VILLAGE OF ANGOLA
41 Commercial Street, Angola NY 14006 (716) 549-1126
APPLICATION FOR PERMIT
FOR SOLICITORS, PEDDLERS AND CAVASSERS

This section to be filled out by municipality only:

PERMIT # _____ ISSUED BY (initials) _____ DATE _____

(all APPLICANTS and ASSISTANTS MUST fill out application and authorize background check)

To the Village of Angola:

I (print name) _____ Address _____

Phone # (___)_____ Hereby apply for a permit to:(circle one) Solicit / Peddle / Canvas / Assist

Check one:

_____ By going house to house

_____ By marked vehicle and selling from same: Make _____ Model _____

Color of vehicle _____ License Plate # _____

My Age:_____ Height:_____: Weight _____; Eye Color _____

Term for which permit is desired check one

_____ 1 year (ends December 31st of permit year) fee $50.00

_____ daily (list dates mm/dd/yy _____ (fee is $5.00 per day) $_____total

---------- *assistants info*----------

Anyone assisting you? _____ fee is $2.50 per day or $25.00 per year as determined above

Name of Assistant _____

---------- *company info* ----------

Is business conducted as an agent of another company? If yes, give name and address of company:

Name of Company _____Supervisor _____

Address _____

City _____State _____Zip _____Phone (___) _____- _____

---------- *background/criminal history* ----------

Have you every been convicted of a crime _____

If yes, where_____ when_____

For what offense _____

State of New York, Erie County

I _____, being duly sworn, deposes and says that I am the applicant named above and that I have carefully read the foregoing application and know the contents thereof and that the same is true in every respect.
Sworn to me this _____ day of _____, 20_____

_____
Notary public
Permit issued on this _____ day of _____ 20____ charging a fee of $_____

VILLAGE OF ANGOLA
41 Commercial Street, Angola NY 14006 (716) 549-1126
CRIMINAL / DMV AUTHORIZATION FORM
FOR SOLICITORS, PEDDLERS AND CAVASSERS

To be submitted by municipality only
ATTENTION EVANS POLICE DEPARTMENT
PLEASE CONDUCT THE FOLLOWING
(716) 549-6089

State of New York

County of Erie

Town of Evans

Village of Angola

Date _____

I (print name) _____, do hereby authorize the Village of Angola to request that the Town of Evans Police Department check and receive any information regarding my **criminal record and sex offender registry**, if any, and that relates to my drivers license or operating record including disciplinary measures, to include, but not limited to any and all records furnished by the New York State Department of Motor Vehicles.

Signature _____

Address _____

City _____ State _____ Zip _____

Phone (____) _____ - _____

Date of Birth _____

Signature of Witness _____

Name of Witness (Printed) _____

LOCAL LAW NUMBER 1 FOR THE YEAR 2015-
PEDDLING AND SOLICITING

A local law repealing Chapter 163 of the Village of Angola Code and replacing it with a new Chapter 163 entitled Peddling and Soliciting.

Chapter 163: PEDDLING AND SOLICITING

§ 163-1 Purpose.

The purpose of this chapter shall be to improve and promote the health, safety and general welfare of the community, and the preservation and protection of the property of the Village of Angola and its inhabitants, by declaring and enforcing certain regulations and restrictions pertaining to peddling and soliciting.

§ 163-2 Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

HAWKER OR PEDDLER
Any person who engages in the business of selling or attempting to sell, or soliciting orders for the sale of, any property or any services by going from house to house, place of business to place of business or in any public street or public place.

PERSON
Any individual, firm, partnership, corporation, unincorporated association and any principal or agent thereof.

§ 163-3 License required.

The hawking, peddling and soliciting of orders for the sale of any personal property or any services within the Village of Angola without having obtained a license therefor from the Village Clerk of the village is prohibited. The cost of such license shall be established by resolution of the Village Board.

§ 163-4 Exceptions.

