

**TOWNSHIP OF RIDLEY
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE No, 2038

AN ORDINANCE OF TOWNSHIP OF RIDLEY, DELAWARE COUNTY, PENNSYLVANIA, AMENDING THE GENERAL CODE OF THE TOWNSHIP OF RIDLEY, CHAPTER 209, PEDDLING AND SOLICITING, BY AMENDING CURRENT SECTIONS OF CHAPTER 209 AND ADDING NEW SECTIONS TO CHAPTER 209 BY ESTABLISHING PROHIBITIONS FOR ENTRY UPON SIGNED PREMISES AND AGGRESSIVE PEDDLING OR SOLICITING, ESTABLISHING PROCEDURES AND CRITERIA FOR ELIGIBILITY OF A NEW PERMIT UNDER SUSPENSION OR REVOCATION, RULES OF CONDUCT FOR SOLICITATION/PEDDLING AND APPEALS PROCEDURE FOR SUSPENSION OR REVOCATION

WHEREAS, the provisions of the Peddling and Soliciting Ordinance, Chapter 209, have been amended from time to time; and

WHEREAS, after consideration, review and public comment, the Commissioners of the Township of Ridley have determined that it is in the best interest of the public health, safety and welfare to update and amend the Township Code, Chapter 209 Peddlers and Solicitors in order to protect the privacy of the citizens of the Township, to reduce and prevent crime within the Township and to reduce and prevent unlawful and unfair commercial practices; and

WHEREFORE, the Board of Commissioners of the Township of Ridley does hereby **ORDAIN** as follows:

SECTION ONE

The General Code, Chapter 209 Peddling and Soliciting, § 209-6, § 209-8 and § 209-10 are hereby amended as follows:

§ 209-6 Application Information: License Card, Hours

§ 209-6A shall be amended only as to the period of time set forth herein which shall now be 10:00 a.m. to 5:00 p.m.

§ 209-6B shall be amended only as to the inclusion of the following additional reasons for an application for license being denied or revoked which shall read as follows:

- (5) Sale of or offering for sale illegal merchandise;
- (6) Employment of a felon or wanted person;
- (7) If the application is incomplete;
- (8) Conviction of any crime involving moral turpitude

§ 209-8 Exemption

The current language of § 209-8 shall be deleted in its entirety and replaced with the following:

The fee provisions of this Chapter shall not apply to the following organizations and persons set forth herein. All other provisions of this Chapter shall apply to said persons, organizations and activities unless specifically noted below:

- A. Any charitable, religious or philanthropic organization whose proceeds are applied to its cause but must register daily with the Township of Ridley Police Department.
- B. Any school, political or civic organization or service club whose principal office is located in the Township shall not be required to register with the Township of Ridley.

§ 209-10 Violations and Penalties

Shall be remunerated and identified as § 209-17. The current language of the new § 209-17 shall be amended and read as follows:

Unless otherwise stated, any person, firm or corporation violates any of the provisions of this Chapter shall be liable for a fine not exceeding \$300.00 in accordance with 53 P.S. § 57901 plus costs of prosecution, and in default of payment of such fine and cost by imprisonment for not more than 30 days. Each day such a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

New sections to be added to Chapter 209 Peddling and Soliciting which are as follows:

§ 209-10 Daily Registration Required.

Every person licensed to solicit or peddle in the Township shall report in person on those days on which he intends to solicit or peddle and register with the Ridley Township Police Department by signing a registration book, indicating his name and license number.

§ 209-11 Rules of Conduct.

Every person to whom a license has been issued under this Chapter shall, in the conduct of his/her activities, comply with the following rules of conduct:

- A. He/She shall display openly his/her license at all times and exhibit it, upon request, to any police officer or Township official or to any person on whom he/she shall call or with whom he/she shall talk.
- B. He/She shall not permit any person to have possession of his/her license and shall immediately report its loss to the Ridley Township Police Department.
- C. He/She shall not cause or permit his license to be defaced or altered in any way.
- D. He/She shall not enter or attempt to enter any dwelling without the invitation or permission of the occupants and shall immediately leave any premises upon request of the occupant.
- E. He/She shall not be guilty of any false pretense or misrepresentation, and, particularly, he/she shall not represent his/her license to be an endorsement by the township (or its agents, servants, workmen or employees) of such peddler or solicitor, his/her goods, the services of him/her or his/her employer nor the organization he/she may represent.
- F. He/She shall comply with "No Soliciting" notices on any property or business in the Township.

§ 209-12 Entry Upon Signed Premises Prohibited.

It shall be unlawful for any person while either peddling or soliciting to knock, ring the doorbell, or otherwise attempt to gain the attention of the occupant(s) of a residence in the township of Ridley where the owner, occupant, or person legally in charge of the premises has posted at the primary entrance to the premises, or at the entry to the principal building on the premises, a sign bearing the words, "No Peddlers", "No Solicitors", "No Trespassing", or words of similar import.

