

**Town of Goshen, Connecticut**  
**42 North Street , Goshen, CT 06756-0187**  
**Phone: (860) 491-2308**

## **Title 25A - Regulating Hawkers, Vendors, Peddlers, Canvassers & Solicitors**

title 25a  
AN ORDINANCE REGULATING HAWKERS, VENDORS, PEDDLERS,  
CANVASSERS AND SOLICITORS

Be it ordained by the legal voters of the Town of Goshen in meeting assembled:

### Section 1. DEFINITIONS

- a. The term “Peddler” or “Hawker”, as used in this ordinance, means any person, whether principal or agent, who goes from place to place in the Town of Goshen selling or bartering, or carrying for sale or barter, or exposing therefor, any goods, wares or merchandise, either on foot or from any animal or vehicle.
- b. The term “Canvasser” or “Solicitor”, as used in this ordinance, means any person, whether principal or agent, who goes from place to place from house to house, or from street to street in the Town of Goshen, soliciting and/or collecting money or pledges of money for any purpose, including a charitable purpose.
- c. The term “Vendor”, as used in this ordinance, means any person, whether principal or agent, who engages in a temporary or transient business in the Town of Goshen selling goods, wares and merchandise and who, for the purpose of carrying on such business, hires, leases or occupies any building or structure for the exhibition and sale of such goods, wares and merchandise.
- d. The term “Person”, as used in this ordinance, means any individual, partnership, corporation, limited liability company, association, club, organization, group or other legal entity.
- e. The term “Applicant”, as used in this ordinance, means or refers to Peddlers, Hawkers, Canvassers, Solicitors and/or Vendors.
- f. The term “public street(s)”, as used in this ordinance, includes all areas within the right-of-way or street line for any Town road or within the street line or right-of-way of any State highway other than a limited access highway.
- g. The term “Licensed Activity”, as used in this ordinance, means any business or activity carried on or by any person who is a Hawker, Peddler, Vendor, Canvasser or Solicitor.

### Section 2. EXEMPTIONS AND EXCLUSION FROM LICENSING UNDER THIS ORDINANCE

The following Persons and activities shall be exempt from licensing under this ordinance:

- a. Salespersons selling goods to authorized retail and/or wholesale establishments.
- b. Sales by farmers and gardeners of the produce from their farms, gardens and greenhouses, including fruit, vegetables and flowers; or the sale, distribution and delivery of milk, teas, coffee, spices, groceries, meats and bakery goods.
- c. Sales on approval or conditional sales of merchandise for future delivery when full payment is not required at the time of solicitation as provided in Section 21-37 of the Connecticut General Statutes.
- d. Persons exempted from the provisions of Chapter 407 or Chapter 408 of the Connecticut General Statutes or Persons who act for or on behalf of any non-profit organization whose principal place of business is located in the Town of Goshen, including, political, charitable, civic and social service, volunteer fire, religious, youth, or school-sponsored organizations.

- e. Sales at an event conducted either by the Town or any non-profit organization described in Subsection (d) of this Section.
- f. Newspaper carriers and/or vendors of newspapers.

### Section 3. LICENSE REQUIRED

Unless specifically exempted in Section 2, it shall be unlawful for any Person to engage in any Licensed Activity in the Town of Goshen without first obtaining a license as provided herein.

### Section 4. LICENSE APPLICATION AND ACCOMPANYING DOCUMENTS

All license application shall be submitted to the First Selectman's office on any non-holiday weekday from the hours of 9:00 a.m. to Noon and 1:00 p.m. to 4:00 p.m. All license applications shall be sworn to and submitted in writing, in duplicate, on a form which shall contain the following information:

