Art. II, Canvassers and Solicitors, adopted 8-20-1979 by L.L. No. 7-1979, as amended, which immediately followed this section, was repealed 9-21-2015 by L.L. No. 7-2015.*