

**VILLAGE OF HUDSON FALLS  
APPLICATION FOR SOLICITOR'S PERMIT/LICENSE**

\_\_\_\_\_

Date

\_\_\_\_\_

Social Security Number

\_\_\_\_\_

Date of Birth

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITIZENSHIP: \_\_\_\_\_

NAME AND ADDRESS OF FIRM OR CORPORATION WHICH APPLICANT REPRESENTS:

\_\_\_\_\_

NAME AND ADDRESSES OF ALL PARTNERS, IF PARTNERSHIP:

\_\_\_\_\_

NAME AND ADDRESSES OF PRINCIPAL OFFICERS, IF CORPORATION:

\_\_\_\_\_

NAME AND ADDRESS OF PERSON UPON WHOM LEGAL PROCESS MAY BE SERVED:

\_\_\_\_\_

BRIEF DESCRIPTION OF NATURE OF BUSINESS:

\_\_\_\_\_

KIND OF GOODS AND MERCHANDISE TO BE SOLD:

\_\_\_\_\_

KIND OF SERVICES TO BE RENDERED:

\_\_\_\_\_

**This permit excludes Sandy Hill Days Weekend.**

**If the Village Board feels that there are any problems arising from the operation of this food concession then the Board has the right to revoke this license at any time.**

**VEHICLES TO BE USED:**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_  
Color \_\_\_\_\_ License Number \_\_\_\_\_ State \_\_\_\_\_

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_  
Color \_\_\_\_\_ License Number \_\_\_\_\_ State \_\_\_\_\_

Has applicant ever been convicted of a felony or misdemeanor. If so, state details:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

**RESULTS OF POLICE DEPARTMENT INVESTIGATION**

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

Applicant's character and business responsibility found satisfactory, application approved.

\_\_\_\_\_  
Chief of Police

Applicant's character and business responsibility found unsatisfactory, application disapproved.

\_\_\_\_\_  
Chief of Police

Reasons for Disapproval:

\_\_\_\_\_  
\_\_\_\_\_

## Chapter 148

### PEDDLING AND SOLICITING

- |  |                                       |
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| § 148-1. Definitions.                        | § 148-7. Employees of licensee.       |
| § 148-2. Exemptions.                         | § 148-8. Name and address on vehicle. |
| § 148-3. License required.                   | § 148-9. Revocation of license.       |
| § 148-4. Application for license.            | § 148-10. Regulations.                |
| § 148-5. Investigation; issuance of license. | § 148-11. Taking of orders.           |
| § 148-6. License fees.                       | § 148-12. Records.                    |
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[HISTORY: Adopted by the Board of Trustees of the Village of Hudson Falls 8-18-1986 as Ch. 36 of the 1968 Code. Amendments noted where applicable.]

#### GENERAL REFERENCES

Noise — See Ch. 138.

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#### § 148-1. Definitions.

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

**CHARITABLE ORGANIZATION** — Any benevolent, philanthropic, patriotic, not-for-profit or eleemosynary group, association or charitable purpose. Charitable organizations include and are not limited to the following organizations: fire departments, first aid squads and religious organizations. [Added 3-16-1992 by L.L. No. 4-1992]

**ESTABLISHED PLACE OF BUSINESS** — Includes a building or store in which the person transacts business and deals in the goods, wares and merchandise he hawks, peddles or solicits.

**HAWKER or PEDDLER** — Includes, except as hereinafter expressly provided, any person, either principal or agent, who, in any public street or highway or public place or by going from house to house or place of business to place of business, on foot or on or from any vehicle standing in a street or highway, sells or barter, offers for sale or barter or carries or exposes for sale or barter any goods, wares or merchandise, except as hereinafter exempted.

**PERSON** — Includes one or more persons of either sex, natural persons, corporations, partnerships, associations, joint-stock companies, societies and all other entities of any kind.

**SOLICITOR** — Includes any person who goes from place to place or house to house or who stands in any street or public place taking or offering to take orders for goods, wares or merchandise, except as hereinafter exempted, or for services to be performed in the future or for making, manufacturing or repairing any article or thing whatsoever for future delivery.

**§ 148-2. Exemptions. [Amended 3-16-1992 by L.L. No. 4-1992]**

- A. Nothing in this chapter shall be held to apply to any sales conducted pursuant to statute or by order of any court; to any person selling personal property at wholesale to dealers in such articles; to merchants having an established place of business within the Village or their employees; to the peddling of meats, fish, fruit and similar produce by farmers and persons who produce such commodities; to dealers in milk, baked goods, heating oil and daily newspapers; or to any honorably discharged member of the armed forces of the United States who has procured a license under § 32 of the General Business Law of the State of New York.
- B. Persons soliciting or collecting for any bona fide charitable organization having a permanent office within a radius of 60 miles from the Village of Hudson Falls shall be exempt from the license fees imposed by this chapter but shall comply in all other respects with the provisions hereof.

**§ 148-3. License required.**

It shall be unlawful for any person within the territorial limits of the Village of Hudson Falls to act as a hawker, peddler or solicitor, as herein defined, without first having obtained and paid for, and having in force and effect, a license therefor.

**§ 148-4. Application for license.**

Every applicant for a license as herein provided shall submit to the Village Clerk, in duplicate, a sworn application setting forth the following information.