A. This chapter shall not apply to:

(1) Veterans. Every honorably discharged member of the Armed Forces of the United States who is a resident of this state and a veteran of any war or who shall have served overseas and his or her surviving spouse shall have the right to hawk, peddle, vend and solicit in the Village of Angola if such a veteran has resided in Erie County for a period of at least six months. Such veteran shall be licensed without fee but with the information required on said license in accordance with Article 4, § 32, of the General Business Law of the State of New York.

(2) The holder of a license granted pursuant to the General Business Law of the State of New York.

(3) A wholesaler selling articles to dealers or merchants who have an established place of business within the village.

(4) A truck gardener or farmer who himself or through his employees sells products of his own farm or garden.

(5) A child regularly attending any public or parochial or private school within the County of Erie or a representative of any church maintaining a place of worship within the County of Erie or a member of a veterans' organization, provided that such organization maintains a chapter, post, lodge, camp or other group within the County of Erie, or a member of a fraternal organization, any firemanic organization or a civic group, provided that such fraternal organization, firemanic organization or civic group maintains a chapter or local organization within the County of Erie, and further provided that any person within the provisions of this exemption shall hawk, peddle or solicit only as part of an authorized activity of the organization of which he is a member or of the school or church which he attends, and further provided that no person exempted by this subsection receives any compensation for any such activity here exempted.

(6) Any person selling goods, wares, commodities or services regularly to those who are his established customers, patrons or purchasers.

B. All persons and organizations soliciting funds solely for charitable or other purposes who are excepted from the license requirements under this chapter shall maintain and keep records identifying all persons soliciting funds within the Village, and such records shall contain at least the name and the address of the person soliciting, the area solicited and the date or dates of solicitation. Said records shall be made available for inspection by the Chief of Police of the Town of Evans upon request.

§ 163-5 License application.

A. Every applicant for a license shall submit to the Village Clerk a written verified application containing the following information: name and age of the applicant; permanent home residence and the address of this current place of sojourn if different from his home address; name and address of all entities whose products he intends to sell or for which he intends to solicit orders; an itemized statement of all property or services to be sold or offered for sale; all municipalities (name and state) in which the applicant has carried on the business of hawking, selling or soliciting orders during the six months immediately preceding the application; statement of name, address and telephone number of any person and of any corporation supervising the applicant's local selling activities under contractual or employment arrangement; and copies of all forms or order and of receipt used by the applicant in soliciting sales or orders. To the application must be appended a letter or authorization from each entity supplying any property or services to be sold or for which orders are to be solicited by the applicant.

B. Every applicant shall submit, in triplicate, a photograph two by two inches, taken within 30 days of the date of the application for such license; such photograph shall show the head, full face and shoulders of the applicant. One copy of the photograph shall be attached to the license application, one copy of the photograph to the license, and the third shall be delivered to the Chief of Police of the Town of Evans.

C. Each applicant for a license shall have a fingerprint impression of the fingers and thumbs on both hands taken by LI Enrollment or by a vendor chosen by New York State.

D. The police officer designated by the Police Chief to order and review criminal records ("Criminal Records Officer') may cause the fingerprints of any applicant for a peddling or soliciting permit and any applicable fee to be forwarded to the Division of Criminal Justice Services (DCJS) in the form and manner as prescribed by DCJS for a complete criminal background and investigation upon receipt of the appropriate fee from the applicant.

E. The Criminal Records Officer shall review the criminal history record information (CHRI) disseminated by DCJS in connection with the applicant's criminal background investigation.

F. The Village Clerk shall not issue a license unless and until the applicant shall furnish satisfactory proof of compliance with the provisions hereof relating to fingerprint identification and until completion of an investigation by the Village Clerk and payment of the fee established for the same. On all applications for renewal (which must be submitted before expiration of a license), the applicant need only submit the photograph required hereunder to the Village Clerk, unless said Chief of Police shall request a new fingerprint identification.

§ 163-6 Issuance of license.

Upon receipt of the application and upon compliance with all of the requirements of this chapter, the Village Clerk shall issue a license to the applicant specifying the particular business authorized. This license shall be nontransferable. It shall be in the continuous possession of the licensee while engaged in the business licensed. The license shall be produced upon the demand of any police or law enforcement officer and shall be exhibited to each prospective buyer or person solicited before making any offer or solicitation.

