



## **APPLICATION FOR PEDDLING OR SOLICITATION PERMIT**

1. Name of Applicant: \_\_\_\_\_
2. Applicant's Permanent Home Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Applicants Phone Number: \_\_\_\_\_
4. Applicants Email Address: \_\_\_\_\_
5. Applicant's Local Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Name and Address of the person or entity represented: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Length of time for which the license is required. \_\_\_\_\_
8. A description of the goods or services to be offered for sale.  
\_\_\_\_\_  
\_\_\_\_\_
9. The location or locations within the Town of Parma where the applicant's activity will take place.  
\_\_\_\_\_  
\_\_\_\_\_
10. All felonies or misdemeanors with which the applicant has been charged, and the disposition of each charge. A background check from the policing entity of the municipality where the applicant (or the individual representing the applicant) resides will also be required.  
\_\_\_\_\_  
\_\_\_\_\_
11. Provide letter of authorization on company letterhead for any person or entity which the applicant purports represents
12. Provide certificate of insurance listing the Town of Parma as Certificate Holder.
14. Provide a copy of Monroe County Health Department Permit if preparing food.
15. Provide a copy of the current vehicle registration(s) for any vehicle that will be used
16. Valid Driver's License. (Provide a copy of license)



**Driver and Vehicle Identification:** Please provide for **all** vehicles you will be using

License Plate: \_\_\_\_\_ Year: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_

DL# \_\_\_\_\_ State Issued \_\_\_\_\_

Entities who want to have more than one representative must submit an application for each individual. All the information requested above must be provided for each representative.

We (I) hereby make application to the town of Parma for a Vendor/Solicitor Permit in accordance with the above referenced information which we (I) certify to be true and correct. We (I) realize that provision of incorrect information or violation of the requirements of Chapter 101 of the Code of the Town of Parma could result in revocation of the permit and loss of all fees paid.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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### FOR OFFICE USE ONLY

Date Application Rec'd: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check # \_\_\_\_\_ Credit/Debit \_\_\_\_\_

Approved By: \_\_\_\_\_



## **TOWN OF PARMA** **VENDOR/PEDDLERS PERMIT FEES**

A.	General Permit (Annual) Door to Door – Entire Town	\$600.00 + \$25 per person
B.	Limited Permit (30 Day maximum-date specified) Door to Door – Entire Town	\$100.00 + \$25 per person
C.	Stationary Location (Annual) Single Location must be specified	\$600.00
D.	Stationary Location – Daily Fee Date and location must be specified	\$25.00

**Note:**

- All Vending/Peddling permit applications should be directed to the Town Clerk's Office for processing. (1300 Hilton Parma Crs Rd. Hilton, NY 14468 (585)392-9461)
- Vendor/Peddling permits must be displayed.
- All licenses expire on December 31<sup>st</sup> of the year issued, regardless of when they were issued.
- Some restrictions may apply. Requests to vend at Parma Town Park or other Town properties on various dates may be denied or considered "blackout dates" based on any planned Town sponsored events.
- Licenses may be revoked by the Town Clerk after notice and hearing for violators of code.
- If selling at a stationary location, annually, on property owned by the Town, the applicant must communicate vending dates with the Town Clerk.

### **PROCEDURES FOR APPLYING FOR PERMIT**

1. Applicant (individual(s) going door to door or manning a stationary location) completes application form, submits two weeks prior to when they want to start vending and provides all the information requested. If multiple individuals for a company, an application for each individual is required.
2. A letter of authorization on company letterhead from any person or entity which the applicant represents must be attached.
3. Appropriate fee paid – (Check made payable to Town of Parma).
4. Town reviews and issues permit.
5. When applicable, rental of a Town owned site (i.e. VFW) that application must be completed and all fees collected.
6. For Stationary Locations - Fire Marshall will be notified and may inspect the location when there is "set up" at a stationary location (i.e. VFW, Town building, Plantation) before the certificate can be issued. All paperwork and payment must be received timely for the Fire Marshall to issue permit.

## **Chapter 101**

### **PEDDLING AND SOLICITING**

**[HISTORY: Adopted by the Town Board of the Town of Parma 3-8-1984. Amendments noted where applicable.]**

#### **§ 101-1. Purpose.**

The merchandising and/or soliciting of goods, money or services in the Town of Parma may subject its inhabitants to unscrupulous practice, annoyance and danger. The purpose of this chapter is to provide for the licensing and regulation of persons engaged in such activities in order that the peace, health, safety and welfare of the Town and its inhabitants shall not be endangered or unduly disturbed.