- A. That he is a citizen of the United States.
- B. That he has never been convicted of a felony or misdemeanor (or, if so, giving the details).
- C. A detailed statement of the particular business, trade or occupation for which the license is requested.
- D. The number and kind of vehicles, if any, to be used by the applicant in carrying on the business for which the license is requested.
- E. The kinds of goods, wares and merchandise he desires to sell or the kind of service he desires to render.
- F. The name, address and age of the applicant.
- G. The name and address of the person, firm or corporation he represents.
- H. The names and addresses of all partners, if a partnership, and the names and addresses of the principal officers, if a corporation, and the name and address of a person upon whom a legal notice may be served.
- I. Such other information as may be required by the Village Clerk.

**§ 148-5. Investigation; issuance of license.**

Upon receipt of such application, the original shall be referred to the Chief of Police, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good.

- A. If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application his disapproval and his reasons for the same and return said application to the Village Clerk, who shall notify the applicant that his application is disapproved and that no license will be issued.
- B. If as a result of such investigation the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his approval and return such application to the Village Clerk, who shall, upon payment of the prescribed fee, issue a license to the applicant. Such license shall contain the signature and seal of the issuing officer and shall show the name and address of said licensee, the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative.
- C. A license shall not be assignable. Any holder of such license who permits it to be used by any other person, and any person who uses such license granted to any other person, shall be guilty of a violation of this chapter. Such license shall automatically expire on January 1 following the date of issuance thereof, but such license may provide for an earlier expiration date. No applicant to whom a license has been refused or who has had a license which has been revoked shall make further application until a period of at least six months shall have elapsed since the last previous rejection or revocation, unless he can show that the reason for such rejection or revocation no longer exists. Every licensee, while exercising his license, shall carry the license with him and shall exhibit the same upon demand to any police officer or citizen.

**§ 148-6. License fees. [Amended 3-16-1992 by L.L. No. 4-1992]**

The annual fee for each license issued pursuant to this chapter shall be ~~\$35~~. For licenses issued on or after July 1 of any year, the license fee shall be \$17.50.

*2004*  
*LL*  
*months*  
\$450/yr \$225/six months

**§ 148-7. Employees of licensee.**

Any licensee using a motor vehicle may employ not more than two persons to assist in selling and delivering the wares, but such persons shall so act only while accompanying a licensed peddler, hawker or solicitor.

**§ 148-8. Name and address on vehicle.**

Every vehicle used by a licensed hawker, peddler or solicitor in or about his business shall have the name of the licensee and his address plainly, distinctly and legibly painted in letters and figures at least two inches in height in a conspicuous place on the outside of each side of

every such vehicle, and such name and address shall be kept so painted plainly and distinctly at all times while such vehicle is in use during the continuance of the license.

**§ 148-9. Revocation of license.**

- A. Causes. Licenses issued under the provisions of this chapter may be revoked by the Board of Trustees of the Village of Hudson Falls after notice and hearing, for any of the following causes:
- (1) Fraud, misrepresentation or false statement contained in the application for license.
  - (2) Fraud, misrepresentation or false statement made in the course of carrying on his business as peddler.
  - (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 to constitute a menace to the health, safety or general welfare of the public.
- B. Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed to the licensee at his last known address, at least five days prior to the date set for hearing.

**§ 148-10. Regulations.**

A licensed hawker, peddler or solicitor shall:

- A. Not engage in such business at any time between the hours of 8:00 p.m. and 8:00 a.m.
- B. Not falsely or fraudulently misrepresent the quantity or quality of any article offered for sale or offer for sale any unwholesome, tainted or diseased provisions or merchandise.
- C. Keep the vehicles and receptacles used by him in a clean and sanitary condition and the foodstuffs and edibles offered for sale well-covered and protected from dirt, dust and insects.
- D. Not stand or permit the vehicle used by him to stand in one place in any public place or street for more than 10 minutes or in front of any premises for any time if the owner or any lessee of the premises objects.
- E. Not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.

**§ 148-11. Taking of orders.**

All orders taken by licensed solicitors who demand, accept or receive payment or deposit of money in advance of final delivery shall be in writing, in duplicate, stating the terms thereof and the amount paid in advance, and one copy shall be given to the purchaser at the time the deposit of money is paid to the solicitor.

**§ 148-12. Records.**

It shall be the duty of the Village Clerk to keep a record of all applications and of all licenses granted under the provisions of this chapter, giving the number and date of each license, the name and residence of the person licensed, the amount of the license fee paid and also the date of revocation of all licenses revoked.

**§ 148-13. Penalties for offenses. [Amended 3-16-1992 by L.L. No. 4-1992; 8-14-2000 by L.L. No. 9-2000; 10-12-2004 by L.L. No. 6-2004]**

Each violation of this chapter or any regulation, order or rule promulgated thereunder shall be punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of three years, punishable by a fine of not less than \$250 nor more than \$500 or imprisonment for a period not to exceed 30 days, or both; and upon conviction for a third offense or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than \$500 nor more than \$750 or imprisonment for a period not to exceed 60 days, or both. Each day a violation continues shall be a separate offense. In addition to such fine, each violation shall constitute disorderly conduct, and the person violating same shall be a disorderly person.

