

ORDINANCE REGULATING "HAWKING AND PEDDLING" IN THE TOWN
OF CAROGA, FULTON COUNTY, NEW YORK

Pursuant to Section 130 of the Town Law of the State of New York, the Town Board of the Town of Caroga, Fulton County, New York does ordain and enact as follows:

- Section 1. License required.
- Section 2. Application for license.
- Section 3. License fees.
- Section 4. Exhibition of license.
- Section 5. Restrictions on methods of hawking.
- Section 6. Expiration date.
- Section 7. Violation constitutes disorderly conduct.
- Section 8. Repeal of prior ordinances.
- Section 9. When effective.

Section 1. License required.

No person or persons shall publicly sell, hawk or peddle any property or article of merchandise on the street, road, highway, or public place, or from house to house, in the Town of Caroga, without first obtaining a license therefore from the Town Clerk, but nothing herein contained shall apply to sales made to merchants for retail trade or to sales made to any person or persons by farmers or gardeners of the products of their own farms and gardens and nothing herein contained shall apply to sailors or soldiers who have procured a license as provided by General Business Law of the State of New York.

Section 2. Application for license.

Any person or persons desiring to obtain a license under any of the provisions of this ordinance shall make application therefore in writing to the Town Clerk on a blank furnished by the Town of Caroga, and shall state his or her name, place of residence, age and business occupation, the kinds of property or article of merchandise to be sold, how it is to be distributed and in addition thereto shall furnish on the back of every such application for a license an endorsement in writing by two (2) reputable citizens of the State of New York, certifying to the good business reputation of the applicant.

Section 3. License fees.

The following rates for all licenses granted under the ordinance are hereby ordained and established and the Town Clerk is authorized and directed to issue licenses and collect such rates therefore, namely; for a period of one (1) year, fifty dollars (\$50.00); for a period of up to five (5) days, ten dollars (\$10.00); and every such license using in the sale of such goods, wares or merchandise under this ordinance a vehicle shall have a license to cover every

such vehicle and pay a license fee to cover each such vehicle in the sum of ten dollars (\$10.00) per year. Where the licensee employs an operator for the vehicle so licensed, no additional license is necessary for such operator, provided such operator does not in any way sell or distribute any merchandise but simply operates the vehicle, and it is intended that each person, other than such operator so selling or distributing, shall pay the license fee as hereinabove specified.

Section 4. Exhibition of license.

Any persons or person having obtained a license under the provisions of this ordinance, using a vehicle, shall legibly and distinctly place upon either side of the body of such vehicle, ~~the word~~ "licensed", together with the number of such license, such number to be furnished without cost by the Town Clerk upon payment of the license fee. Every person having a license shall exhibit the same when requested to do so by the Town Supervisor, Town Councilman or any officers of the Town and any law enforcement officer.

Section 5. Restrictions on methods of hawking.

No license under this ordinance shall be issued for a period exceeding one (1) year, and no license so issued shall be construed as permitting the licensee or his agent or servants, either crying out the goods, wares, or merchandise sold by him, or the ringing of a bell, beating of a gong, or otherwise violating the town ordinance by any other loud or unseemly noise in the streets or public places of the Town of Caroga. The arrest and conviction of any person disturbing the peace and quiet of the Town of Caroga while operating under a license granted pursuant to this ordinance shall be deemed sufficient cause for the revocation of the license so issued.

Section 6. Expiration date.

All licenses issued under this ordinance shall expire on the first day of May following the date of issue.

Section 7. Violation constitutes disorderly conduct.

Any person violating this ordinance shall be and hereby is declared a disorderly person and shall be apprehended and dealt with according to law.

Section 8. Repeal of prior ordinances.

All other ordinances, bylaws and resolutions, or parts thereof inconsistent with or repugnant to the provisions of this act are hereby repealed.

Section 9. When effective.

This ordinance shall take effect ten (10) days after posting and upon one (1) publication thereof in the official newspapers of the Town of Caroga.

ORDINANCE OF THE TOWN OF CAROGA FOR THE REGULATION OF HAWKING AND PEDDLING
IN THE TOWN OF CAROGA, FULTON COUNTY, NEW YORK

Town Councilman Michael Schmutz offered the following resolution
and moved its adoption:

WHEREAS, at the public hearing duly called and held pursuant to Section
130 of the Town Law on the 10th day of May, 1977, at the Town Board Chamber in the
Municipal Office Building, Town of Caroga, New York, for the purpose of considering
the enactment of an ordinance for the regulation of hawking and peddling in the Town
of Caroga, Fulton County, New York, and

WHEREAS, citizens of the Town of Caroga came to protest the adoption
of said ordinance,

Now, therefore, it is

RESOLVED that the Town Board of the Town of Caroga enact an ordinance
entitled "ORDINANCE REGULATING "HAWKING AND PEDDLING" IN THE TOWN OF CAROGA, FULTON
COUNTY, NEW YORK" pursuant to the authority of Section 130 of the Town Law of the
State of New York, does ordain and Enact as follows:

(ordiance attached)

Seconded by Supervisor Krause and carried with a roll call vote as
follows:

Justice Hayner - aye

Supervisor Krause - aye

Councilman Arnst - aye

Councilman Schmutz - aye

Justice Kuhne - nae - due to conflict of interest

Handwritten notes:
Kuhne - aye
5-26-77
Ordnance - see [unclear]
5-30-77