

Village of Bronxville, NY
Wednesday, November 12, 2014

Chapter 216. PEDDLING AND SOLICITING

[HISTORY: Adopted by the Board of Trustees of the Village of Bronxville 2-9-1981 as Ch. 17 of the 1981 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. **210**.

Vehicles and traffic — See Ch. **290**.

Article I. General Provisions

§ 216-1. Title.

This chapter shall be known and may be cited as the "Peddling and Solicitation Law of the Village of Bronxville, New York."

§ 216-2. Private residential peddling and solicitation prohibited without invitation.

No person shall enter upon any private residential property within the village, for the purpose of peddling or solicitation, without the consent of the owner or occupant of any such private residential property except as provided in § **216-3**.

§ 216-3. Peddling and hawking farm produce*.

No license shall be required and no person shall be prohibited from hawking and peddling farm produce except hay or straw if such farm produce is hawked or peddled by the producers thereof, or his or her servants or employees.

*See General Municipal Law § 81.

Article II. Public Peddling

§ 216-4. Peddler's license required.

No person shall peddle or offer any goods, wares or merchandise for sale or solicit orders therefor or for services in any public place in the village without a license therefor granted by the licensing officer. However, no such license shall be required of a wounded war veteran licensed under the provisions of §§ 32 and 35 of the General Business Law.

§ 216-5. Application for peddler's license.

Applications for licenses by peddlers shall be made to the licensing officer, shall be sworn to and in writing and shall contain the following information:

- A. Name and physical description of applicant;
- B. Address;
- C. A brief description of the nature of the business to be conducted and the goods to be sold;
- D. If applicant is employed, the name and address of the employer, together with credentials establishing exact relationship;
- E. The length of time for which the right to do business is desired;
- F. If a vehicle is to be used, a description of the same, together with vehicle license number or other means of identification;
- G. A statement as to whether or not the applicant has been convicted of any crime or misdemeanor, or violation of any provision of this chapter, and if so, the nature of the offense, and the punishment or penalty assessed therefor; and
- H. Such other information as the Village Administrator may reasonably require.

§ 216-6. Records to be kept by Village Clerk.

The Village Clerk shall keep a record of all licenses issued pursuant to § 216-4 hereof and of the amount of fees paid therefor.

§ 216-7. Restrictions on issuance of license.

No license required by § 216-4 shall be issued to a person under 18 years of age or to any person the licensing of whom would, in the judgment of the licensing officer, adversely affect the health, safety or welfare of the citizens of the village.

§ 216-8. License fees.

[Amended 3-13-1989 by L.L. No. 4-1989]

Fees for the licenses required by § 216-4 shall be as established by resolution of the Board of Trustees.

§ 216-9. Term of licenses.

Licenses issued pursuant to § 216-4 hereof shall expire on the next succeeding 31st day of May following the date of issuance unless suspended or revoked prior to such date, but any such license may specifically state an earlier expiration date.

§ 216-10. Display of license.

Every licensee, while exercising a license issued pursuant to § 216-4 hereof, shall carry such license and shall exhibit the same upon demand.

§ 216-11. Revocation of license.

A license issued pursuant to § 216-4 hereof may be suspended or revoked by the licensing officer if the holder thereof has failed to comply with any of the provisions of this chapter or other village laws if reasonably related hereto. The holder of such license shall be notified in writing of such suspension or revocation, the grounds therefor and shall immediately surrender his or her license without rebate of the fee paid therefor.

§ 216-12. Appeal to Board of Trustees upon refusal to issue, suspension or revocation of license.

Upon refusal to grant a license pursuant to § 216-4 or upon suspension or revocation thereof pursuant to § 216-11, an appeal may be taken to the Board of Trustees by filing a written notice of appeal with the Village Clerk. The Board of Trustees shall hear such appeal at its next regular meeting. The licensee shall be entitled to representation by counsel and shall be given the opportunity to present witnesses and rebut any proof submitted. The decision of the Board of Trustees on appeal shall be final.

§ 216-13. General regulations.

No person shall:

- A. Shout, make any outcry, blow a horn, ring a bell or use any sound device or musical instrument, including any loudspeaker, radio or sound amplifying system, in any public place in the village for the purpose of attracting attention to any goods, wares or merchandise which such person proposes to sell; or
- B. Have any exclusive right to any location in the village streets, shall not be permitted to remain in a stationary location for more than one hour at any one time and shall not be permitted to operate in any congested area where his or her operations might impede or inconvenience the public for the purpose of selling goods, wares or merchandise. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

Article III. Penalties

§ 216-14. Violations and penalties.

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or to both such fine and imprisonment.

[1]: *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*