- a. The Applicant's full name, mailing and street address, together with a physical description of the Applicant.
- b. A brief description of the nature of the Licensed Activity including services to be rendered, goods to be sold, or solicitations to be made.
- c. If employed by another, the name and address of the employer, together with credentials establishing the employer/employee or other legal relationship.
- d. The length of time for which the request to conduct a Licensed Activity is desired.
- e. Two 2" x 2" photographs of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, clearly showing the face, head and shoulders of the applicant.
- f. A statement with respect to each applicant as to whether or not that applicant has been convicted of a crime, felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment assessed therefor.
- g. A current state license issued pursuant to Chapter 407 or Chapter 408 of the General Statutes of Connecticut.
- h. A state tax registration number.
- i. Any other federal, state or local permit, license or approval, including but not limited to Torrington Area Health District, that is required for the Licensed Activity.
- j. Copies of all permits, licenses and approvals for the Licensed Activity required under the laws of the United States of America, the State of Connecticut, the Torrington Area Health District or the Town of Goshen.
- k. All applications shall be sworn to before a notary public by all Persons applying for a license. Applications shall be signed by each individual applying to conduct a Licensed Activity.
- k. Before the issuance of any license, each applicant shall file a cash bond in the sum of \$500.00 or in lieu thereof, an irrevocable letter of credit from a bank with an office or branch in Litchfield County, Connecticut.
- l. The First Selectman or his/her designated agent shall have the authority, as vested by this Ordinance, to waive the bonding requirement under Subsection (k) of this Section for good cause shown.

### Section 5. INVESTIGATIONS, ISSUANCE, DENIAL OF LICENSE

#### a. Investigation

Upon receipt of a completed application which meets the requirements of Section 4 above, the First Selectman may cause such investigation into the business conduct of each applicant as deemed necessary for the protection of the public health and welfare. Upon a finding that the facts stated in the application are true and complete and in the absence of any ground set forth in Subsection (c) of this Section, the First Selectman or his/her designated agent shall date, sign and issue a license as hereinafter provided.

#### b. Issuance

The license shall include the full name of the applicant and, if applicable, of the applicant's employer, a picture of the applicant and a statement that the issuance of such a license does not constitute an endorsement by the Town of Goshen of the applicant or the applicant's employer, or of the product, service or purpose of the applicant or the applicant's employer. Every license shall be worn by the licensee in a conspicuous manner on the front of the licensee's outer garment at all times that the licensee is conducting a Licensed Activity. The license shall bear the words "licensed peddler", "licensed vendor" or "licensed solicitor". No license issued under the provisions of this ordinance shall be used by any individual other than the one to whom it is issued.

c. Denial

The First Selectman may deny any application for a license under this ordinance for any of the following reasons:

1. Any license previously issued to the applicant or the applicant's employer has been revoked for any reason.
2. The applicant's or the applicant's employer's failure to act in the past or refusal to act in the future in accordance with the provisions of this ordinance.
3. The failure of the applicant or the applicant's employer to obtain and provide copies of other licenses required by the laws of the United States of America, the State of Connecticut, the Torrington Area Health District or the Town of Goshen.
4. The failure of the applicant or the applicant's employer to provide all required information for the application.
5. The applicant or the applicant's employer has been convicted of a crime of moral turpitude.
6. The applicant has willfully made misstatements in the application.

Section 6. ACTS PROHIBITED TO LICENSEES

No licensee shall:

- a. Assert or imply that any license issued hereunder constitutes an endorsement or recommendation from the Town of Goshen. No person shall advertise in any manner that they have obtained a license from the Town of Goshen.
- b. Use any false or deceptive inducements.
- c. Fail to conduct themselves in an orderly manner or fail to comply with the provisions of this ordinance.
- d. Fail to exhibit the license at all times.
- e. Transfer said license to any other individual.

Section 7. SUSPENSION AND REVOCATION OF LICENSE

Any license issued under the provisions of this ordinance may be suspended and/or revoked, after notice and hearing by the First Selectman, for violation of this ordinance or any other ordinance of the Town of Goshen or for any violation of the Connecticut General Statutes or any regulations adopted thereunder or for any of the following reasons:

- a. Receipt by the First Selectman or his/her designated agent of a complaint verified by a reliable person or persons concerning false advertising or misrepresentation by a licensee during the course of conducting a Licensed Activity.
- b. A finding made by the First Selectman that the license should not have been issued because of any fact(s) unknown to the First Selectman at the time of issuance of the license.
- c. Fraud of false statements made either in the license application or in the conduct of any Licensed Activity.
- d. Conviction of any crime or misdemeanor involving moral turpitude.
- e. The conduct of any Licensed Activity in an unlawful manner, or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

