Chapter 196

Regulating Hawkers, Vendors, Peddlers, Canvassers and Solicitors

(**HISTORY:** Adopted 10-.07.1957 by the Annual Town meeting of the Town of Somers, effective 10.07.1957. Amendments noted where applicable)

Section 1 Definitions

a. **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 Somers selling or bartering, or carrying for sale or barter, or exposing therefore, any goods, wares or merchandise, either on foot or from any motor vehicle

b. **Canvasser**
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 Somers soliciting and/or collecting money or pledges of money for any purpose

c. **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 Somers, including temporarily remaining in one place for periods of time, selling or bartering or carrying for sale or barter, any goods, wares or merchandise, including food and ice cream, either on foot, motor vehicle, pushcart, stand or table.

d. **Motor Vehicle**
Any vehicle, other than muscular, and registered for operation on public highways by the Connecticut Motor Vehicle Department

e. **Street or Pubic Highway**
Includes all areas within the right-of-way or street line for any Town road or within the street line or right-of-way. This includes the tree belts, sidewalks and any area adjacent thereto up to the boundary line of any adjoining lot

f. **Person**
Any individual or group of individuals associated in any form, whether principal or agent, partnership, corporation, Limited Liability Company, association, club organization

Section 2 Exceptions

This ordinance shall not apply to sales by farmers and gardeners of the produce of their farms and gardens or to the sale, distribution and delivery of milk, groceries, meats and bakery goods nor shall this ordinance apply to sales by anyone on behalf of any church, school, community organization or Boy Scouts, Girls Scouts, 4H and Future Farmer Groups, American Veterans Organization or any other non-profit making clubs

Section 3 – Licensing

a. No person making application for a license to peddle or vend foodstuffs shall be issued such license until he/she provides to the Board of Selectmen, or their designee, a certificate signed by the Director of Health. The certificate shall indicate the approval of methods and equipment utilized in the peddling or vending of foodstuffs by the applicant in accordance with the Public Health Code of the State of Connecticut and any other applicable section therein.
b. A certificate of insurance covering any mobile vending apparatus must be submitted at the time of application to vend, peddle or sell goods
c. Unless specifically exempted, it shall be unlawful for any person to engage in activity related to vending, hawking, peddling, canvassing and solicitation.

d. The qualifications and procedures regarding vending activities which may put the vendor/peddler in contact with children may require a background and personal record investigation submitted to the Connecticut State Police. If the Chief of Police deems a background check is necessary, the cost thereof will be paid by the applicant.
e. Should an applicants' background investigation be found unsatisfactory, the Chief of Police of the Town of Somers shall endorse on such application the reasons for disapproval and notify the applicant that no license will be issued
f. If the applicant is found satisfactory, the Chief of Police of the Town of Somers or his/her designee shall issue a license upon payment of $ 200.00.
g. No license under this ordinance shall be valid unless the holder also holds a valid State license.

Section 4 -- Expiration and Renewal of License
All licenses issued under this ordinance shall be valid for thirty (30) days. Within 5 (five) days prior to expiration, the license may be renewed by the applicant upon written request made to the First Selectman or his/her designee and upon payment of license fee.

Section 5 – Regulations
a. Vendors who conduct their business from a motor vehicle on the public highway shall operate their vehicle so as not to impede the free flow of traffic. No food or ice cream shall be sold or attempt to be sold to any person when such person is situated or standing in the highway or street.
b. No vendor shall sell or barter or carry for sale any goods, wares or merchandise, except for food and ice cream in any residential zone. The vending of food or ice cream in such zones shall be from motor vehicles which may not remain in the same location for more than 15 minutes. The prohibition imposed by this section shall be suspended during parades, races, fireworks displays or other similar one-day events to allow the sale of sundries, balloons, buttons, cotton candy or food and ice cream or similar goods.
c. Vendors who conduct their business from private property or from property of the State of Connecticut or of the Town shall present to the Chief of Police, at the time of application, a written permission to use said property from the owner or owners of such property.
d. Vendors of food or ice cream or other goods or merchandise must obtain the written permission of the Director of Recreation in order to sell their products in any Town Park, field or recreation area.
e. Vending is prohibited within areas and within ½ mile of areas that have been temporarily set aside for festivals and special events which have been authorized by the Town of Somers, except for persons issued a permit by the sponsor or other organizer of the festival or special event. Traffic by non-motorized vehicles, except by festival or event participants, is prohibited with the area set aside for the festival or special event.
f.