§ 163-7 Records; expiration of license.

A. The Village Clerk shall keep a record of all applications, of all licenses issued in accordance with this chapter and the date of revocation of all licenses revoked.

B. All licenses issued hereunder shall expire on the 31st day of December of each year immediately following their issuance.

§ 163-8 Restrictions and requirements.

Every solicitor or peddler shall, at all times, while engaged in soliciting and peddling within the Village carry the permit upon his person and shall exhibit the same upon request to all persons solicited or to any police officer within the Village. No solicitor or peddler shall engage in selling or offering for sale, or in seeking or taking orders or contracts for any goods, wares, merchandise, article, device or subscription, nor shall any person use any vehicle for soliciting or peddling other than the vehicle registered upon his license.

A. A licensed person shall:

(1) Not willfully misstate any fact about any article offered for sale.

(2) Not willfully offer for sale any article of an unwholesome or defective nature.

(3) Not call attention to his goods by blowing a horn, by ringing a bell other than a house doorbell, by shouting or crying or by any loud or unusual noise, except that peddlers of ice cream and ice cream products for immediate consumption are exempted from the foregoing prohibition of the use of a bell.

(4) Not frequent any street so as to cause a private or public nuisance.

(5) Keep any vehicle or receptacle used by him in his licensed business in a sound, clean and sanitary condition.

(6) Keep any edible articles offered for sale well protected from dirt, dust and insects.

(7) Deliver to every person to whom a sale is made, or from whom an order is taken, a legible written receipt, signed and dated by the licensee, setting out the total price, a description of the goods or services sold or ordered and a statement of any payment received by the licensee.

(8) Not enter upon any residential premises clearly displaying a sign with letter at least one inch in height reading "Peddlers and Solicitors Prohibited."

(9) Not sell or solicit except between the hours of 9:00 a.m. and 8:00 p.m. on weekdays and not on Sundays, except that this subsection shall not be applicable to peddlers of ice cream and ice cream products for immediate consumption and for peddlers selling at any event celebrating Independence Day.

(10) Leave all premises promptly upon request of any occupant of such premises.

B. No license may be issued to any person under 18 years of age.

§ 163-9 Revocation of license.

Each solicitor or peddler shall be issued a permit unless he shall have been convicted of a crime involving moral turpitude, or engaged in a business not permitted by law. This permit shall be valid all days between the hours of 9:00 a.m. and 8:00 p.m., except Sundays, from the date of issuance for a period of 90 days thereafter, which permit shall not be transferable, but shall be revocable in the event of any violation of the terms and conditions thereof.

§ 163-10 Procedure when license is denied.

In the event of the denial of a license to any applicant by the Village Clerk, the applicant may request a hearing within a period of 30 days after such refusal or denial. Such request shall be in writing and shall be made to the Village Board and filed with the Village Clerk within the period provided herein. The Village Board shall hear such applicant's request for a review of the determination of the Village Clerk at its next regularly scheduled meeting following the filing of the application for review with the Village Clerk. The Village Board may grant a license to the applicant if it should determine that the refusal on the part of the Village Clerk was arbitrary or erroneous. If the Village Board, after such hearing, shall determine that the decision of the Village Clerk was justified under the circumstances, the Board shall refuse such license. The decision on any such application shall be rendered by the Village Board in writing within 30 days after the hearing thereof and shall be entered in the minutes of the Village Board.

§ 163-11 Penalties for offenses.

Any act or omission prohibited by this chapter shall be a violation, punishable by a maximum fine of $250 or by imprisonment for not more than 15 days, or both.

§ 163-12 Interpretation of provisions.

In their interpretation and application, the provisions of this chapter shall be considered to be minimum requirements to promote and protect the public health, safety, comfort, convenience, prosperity and other aspects of general welfare. Whenever any provision of this chapter is in conflict with any other provision hereof or any other statute, local ordinance or regulation covering any of the same subject matter, the most restrictive or the one imposing the highest standard shall govern.