§ 209-13 Aggressive Peddling or Soliciting Prohibited.

A. It shall be unlawful for any person to engage in peddling or soliciting in an aggressive manner. Permits will be revoked immediately. As used in this section, "aggressive manner" means either approaching a person present at the residence or continuing the peddling or soliciting activity after the person has made a negative response, whether before or after being invited into the residence, in a manner that:

- (1) Is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in a person's possession or in or about the residence; or
- (2) Is intended to or is likely to intimidate the person into responding affirmatively to the peddling or soliciting activity; or
- (3) To refuse to display a permit to the person being solicited; or
- (4) To refuse to leave premises upon being told to do so by the owner, tenant, occupant or person in control of the property; or
- (5) In violation of a sign properly posted on said property that prohibits solicitations.

B. Aggressive peddling or soliciting is punishable as a summary offense and upon conviction thereof shall be subject to a fine of at least \$300 and not to exceed \$1,000 or imprisonment of not more than 30 days, or both such fine and imprisonment.

§ 209-14 License Revocation Procedure.

Upon the failure of the licensee to comply with the rules of conduct established by §209-11 or any other provision of this Chapter or upon ascertainment that the licensee has made any false statement in his application for license hereunder, any license issued pursuant to this Chapter shall be revoked by the Ridley Township Manager, or his designee. Notice of revocation shall be given by written notice, personally served or sent by certified mail, to the address designated for this purpose in the application for a license. The revocation shall be effective immediately upon issuance of the said notice of revocation by Ridley Township Manager.

§ 209-15 Appeals.

A. Any person aggrieved by the action or decision of the Township Manager to deny, suspend or revoke a permit/license applied for under this article shall have the right to appeal such action or decision to the Township Board of Commissioners within 10 days after the notice of the action or decision has been mailed to the person.

B. An appeal to the Township Board of Commissioners shall be taken by filing with the Code Enforcement Office a written statement setting forth the grounds for the appeal.

C. Any person whose permit has been revoked shall be entitled to appear, with counsel if he so desires, before the Township Board of Commissioners at a regular meeting and be heard pursuant to a request for reinstatement of his registration.

D. The decision of the Township Board of Commissioners on the appeal shall be final and binding on all parties concerned.

§ 209-16 Eligibility for New Permit Restricted.

Any person denied license or permit or whose license or permit has been suspended or revoked in accordance with this chapter shall be ineligible to apply for a new license or permit for a period of six months from the date of such denial, revocation or suspension, unless the applicant shows that the conditions upon which such action was based have been remedied or removed.

SECTION TWO REPEALER

All Ordinances or Resolutions or parts of Ordinances or Resolutions, so far as they are inconsistent herewith, are hereby repealed.

SECTION THREE SEVERABILITY

If any section, part or clause of this Ordinance is declared void by a court of competent jurisdiction, the remainder of this Ordinance shall remain valid and in full force and effect.

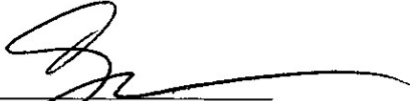
SECTION FOUR EFFECTIVE DATE

This Ordinance is effective immediately.


ADOPTED and ORDAINED by the Board of Commissioners of the Township of Ridley this 25th day of JULY, 2018.

TOWNSHIP OF RIDLEY
BOARD OF COMMISSIONERS

Attest:


Edmond J. Pisani
Township Manager

By:


Robert J. Willert
President

RESOLUTION

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF RIDLEY, DELAWARE COUNTY, PENNSYLVANIA, SUPPLEMENTING THE CODE OF THE TOWNSHIP OF RIDLEY BY REVISING FEES FOR PEDDLING AND SOLICITING LICENSES.

WHEREAS, pursuant to the authority granted in the First Class Township Code, Sections 56502 and 56552, the Township of Ridley has the authority to provide for fees and costs to be charged for permits, licenses, applications and registrations in various chapters of the General Code; and

WHEREAS, Section 209-4A provides that the Board of Commissioners shall set the fees and costs from time to time by Resolution; and

WHEREAS, the Board is desirous of increasing the fees for the above Section.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Ridley pursuant to the power vested in it by the First Class Township Code Sections 56502 and 56552 hereby adopts the following schedule of fees and costs for the following section of the Code of the Township of Ridley:

Chapter 209 Peddling and Soliciting

Section 209-4A

The fee for the first Peddler/Solicitor shall be \$250.00.


The fee for each additional Peddler/Solicitor shall be \$100 per person.

This fee schedule shall supersede any other fee schedule established previously for § 209-4A

ADOPTED this 25th day of JULY, 2018

**TOWNSHIP OF RIDLEY
BOARD OF COMMISSIONERS**

Attest



Edmond J. Pisani
Township Manager

By: 

Robert J. Willert
President, Board of Commissioners