Section 6 – License Display
Each person licensed under this ordinance while conducting his/her business must display conspicuously, the permit, decal or badge issued to him/her by the Board of Selectmen or their designee. Such Vendors, Canvassers or Solicitation shall only be between the hours of 9:00 am – 5:00 pm

Section 7 – Violations and Penalties
Each person who shall violate any provision of the ordinance, in addition to the suspension or revocation of a license, if appropriate, shall be guilty of an infraction and shall be fined $150.00

Board of Selectmen Adoption:
Public Hearing:
Publication Date:
Effective Date:

Town of Somers, Connecticut

Application For
Peddlers, Hawkers, Solicitors, Canvassers,
Vendor Permits

No business is to be conducted in the Town of Somers until application is approved
**If selling food, a Food Permit must be issued in conjunction with a Vending Permit*
Permit is Valid for 30-Days from Issuance

PRINT CLEARLY or TYPE

Company/Organization Information

Check One: ____Business ____Charity ____Non-Profit ____Other _____
Company Name: _____ Phone# _____
Address _____
Number Street City State Zip

Required Documentation

Connecticut Sales Tax Number (CGS, 12-409):_____
Copy of Certificate of Insurance Naming Town of Somers as Additionally Insured Against Damage and Injury to Property or Person in the Use of Public Streets, Sidewalks, or Places to Vend Merchandise:
____Yes ____No
Copy of Valid Drivers' License: ____Yes ____No
Copy of Valid Vehicle Registration: ____Yes ____No
Copy of Health District Certification: ____Yes ____No

Type of Business

Describe Nature of Business: _____
Describe Type of Goods to be sold: _____
Manner of Dispensing Product: ____Vehicle ____Push Cart ____Door to Door ____Other:_____
List location(s): ____Town-wide ____Other:_____
Please list all food and beverage items to be served (attached separate sheet if necessary):
Hot Food:_____
Cold Food:_____
Beverages:_____
Other:_____
Heat source to keep hot foods:_____
Refrigeration source for cold foods:_____

Description of Vehicle to be Used (where applicable)		
Make	Year	License Plate #
Model	Color	Registration # and State

Applicant Personal Information		
Name		Address, City State
Telephone Home		Telephone Cell
Email Address		
Place of Birth		Date of Birth
Sex: ____Male ____Female	Race	Height Weight
Hair Color	Eye Color	SSN

1. Have you ever been convicted for committing any crime other than motor vehicle charges:
   _____Yes _____No
2. Have you ever been refused a permit for this type of business:
   _____Yes _____No
   (If you answered 'Yes' to either of the above questions, please explain in detail on the reverse side of this form)

I declare, under the penalties of False Statement that the answers to the above are true and correct. By signing this form I give the Town of Somers permission to fingerprint me, conduct a record check based on the above information, and to take my photograph. I agree to display the permit prominently or carry the same upon my person if engaged in vending from place to place. I acknowledge that I have reviewed the Ordinance which applies to the proposed activity, agree to comply with the rules and regulations contained. I further acknowledge that failure to comply, falsify, misrepresent or omit any item in this application may result in revocation or denial of the permit sought.

Application Signature:_____Date:_____

_____
Printed Name

Subscribed and sworn to me this _____ day of _____20_____

Notary Public _____

My commission expires: _____ _

Additional Staff

Name		Address City, State, Zip
Place of Birth		Date of Birth
Sex _____Male _____Female	Race	Height Weight
Hair Color	Eye Color	SSN
Have you ever been convicted for committing any crime other than motor vehicle charges: ____Yes ____No		Have you ever been refused a permit for this type of business: ____Yes ____No

Name		Address City, State, Zip
Place of Birth		Date of Birth
Sex _____Male _____Female	Race	Height Weight
Hair Color	Eye Color	SSN
Have you ever been convicted for committing any crime other than motor vehicle charges: ____Yes ____No		Have you ever been refused a permit for this type of business: ____Yes ____No

Name		Address City, State, Zip
Place of Birth		Date of Birth
Sex _____Male _____Female	Race	Height Weight
Hair Color	Eye Color	SSN
Have you ever been convicted for committing any crime other than motor vehicle charges: ____Yes ____No		Have you ever been refused a permit for this type of business: ____Yes ____No

Name		Address City, State, Zip
Place of Birth		Date of Birth
Sex _____Male _____Female	Race	Height Weight
Hair Color	Eye Color	SSN
Have you ever been convicted for committing any crime other than motor vehicle charges: ____Yes ____No		Have you ever been refused a permit for this type of business: ____Yes ____No

Name		Address City, State, Zip
Place of Birth		Date of Birth
Sex _____Male _____Female	Race	Height Weight
Hair Color	Eye Color	SSN
Have you ever been convicted for committing any crime		Have you ever been refused a permit for this type of

other than motor vehicle charges: ____Yes ____No	business: ____Yes ____No

If the answer was 'Yes' to either question of being convicted of any crime (other than motor vehicle), or refused a permit for this type of business – Please give a detailed explanation for each individual below or on a separate sheet of paper and attached to the application for consideration.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Proof of Health Department Approval	____**Not applicable**
Date:	**Signature of Health District/Sanitarian**

Application Status

____**Approved** ____**Denied** **Denial Reason:**_____ _____	**Signature of First Selectman/Chief of Police/Designee** **Date:**