#### **§ 101-2. Definitions. [Amended 5-16-2017 by L.L. No. 2-2017]**

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

**FOOD TRUCK/CART VENDOR** — Any person or entity who or which utilizes a pushcart, portable food kiosk or similar vehicle to store, prepare, display, serve or sell food or to distribute food free of charge to the public for consumption.

**PEDDLER, VENDOR AND SOLICITOR** — Includes any person or entity who or which engages in selling or offering to sell any goods or services, or solicits contributions of goods or moneys, by going from house to house, place of business to place of business, or in any public street or public place, or by temporarily occupying a room, building or other premises therefor.

#### **§ 101-3. License required.**

It shall be unlawful for any person to act as a peddler, vendor or solicitor within the Town of Parma without first having obtained a valid license.

#### **§ 101-4. Application for license. [Amended 5-18-1993; 9-7-2010 by L.L. No. 1-2010; 5-16-2017 by L.L. No. 2-2017]**

- A. Every applicant for a license is required to submit to the Town Clerk a written application supplying, under oath, the following information:
- (1) The name of the applicant.
  - (2) The applicant's permanent home address.
  - (3) The applicant's local address.
  - (4) The name and address of the person or entity represented.
  - (5) The length of time for which the license is required.
  - (6) A description of the goods or services to be offered for sale.
  - (7) The location or locations within the Town of Parma where the applicant's activity will take place.
  - (8) All felonies or misdemeanors with which the applicant has been charged, and the disposition of each such charge. A background check from the policing entity of the municipality where the applicant (or the individual representing the applicant) resides will also be required.
  - (9) A certificate of insurance listing the Town of Parma as certificate holder.

- (10) A copy of a Monroe County Department of Health permit if preparing and/or vending food.
  - (11) Vehicle information, including year, make, model, color and license plate number; a copy of the current vehicle registration.
  - (12) Valid driver's license.
- B. The applicant must attach a letter of authorization from any person or entity who or which the applicant purports to represent.
  - C. Entities who want to have more than one representative must submit an application for each individual. All the information requested above must be provided for each representative.

#### **§ 101-5. Issuance of license.**

Upon receipt of the application and the license fee, if the Town Clerk is reasonably satisfied with the applicant's qualifications, he or she shall issue a license to the applicant specifying the goods or services to be offered for sale and the person or entity which the applicant represents. This license shall be nontransferable and shall be in the continuous possession of the licensee while the licensee is acting as a peddler, vendor or solicitor. The license shall be produced upon the demand of any Town official, prospective buyer, police officer or sheriff.

#### **§ 101-6. Records.**

The Town Clerk shall keep a record of the applicants, the determinations thereon and of all licenses issued in accordance with this chapter. The record shall contain all the information provided in the application for the license, the amount of the license fee paid and the date of revocation.

#### **§ 101-7. Expiration of license. [Amended 5-18-1993]**

Each license shall expire in accordance with the terms of issuance and the expiration date shown thereon, but in any event all licenses expire on the 31st day of December following the date of issuance.

#### **§ 101-8. Fees. [Amended 5-18-1993]**

The fees for licensing each person acting as a peddler, vendor or solicitor shall be as established by resolution of the Town Board from time to time and shall be part of the Town's fee schedule.<sup>1</sup>

#### **§ 101-9. Restrictions and requirements.**

A peddler, vendor or solicitor, whether licensed or exempt from license pursuant to the provisions of this chapter, shall:

- A. Not knowingly misstate the quality or quantity of any article or service offered for sale.
- B. Not knowingly offer for sale any article of a defective nature.
- C. Not call attention to his goods or services by blowing a horn, shouting or issuing any loud or unusual noise.
- D. Keep the vehicle and/or receptacles used by him in furtherance of his licensed business in a clean and sanitary condition.
- E. Keep his edible articles offered for sale well-protected from dirt, dust and insects.
- F. Not stand, peddle or solicit on the premises of any business establishment, shopping center or mall without the written consent of the owner or his agent. Such written consent must be attached to the license application.

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1. Editor's Note: The fee schedule is on file in the Town offices.



- G. Not peddle, sell or solicit within 250 yards of any school property between the hours of 8:00 a.m. and 4:00 p.m. on school days.
- H. Not enter upon private property for the purpose of peddling, selling or soliciting before the hour of 9:00 a.m. or after 9:00 p.m. of any day, except upon the invitation of the occupant.
- I. Not ring the bell or knock upon the door of any building whereon there is a sign purporting to prohibit peddling or soliciting on the premises.
- J. Not conduct or carry on any occupation or activity for which a license is required herein on property owned by the Town of Parma, or on any of the public streets within the Town of Parma.
- K. Not peddle, vend or solicit in any area zoned as a GC District on a Friday between the hours of 2:00 p.m. and 10:00 p.m. or on a Saturday between the hours of 10:00 a.m. and 10:00 p.m. It is felt that these hours are the busiest hours in such areas and that the prohibited activity poses a particular annoyance, a particular disruption and potential threat to vehicular and pedestrian traffic, and a particular danger to the individuals involved in this traffic. **[Amended 4-18-2000 by L.L. No. 1-2000]**
- L. Food truck/cart vendors must display a Monroe County Department of Public Health permit and a valid New York State sales tax certificate while vending. **[Added 5-16-2017 by L.L. No. 2-2017]**

