Solicitor's Permits/Vending Licenses

Q: I want to get a vending license. What do I have to do?

A: Fill out the application form completely. Note that this permit is valid for vending/soliciting in The Borough of West Chester ONLY. (You'll have to contact the surround townships to see what their policies and requirements are.) Once you have your application completed, you'll need to write out a check for $100.00 to the Borough of West Chester and submit two (2) color passport sized photos to the Borough Manager's office. (Each person that is selling needs a license.)

Mail to: Borough of West Chester
Attn: Borough Manager's Office
401 E Gay Street
West Chester, Pa 19380

Q: How long will it take to receive my permit?

A: No more than 14 days. (Our Police Department needs to complete a background check on each applicant.)

Solicitation Hours: Mon-Fri 9am to 7pm, Sat and legal Holidays 9am-4pm: 12 noon-4pm on Sundays but only in the Town Center District.

If you are on private property, you must have permission by the owner. If you are on public property you may not obstruct the right of way.

The Recreation Department and the Chamber of Commerce have control of the vending during their events and can license them accordingly. For example, during the Halloween Parade, which is after 7pm, vending can take place in the area of the special event only with the approval of the Recreation department.

APPLICATION FOR SOLICITOR'S BUYER'S OR SELLER'S LICENSE

THE BOROUGH OF WEST CHESTER

FEE:$100.00

DATE:_____

1.Name:_____ 2. Soc. Sec. #: _____

3. Home Address:_____
Street City State Zip

4. Home Phone: _____ 5. Date of Birth:_____ 6. Sex: _____

7. Business or Mailing Address if Different From Above:
_____
Street City State Zip

8. Name of Employer or Organization: _____

9. Address of Employer: _____
Street City State Zip

10. Business Phone: _____ 11. PA Tax I.D. # _____

12. Food Vendor's License # (available from Chester County)_____

13. Nature of Business or Activity Applicant Intends to Engage in
Within the Borough:_____
_____

14. Hours and Days of Operation or Soliciting: _____

15. Vehicle Information (if utilizing a vehicle for soliciting)
Make: _____ Model:_____ License #: _____

16. Driver's License Number #: _____ 17. Insurance Card # _____

18. Have You Ever Been Convicted of Any Crime Other Than a Minor
Traffic Violation?_____If Yes, List Crimes: _____
_____

APPLICANT CERTIFIES THAT THE ABOVE INFORMATION IS TRUE AND THAT HE/SHE HAS READ ORDINANCE NO. 14 OF 1989, AMENDED ORD. NO. 15-199, AND UNDERSTANDS THE INFORMATION CONTAINED THEREIN.

_____
Signature of Applicant

Approved:

_____
Commerce Director

Permit # _____ Date Issued_____

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting

ARTICLE I, Peddling and Soliciting

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-1. Registration and license required. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-1. Registration and license required. [Amended 10-15-1997 by Ord. No. 15-1997]

No person, association, partnership, firm or corporation (hereinafter "person") shall, either directly or indirectly, sell goods, wares, merchandise, magazines, periodicals, books or other personal property by canvassing or soliciting or solicit or canvass for contributions in the Borough of West Chester without first having registered with the Borough Manager and obtained a license from the Borough.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-2. Application requirements. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-2. Application requirements. [Amended 10-15-1997 by Ord. No. 15-1997]

A. Any person desiring to directly or indirectly sell services, goods, wares, merchandise, magazines, periodicals, books, or other personal property by canvassing or soliciting, or solicit or canvass for contributions in the Borough, shall submit a written application to the Borough Manager on a form to be furnished by the Borough, accompanied by two photographs, (two-inch by three-inch minimum) of himself taken within six months prior to the date of application. [Amended 3-19-2003 by Ord. No. 8-2003]

B. The applicant shall state in such written application his/her name; sex; social security identification number; home and business address and telephone number; the name, address, telephone number and Pennsylvania sales tax identification number of the business, employer

or organization, if any, for which he/she desires to undertake the activities which require this registration; the category of goods to be sold; a food vendor's license number for Chester County, if applicable; the length of time he/she wishes to engage in this work, including days of the week and hours; the make and model of vehicle, if any, he/she will use, its registration number, his/her driver's license number; a certificate of automobile liability coverage; a statement as to whether he/she has ever been convicted of a felony, misdemeanor or a crime of any kind and the jurisdiction in which such offense occurred. [Amended 3-19-2003 by Ord. No. 8-2003]

C. In addition thereto, the application shall contain the signature of the employer as well as of the applicant and shall contain therein the stipulation and agreement on the part of the employer, in consideration of the issuance of such license or permit, to become liable for any and all acts of such applicant while within the Borough of West Chester, in violation of law or otherwise. Such employer liability shall be construed to have no application to bona fide charitable organizations.