Every suspension or revocation of a license shall be in writing, shall state the reason for such suspension or revocation and shall

be signed and dated. A notice in writing shall immediately be sent by the First Selectman by certified mail, return receipt requested, or by hand delivery to the licensee and, if applicable, to the licensee's employer, at their respective addresses shown on the application. Such suspension or revocation shall be effective immediately upon issuance; provided, however, that the individual whose license has been suspended or revoked may, within ten (10) days after the date such notice is hand delivered or deposited in the U.S. mail, appeal to the Board of Selectmen for reinstatement, by a written request for such relief directed to the Board. The Board of Selectmen shall give the individual so appealing a hearing within fourteen (14) days after receipt of such request. Failure to hold such hearing within such time shall cause an automatic reinstatement of said license.

#### Section 8. APPLICATION FEES

- a. At the time of filing an application for license as required by this ordinance, the applicant shall pay a nonrefundable license fee of twenty-five (\$25.00) dollars, payable to the Town of Goshen to cover the cost of investigation and processing of said application.
- b. **Veterans Exemption:**  
Any resident of the State of Connecticut who has resided within the State for two (2) years preceding the date of application for a license and who is a veteran with an honorable discharge who served in time of war as defined in the Connecticut General Statutes shall be exempt from the application fee required under this section of the ordinance.

#### Section 9. EXPIRATION AND RENEWAL OF LICENSE

- a. All licenses issued under the provisions of this ordinance shall expire one (1) year following the date of issuance; provided, however, that a Vendor's license shall expire no later than the earlier of the first day of October after its date of issuance or the expiration date of the state license issued pursuant to Chapter 407 of the Connecticut General Statutes. Within 30 days prior to expiration, the license may be renewed by the applicant upon written request made to the First Selectman or his/her designated agent, and upon payment of the yearly license fee provided herein.
- b. If a license is not renewed prior to its expiration date, the applicant will be required to submit a new application and comply with all the requirements of such new application including an application fee as set forth in Section 8.

#### Section 10. PENALTY

Any Person found to be violating any of the provisions of this ordinance shall be subject to penalty and/or imprisonment as set forth in the Connecticut General Statutes. In addition, any Person found to be violating any of the provisions of this ordinance shall be subject to a penalty not to exceed \$100.00, which penalty may be enforced by the Board of Selectmen by the issuance of a citation. Each transaction or sale shall be deemed a separate offense.

#### Section 11. PRIOR LICENSES

Any license or permit in effect on the effective date of this ordinance shall continue to be controlled by the ordinance in effect at the time of issuance, but upon expiration, each such license or permit shall be renewed pursuant to the terms and conditions of this ordinance.

#### Section 12. REPEAL OF PRIOR LICENSE

The adoption of this ordinance shall constitute the repeal of the Hawkers and Peddlers Ordinance dated March 31, 1964.

#### Section 13. SEVERANCE CLAUSE

The provisions of this ordinance are hereby declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain in effect notwithstanding the invalidity of any part.

#### Section 14. PERMIT FEE SCHEDULE

- a. APPLICATION FEE \$ 25.00  
Non-refundable
- b. PEDDLERS/HAWKERS FEE \$200.00  
One (1) year renewable
- c. CANVASSERS/SOLICITORS FEE \$250.00  
One (1) year renewable

d. VENDORS FEE \$150.00

One (1) year renewable

e. BOND (if applicable) \$500.00

f. TEMPORARY VENDORS WEEKEND PERMIT \$ 15.00

A temporary weekend permit for Vendors may be issued by the First Selectman or his/her designated agent for a fee of fifteen (\$15.00) dollars.

All other requirements in this ordinance shall apply. Only one (1) permit of this type shall be issued to any Person during any calendar year.

Section 15. EFFECTIVE DATE AND MANNER OF PUBLICATION

This ordinance shall take effect 15 days after publication of a summary of this ordinance in a newspaper having a general circulation in the Town of Goshen as provided by Connecticut General Statutes Section 7-157(b).

Adopted: 11-20-1995

Published: 12-11-1995

Effective: 12-26-1995