

BOARD OF SELECTMEN
ARLINGTON, VERMONT

Pedlars Ordinance
(July 15, 1977)

ORDINANCE # 4

PURSUANT TO Section 2291, Chapter 61, Title 24, Vermont Statutes Annotated to prevent fraud, crime, unethical and dishonest business practices, and to provide for the health, safety and welfare of the community.

BE IT ENACTED AND ORDAINED by the Board of Selectmen, Town of Arlington, Bennington County, Vermont, as follows:

Section 1. All itinerant vendors, pedlars, door-to-door salesmen, and those selling goods, wares, merchandise or services who engage in transient or temporary business or who sell from an automobile, truck, wagon or other conveyance are required to obtain a license.

Section 2. All circuses, carnivals, amusements and menageries, and all plays, concerts, entertainments or exhibitions of any kind for which commercial value is received are required to be licensed.

Section 3. Application for license. Any person desiring a license pursuant to Sections 1 and 2 of this Ordinance shall file on a form supplied by the Town Clerk an application. The application shall be in duplicate and sworn to by the applicant.

Section 4. Application; contents.

(a) Every application required under this Ordinance shall contain the following information:

1. Name and permanent address of the applicant;
2. Local address of the applicant;
3. Age, weight and height of the applicant;
4. Description and registration number of vehicle to be used, if any;
5. Site at which vehicle is to be placed for the purposes of business transacted under this article;

6. Written consent of legal owner (or owners) of property upon which vending activity is to be conducted;
7. Name and address of employer;
8. Nature of the business to be conducted and the type of merchandise to be sold or services to be solicited;
9. Length of time for which license is desired;
10. At least three business or character references;

11. Whether the applicant has ever been convicted of a crime, misdemeanor or violation of any municipal ordinance, stating the date of each conviction, the name of the court, the violation charged and the complaint and disposition thereof;

12. Whether the applicant has ever been denied a permit or license in any other municipality, stating the name of the municipality and the name and address of the authorities who denied the permit or license.

(b) Said application shall be accompanied by the fees as hereinafter described.

Section 5. Issuance of license; non-transferable.

(a) Upon approval by the Board of Selectmen and upon payment of the required fees, the Town Clerk shall issue all licenses and keep all necessary records thereto.

(b) Such issued license shall not be transferable or assignable to any individual.

(c) Each individual, whether an employer or employee, who shall personally engage in the activities set forth in Section 1 shall obtain the necessary license.

Section 6. Possession of license. Every licensee shall have his license in his possession and conspicuously displayed while engaged in the business licensed. Licensee shall produce his license at the request of any person or town official.

Section 7. Fees.

(a) An application fee of \$2.00 shall be paid for the processing of each license application.

(b) The fee for an annual license shall be \$15.00.

(c) If the license is required for a period of less

than one year, the license fee shall be \$5.00 per day, but not more than the annual license shall be charged any applicant.

Section 8. Term of License. A license shall be issued for a term not to exceed one year. Each license shall expire on December 31st of the year in which it is issued unless sooner indicated upon the license.

Section 9. Rules and Regulations.

(a) No person or vehicle shall stand or be parked in a fixed location for the purpose of displaying wares, merchandise, produce or services on any public or private property where to do so causes or is likely to cause a crowd, impede vehicular or pedestrian traffic, produce annoying sounds, noise or disturbances, which interfere with the comfort of the residents.

(b) It shall be unlawful to strew or litter or cause to be strewn or littered public streets or sidewalks with refuse or waste matter of any kind.

(c) It shall be unlawful to in any way interfere with the comfort and convenience of the resident or business of the occupants or owners of adjacent properties.

Section 10. License Revocation or Suspension.

(a) Licenses issued under this Article may be revoked by the Selectmen after notice and hearing for any of the following causes:

1. Fraud, misrepresentation or false statement in the application for license;
2. Fraud, misrepresentation or false statement made in the course of carrying on the licensed business in the borough;
3. Any violation of this Ordinance;
4. Conducting the licensed business in the Town in an unlawful manner or in any such manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(b) Notice of the 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 hearing. Such notice shall be given personally or mailed to the licensee at his last known address at least five days prior to the date set for hearing.

(c) Such licensee may, pending revocation proceedings, be suspended for not more than ten days by the Board of Selectmen if, in their opinion, the conduct of the licensee is detrimental to the health, safety and welfare of the Town.

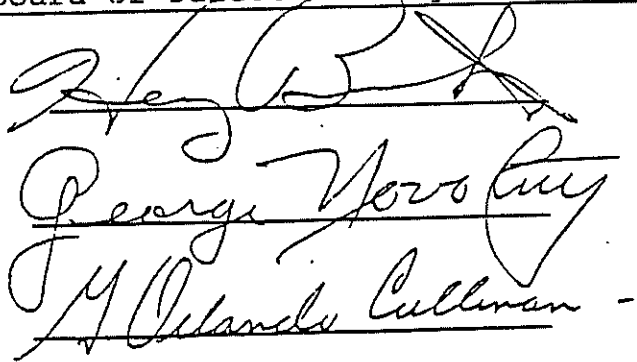
Ordinance was passed by the Board of Selectmen July 25, 1977.

Henry Breunich, Jr.

George Novotny

G. Orlando Cullinan

Board of Selectmen



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