D. A license will not be issued to any person who has been convicted of a felony, misdemeanor or a crime of any kind involving moral turpitude, and such person shall not be allowed to engage in canvassing and soliciting in the Borough.

E. A license will be valid for one year from the date on which it is issued. Such license may not be transferred from one person to another and shall be considered a personal permit or license. No more than two licenses will be permitted per person. There will be no change of category of goods sold during the period of time for which the permit is in effect.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-3. Investigation of application; issuance of license. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-3. Investigation of application; issuance of license. [Amended 10-15-1997 by Ord. No. 15-1997]

A. Promptly upon receiving any application for a permit to canvass or solicit within the Borough, the Borough Manager shall cause such application and applicant to be investigated by the Borough Police Department. In the event that such investigation should indicate that the granting of such permit would or might be injurious to the public interest or to the public health, safety or morals, the Borough Manager shall have, and is hereby given, the power and authority to refuse to issue such permit. In any instance where the Chief of Police should

deem it necessary or advisable to secure and check the fingerprints of any such applicant, refusal of such applicant to voluntarily furnish such fingerprints shall constitute, in and of itself, sufficient and valid grounds for refusal to issue such permit.

B. For approved applicants, the Borough Manager will issue a license, to which one of the applicant's photographs will be affixed, to the applicant within 10 days from the filing of the application.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-4. Standards of conduct. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-4. Standards of conduct. [Amended 10-15-1997 by Ord. No. 15-1997]

Every person to whom a license has been issued shall in the conduct of his/her activity comply with the following standards of conduct:

A. He/she shall carry his/her license at all times and exhibit it upon request to any police officer or ordinance officer of the Borough and to any person upon whom he/she shall call or with whom he/she shall talk.

B. He/she shall not permit any person to have possession of his/her license and shall immediately report its loss to the Borough Manager. He/she shall not cause or permit his/her license to be altered or defaced in any way.

C. He/she shall not enter or attempt to enter any dwelling or otherwise remain upon any private property without the invitation or permission of the occupant or property owner and shall immediately leave any premises upon request of the occupant or property owner.

D. He/she shall engage in canvassing or soliciting only between the hours of 9:00 a.m. to 8:30 p.m. Monday through Friday, on Saturday and legal holidays, 12:00 noon to 4:00 p.m. and on Sunday only in the Town Center Zoning District. [Amended 3-19-2003 by Ord. No. 8-2003]

E. He/she shall not be guilty of any false pretense or misrepresentation, and, particularly, he/she shall not represent his/her identification to be an endorsement of himself/herself or his/her goods or services or of the goods or services of his/her employer.

F. He/she shall inform the Borough Police Department, in writing, of any changes to information supplied on the then-current application within five days of such change.

G. He/she shall immediately surrender his/her license to the Borough of West Chester Borough

Manager upon suspension or revocation thereof.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-5. Suspension and revocation of license. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-5. Suspension and revocation of license. [Amended 10-15-1997 by Ord. No. 15-1997]

A license may be suspended by the Borough Manager if the holder fails to comply with the standards of conduct and responsibilities contained in § 80-4 of this article. A license may be revoked or suspended upon the basis of fraud, misrepresentation or the making of knowingly false statements in the application, the application process or in the course of conducting the licensed operation.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-6. Appeals from suspension. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-6. Appeals from suspension. [Amended 10-15-1997 by Ord. No. 15-1997]