**§ 101-10. Revocation of licenses.**

- A. Licenses issued under the provisions of this chapter may be revoked by the Town Board of the Town of Parma after notice and hearing for any of the following causes:
  - (1) Fraud, misrepresentation or any false statement contained in the application for license.
  - (2) Fraud, misrepresentation or any false statement made in the course of carrying on the business of a peddler, vendor or solicitor.
  - (3) Any violation of this chapter.
  - (4) Conviction of any crime or misdemeanor involving moral turpitude.
  - (5) Conducting the business of peddling in an unlawful manner, or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.
- B. The Town Clerk may temporarily suspend the license of any peddler, vendor, solicitor or food truck/cart vendor whenever the Town Clerk has reasonable cause to believe that the holder of the license has violated any provision of this chapter. Such suspension shall continue until a hearing is held by the Town Board and the Town Board has issued its determination thereon. See § 101-12, Exemptions. **[Amended 5-16-2017 by L.L. No. 2-2017]**
- C. Notice of hearing for revocation of a license shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notices shall be mailed to the licensee at his local address at least five days prior to the date set for the hearing.

**§ 101-11. Appeals.**

Any person aggrieved by the action of the Town Clerk in the denial of the application for a license shall have the right to appeal to the Town Board of the Town of Parma. Such appeal shall be taken by filing a written statement setting forth fully the grounds for the appeal. Such statement shall be filed within 14 days after notice of the action complained of has been mailed to such person's local address. The Town Board shall set a time and place for a hearing on the appeal and notice of the hearing shall be mailed to the applicant at his local address at least five days prior to the date set for the hearing.

## **§ 101-12. Exemptions.**

A. The provisions of this chapter shall not apply to the following:

- (1) Any person soliciting at the invitation of the person solicited.
- (2) A wholesaler selling articles to dealers or merchants who have an established place of business within the Town.
- (3) A child regularly attending a school and any member of a veteran's organization, fraternal organization, civic group or church or religious organization which maintains a chapter or local organization within Monroe County; provided, however, that such child or member shall carry on an otherwise regulated activity only in connection with an authorized activity of the school which the child attends or organization of which the individual is a member; and further provided that prior to the commencement of such activity the school or organization for which the activity is carried on shall notify the Town Clerk in writing of the intention of such school or organization to conduct such activity in the Town of Parma, together with a brief description thereof. **[Amended 5-16-2017 by L.L. No. 2-2017]**
- (4) Any person engaged in the delivery of goods such as bread, milk or newspapers, in the regular course of business to the premises of those who had previously ordered the same.
- (5) Any person selling Christmas evergreens on property where written permission has been granted by the owner or operators of said property.
- (6) Accumulation sales of used household goods at the private residence of the vendor, otherwise known as "garage sales." The term of the sale shall be no more than four days in a calendar year.
- (7) For the sale of fruits, vegetables or flowers at a roadside stand located on the premises where the fruits, vegetables or flowers are grown. **[Amended 5-18-1993]**
- (8) Town-sponsored/recreation programs on Town park property will be allowed subject to an approval process established by the Director of Parks and Recreation and can be terminated at the discretion of the Director of Parks and Recreation. **[Added 5-16-2017 by L.L. No. 2-2017]**

B. This chapter shall not apply so as to interfere unlawfully with interstate commerce.

## **§ 101-13. Enforcing official. [Amended 4-18-2000 by L.L. No. 1-2000; 5-16-2017 by L.L. No. 2-2017]**

The Monroe County Sheriff or any other law enforcement agency shall have the power to enforce the provisions of this chapter.

## **§ 101-14. Penalties for offenses. [Amended 4-18-2000 by L.L. No. 1-2000]**

Any person who shall act as a peddler, vendor or solicitor without a license or who shall violate any of the provisions of this chapter shall be guilty of an offense punishable by a fine of not less than \$50 nor more than \$250, or imprisonment for not more than 15 days, or both. Each day in which such violation continues shall constitute a separate offense.<sup>2</sup>

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2. Editor's Note: Former § 21-16, When effective; alteration of fees, which immediately followed this section, was repealed 4-18-2000 by L.L. No. 1-2000.