

APPLICATION TO THE TOWN CLERK OF THE TOWN OF DEERPARK, ORANGE COUNTY, NEW YORK, FOR A PERMIT PEDDLING, SOLICITING, HAWKING AND CANVASSING WITHIN THE TOWN PURSUANT TO LOCAL LAW # 6 OF 1997

DATE: _____

1. Applicant Information:

Name:

Age:

Address:

2. If Applicant is A Corporation:

Name and address of Director(s):

Phone Number:

3. The Applicant must attach the following information with this application:

- A. A physical description of the applicant, giving date of birth, height, weight, and color of hair and eyes. A PHOTO GRAPH IS REQUIRED
- B. The name and address of the person, if any, by whom the applicant is employed and for whom or through whom orders are to be solicited, cleared, filled or delivered.
- C. A description of the exact business or activity in which the applicant intends to engage, and of the nature of any property or services involved.
- D. A list of crimes for which the applicant has been arrested or convicted, including dates and places.
- E. A statement as to the period of time during which the applicant intends to engage in the business or activity regulated under Local Law # 6-1997
- F. Proof that the applicant, or his/her employer or principal is registered for sales tax purposes, if the business or activity to be conducted is subject to sales tax.
- G. A description of any motor vehicle that will be used for pickup or delivery of property or for the purpose of bringing any such property into the Town for peddling or soliciting, to include the name of manufacturer, year, type of vehicle, vehicle identification number, registration, plate number, title holder, and the name of the person other than the title holder to whom the vehicle is registered.
- H. The name and address of the employer or firm representing, together with credentials establishing the exact relationship.
- I. A brief statement of the nature of the business and description of the merchandise or service to be sold.
- J. The geographic area to be canvassed or solicited.
- K. The place where the goods or property to be sold or offered for sale are manufactured or produced, the place where such goods or property are located at the time such application is filed and the proposed method of delivery.
- L. Two (2) business references located in the County of Orange, State of New York, or in lieu thereof, such other available evidence of the character and business responsibility of the applicant as will enable the investigator to properly evaluate such character and responsibility.
- M. Further information required by the Town Clerk, including a Certificate of Insurance with the Town of Deerpark name as co-insured.

4. Permit Limitations:

- A. Permits issued under Local Law # 6 of 1997 shall terminate on December 31 of the year that they are issued and shall not be transferable.
- B. Permits issued under Local Law # 6 of 1997 may be revoked if following its issuance the Police Department determines that the applicant was convicted of any crime not reported in the application or is otherwise not a person of good moral character and reputation. A permit may also be revoked for any violation of Local Law #6-1997 committed after its issuance.

5. Additional Requirements and Prohibited Conduct:

- A. The Police Department may require reports from any permit holder at any time and at such intervals as it deems necessary for the protection of the public health, welfare, and safety.
- B. No person shall use private real property for any activity requiring a permit under Local Law # 6 of 1997 without consent of the owner.
- C. The owner or occupant of a residential building may post a notice prohibiting peddlers and solicitors. The notice shall be placed in a conspicuous place adjacent to the entrance door of the building. The letters of the notice shall be at least one-half inch in height and shall contain a statement saying in substance that "peddlers or solicitors are prohibited." No person shall engage in any activity regulated by Local Law #6-1997 by attempting to enter any building or ringing a doorbell or knocking on an entrance door to any residence building at which entrance such notice has been posted.
- D. Any person engaged in an activity regulated under Local Law #6-1997, whether that person is exempt or not, who has entered upon private property, whether invited or not, shall immediately and peacefully depart there from when requested to do so by any occupant.
- E. No person engaged in soliciting or peddling shall hawk or cry property, offers, contracts or services upon any of the streets, roads or highways in the Town, nor use any loud speaker, horn or other sound making device, other than a bell to attract attention or announce his or her presence.

6. Exhibition of license; hours for selling:

Every holder of a peddler's license of solicitor's license issued by the Town Clerk shall be required to carry such license with him/her while engaged in the business or activity licensed within the corporate limits of the Town. He/She shall produce such license at the request of any Official of said Town with whom he/she wishes to conduct his/her said business or activity.

7. Revocation of Licenses:

- A. Licenses issued herein may be revoked by the Chief of Police, after reasonable notice and hearing, for any of the following causes:
 - 1. Misrepresentation or false statement contained in the application for the license.
 - 2. Misrepresentation or false statement made in the course of carrying on activities regulated herein.
 - 3. Conviction of any crime or misdemeanor relating adversely to the occupation of peddling or soliciting.
 - 4. Conducting the business in an unlawful manner, in violation of this section or in such manner as to constitute a breach of peace or to constitute a menace to the health, safety, or general welfare of the public.
- B. Notice of a hearing for revocation of a license shall be given, in writing, setting forth the grounds of the complaint and the time and place of the hearing. Such notice shall be served personally upon the licensee or mailed, postage prepaid, to the licensee, at the address given by the licensee in making application under paragraph # 3 herein, at least five (5) days prior to the date set for said hearing.

8. Appeals: Any person aggrieved by the action of the Chief of Police or the Town Clerk in the denial of an application for a permit or license, or in the decision with reference to the revocation of a license shall have

the right of appeal to the Town Board of the Town of Deerpark. Such appeal shall be taken by filing with the Town Board, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement, setting forth fully the grounds for the appeal. The Town Board shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided herein for notice of hearing on revocation. The decision and order of the Town Board on such appeal shall be final and conclusive.

9. Penalties: Any person who violates any provision of Local Law # 6 of 1997 shall be guilty of a violation. Each violation shall be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250.00) or by imprisonment for a period not to exceed fifteen (15) days, or both.

Signature of Applicant

State of New York,
County of Orange

, Being duly sworn, deposes and says that he (she) has read the foregoing application, which shall be deemed the basis for the right to possess a Town of Deerpark Peddling/Soliciting License and that the answers thereto are true to the best of his (her) knowledge, information, and belief.

Sworn to me this Day of , 20

Notary Public

* PERMIT FEE: \$150.00 PER YEAR OR \$25.00 PER DAY