Any person whose license has been suspended or revoked shall be entitled to appear before the Borough Council at the next regular or special meeting for the purpose of requesting a hearing on the revocation or suspension, provided that such person has provided Borough Council with written notice of such request at least five business days prior to Borough Council's next regularly scheduled or specially scheduled meeting. If such person does not provide Borough Council with at least five business days' written notice prior to the next regularly scheduled or specially scheduled meeting, Borough Council may, in its discretion, conduct a hearing at such time or schedule a hearing within five business days of such regular meeting or special meeting. Following the hearing, Borough Council may reinstate the license, affirm the revocation of the license or affirm or modify the suspension of the license for a period not to exceed five years. No person shall be denied a license or have such license suspended or revoked except by procedures consistent with due process of law.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND

SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-7. Persons exempt from license and fee requirements. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-7. Persons exempt from license and fee requirements. [Amended 10-15-1997 by Ord. No. 15-1997]

A. The following persons, although subject to all other provisions of this article, are exempted from the registration fee requirements only of this article:

(1) Farmers engaged in selling only the produce of their own farms.

(2) Persons engaged in the sale of goods, wares and merchandise donated by the owner thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.

(3) Persons who have been licensed by the Commonwealth of Pennsylvania to engage in an activity described below, when so engaged:

(a) Real estate broker.

(b) Insurance broker.

(c) Securities broker.

(4) Political campaign workers.

B. Any persons, organizations or corporations that have received approval from Borough Council to conduct a special event within the Borough shall be responsible for the vendors participating within the boundaries of that event. The organizer of the event shall register each vendor with the Borough Manager and supply information required by § 80-2 of this article. Registered vendors will receive permission to operate their stands for that special event only and will not be required to pay the registration fee required by this chapter. No other vendors will be permitted within the boundary area of such event during the time period designated for the special event. Existing businesses in the Borough will be permitted to sell merchandise in the area adjacent to the business, provided that such business complies with and conducts such sale in accordance with the vendors' responsibilities and guidelines applicable to such special event.

C. These exemptions shall apply to the aforesaid persons only and then only while they are engaged in the activity as aforesaid. At all other times, all the provisions of this article shall apply.[EN(1)]

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-8. Persons under sixteen exempt.

§ 80-8. Persons under sixteen exempt.

This article shall not apply to boys or girls under the age of 16 years, who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent the Boy Scouts and Girl Scouts or similar organizations and take orders for and deliver cookies and the like.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-9. Registration and application fee. [Amended 10-15-1997 by Ord. No. 15-1997; 3-19-2003 by Ord. No. 8-2003]

§ 80-9. Registration and application fee. [Amended 10-15-1997 by Ord. No. 15-1997; 3-19-2003 by Ord. No. 8-2003]

Every person who is required to obtain a license to perform the activities specified in § 80-1, and who is not otherwise exempt from the license requirement pursuant to §§ 80-7 and 80-8, shall pay a registration and application fee in the amount of $100 to the Borough at the time the person submits a written application for a license in accordance with § 80-2. At the time of the issuance of the license, such person shall receive information on the business privilege tax, a copy of the ordinance governing peddling and soliciting, rules of conduct for vendors and will be advised of the time and place of an orientation session conducted for the purpose of answering any questions regarding applicable ordinances.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-10. Prior approval required for fixed location.

§ 80-10. Prior approval required for fixed location.

Any person licensed under this article or exempt under § 80-7 or 80-8 hereof shall not occupy any fixed location upon any private property, street or alley of the Borough for the purpose of

engaging in the business aforesaid, with or without any stand or counter, except with the prior approval of the property owner or Borough. Notwithstanding any such prior approval, the Borough police, Borough Manager or their authorized designee may require any such licensee to abandon any location which is hazardous to traffic or passersby or which otherwise significantly obstructs the movement of traffic or passersby or otherwise upon the request of the owner of any location on which such person is situate.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-11. Additional responsibilities. [Added 10-15-1997 by Ord. No. 15-1997EN]

§ 80-11. Additional responsibilities. [Added 10-15-1997 by Ord. No. 15-1997[EN(2)]]

A. Every person to whom a license has been issued is responsible for trash removal and cleanup of his or her operations and for maintaining an area within 15 feet of the stand free of all trash generated by the vending operations and for washing the sidewalk area occupied by the stand as necessary.

B. Every person to whom a license has been issued must clean up and remove all trash, litter, garbage and refuse generated by his or her vending operation, provided that such trash, litter, garbage and refuse generated by the vending operation shall not be placed in any public receptacle or in any private property without permission of the property owner.

C. Permitted stands are not to exceed four feet in width, eight feet in length and eight feet in height. The definition of "permitted stand" includes all merchandise extensions and coverings.

D. Any storage area for goods which are not on display should not be visible to the public. Advertising and other signage shall not be temporary paper/handlettered signage. Any sign shall be no more than six square feet and must be mounted on the stand. Items permitted on the sign shall include the name of the stand, a listing of items sold and the price thereof.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-12. Public collection. [Added 10-15-1997 by Ord. No. 15-1997; amended 12-19-2001 by Ord. No. 17-2001]

§ 80-12. Public collection. [Added 10-15-1997 by Ord. No. 15-1997; amended 12-19-2001

by Ord. No. 17-2001]

Public collection (bucket brigades) shall be conducted in accordance with the provisions of § 80-4. Each person participating in the public collection shall identify on his or her body the name of the organization or cause which the funds are collected for. No public collection will be permitted on Sunday. Only one nonprofit or charitable organization will be permitted to conduct a public collection on any permitted day or within any permitted time period. A nonprofit or charitable organization shall be permitted to conduct a public collection twice per calendar year, provided that each collection is at least six months after the last public collection conducted by such nonprofit or charitable organization.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE I, Peddling and Soliciting / § 80-13. Violations and penalties. [Amended 10-15-1997 by Ord. No. 15-1997]

§ 80-13. Violations and penalties. [Amended 10-15-1997 by Ord. No. 15-1997]

Any person, firm or corporation violating any of the provisions of this article shall be sentenced to pay a fine of not more than $600, together with costs of prosecution. The imposition of a penalty as provided herein shall not serve to prevent the abatement of any nuisance or to prevent the revocation of the license or license held by any person who shall violate the provisions of this article or any other law or ordinance while engaged in activities licensed under the provisions of this article. Each day of a violation shall constitute a separate offense.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE II, Handbills and Posters

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ARTICLE II, Handbills and Posters

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE II, Handbills and Posters / § 80-14. Application requirements and investigation; length of time posted. [Amended 3-19-2003 by Ord. No. 8-2003EN]

§ 80-14. Application requirements and investigation; length of time posted. [Amended 3-19-2003 by Ord. No. 8-2003[EN(3)]]

Any person desiring to engage in or carry on the posting of bills and erection of signs for advertising purposes shall comply with the distribution and posting regulations in this article.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE II, Handbills and Posters / § 80-15. Distribution and posting regulations.

§ 80-15. Distribution and posting regulations.

A. No handbill or sample or other article for advertising purposes shall be cast, thrown or scattered or caused to be cast, thrown or scattered in or upon any of the streets, sidewalks or other public places of the Borough or in or upon any private yard, walkway, driveway or porch, but shall be delivered to the owner, occupant or other person then present in or upon such private premises. No handbill or sample or other article for advertising shall be delivered to any private premises if anyone thereon so requests or if there is placed on the premises, in a conspicuous position near the entrance thereof, a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertising" or any similar notice indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon such premises.

B. No bill shall be posted or sign erected on any lamppost, public utility pole, shade tree or any public building, property or structure, except as may be required by law.

C. Any bill or sign which is erected within the Borough shall be posted or erected for a maximum period of 10 days. [Amended 3-19-2003 by Ord. No. 8-2003]

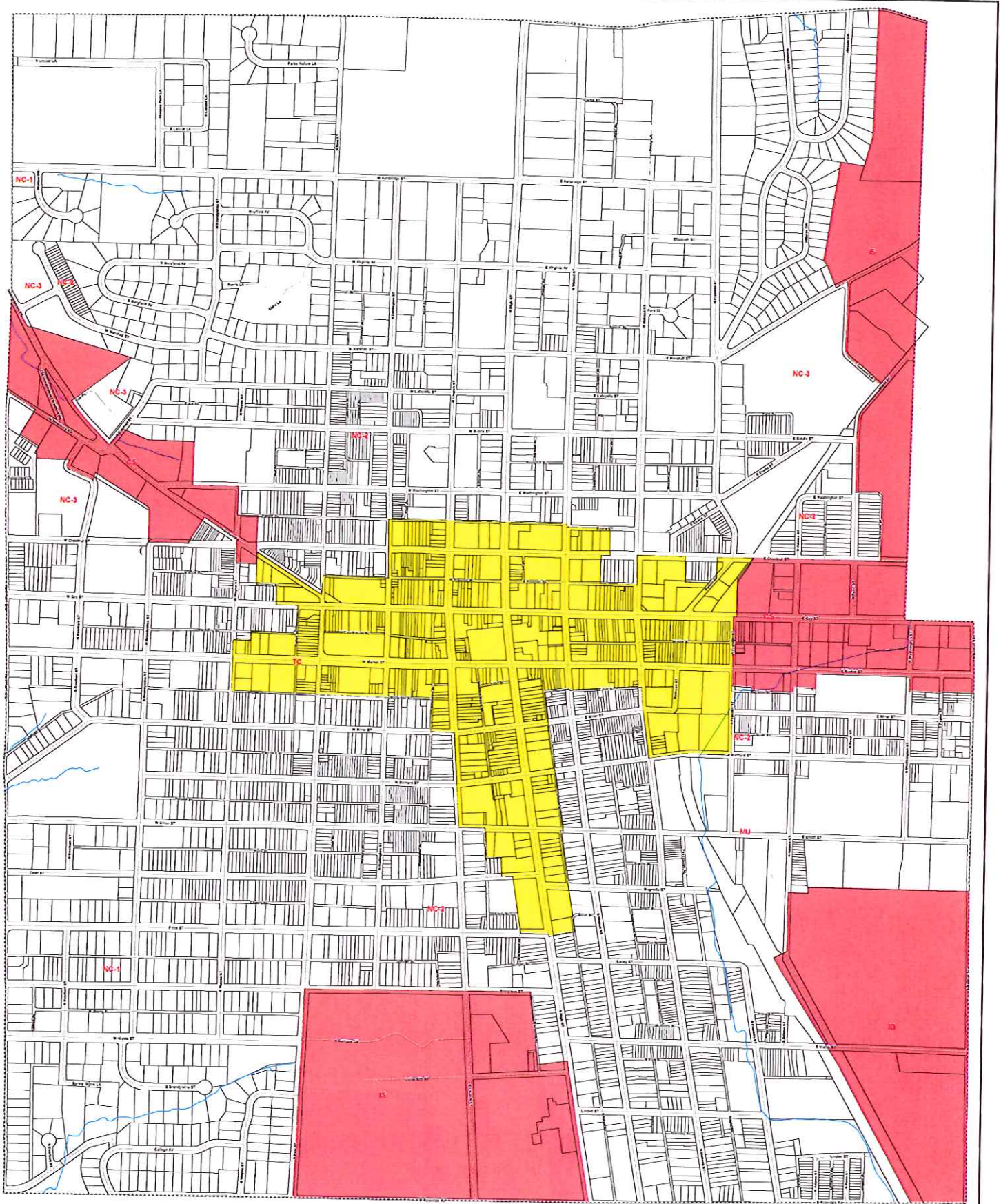
D. All such signs or bills posted or erected shall be tied on, and in no event shall any bill or sign having an adhesive backing be posted or erected on any surface.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 80, PEDDLING AND SOLICITING; HANDBILLS AND POSTERS / ARTICLE II, Handbills and Posters / § 80-16. Violations and penalties. [Amended 3-17-1999 by Ord. No. 5-1999]

§ 80-16. Violations and penalties. [Amended 3-17-1999 by Ord. No. 5-1999]

Any person who violates or permits the violation of any provision of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine of not less than $25 and not more than $600, plus the costs of prosecution. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a period of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than $25 and not more than $600, plus the costs of prosecution, and, upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term not more than 30 days.

CODE OF THE BOROUGH OF WEST CHESTER PENNSYLVANIA, v81 Updated 07-01-2010 / PART II GENERAL LEGISLATION / Chapter 82, PLUMBING



VENDING MAP

BOROUGH OF WEST CHESTER
CHESTER COUNTY, PENNSYLVANIA
APRIL 4, 2011

Legend

Zoning District

- CS - Commercial Service District
- ID - Limited Industrial District
- IS - Institutional District
- TC - Town Center District

Note: Refer to the Zoning Ordinance for the Retail Overlay District.