

**BEAVER BOROUGH  
BEAVER COUNTY, PENNSYLVANIA  
ORDINANCE 865**

**AN ORDINANCE OF THE BOROUGH OF BEAVER, BEAVER COUNTY, PENNSYLVANIA, RESCINDING ORDINANCE 628 CODIFIED AS §13-801 et al. TITLED “SOLICITING OR CANVASSING” AND AMENDING ORDINANCE 621 CODIFIED AS §13-601 et al. TITLED “TRANSIENT RETAIL BUSINESSES”.**

**WHEREAS**, Beaver Borough Ordinance 628 as codified in the Borough’s Code of Ordinances §13-801 et al. is similar to Borough Ordinance 621 and as amended through Ordinance 826 as codified in the Borough’s Code of Ordinances §13-601 et al.; and

**WHEREAS**, Borough Council believes for the purposes of avoiding duplication, it is prudent to rescinding Ordinance 628 as codified in §13-801 et al.; and

**WHEREAS**, Borough Council wishes to amend §13-601 et al. as it pertains to Transient Retail Businesses in the Borough.

**NOW THEREFORE**, by the Council of the Borough of Beaver, in lawful session duly assembled, it is hereby **ORDAINED AND ENACTED** as follows:

- 1) Ordinance 628 as codified in §13-801 et al. of the Borough’s Code of Ordinances is hereby rescinded.
  
- 2) Ordinances 621 and its amendment Ordinance 826 are amended as further described.
  - a. §13-601 Definitions:
    1. As used in this Part 6, the following terms have the meanings indicated, unless a different meaning clearly appears from the context:  
Legal Holiday - New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day  
Person – Any natural person, partnership, association, corporation, or other legal entity.

Transient Retail Business –

- A. Engaging in peddling, soliciting, or taking orders, either by sample or otherwise, for any goods, wares, or merchandise upon any street, alley, sidewalk, or public ground, or from house to house, with the Borough of Beaver; or
- B. Selling, soliciting, or taking orders for any goods, wares, or merchandise, from a fixed location within the Borough of Beaver, on a temporary basis, which shall include, but shall not be limited to, such activities conducted at the time of the special occasions or celebrations, for seasonal purposes, or for or in advance of specific yearly holidays.
- C. Seeking to obtain contributions of money, clothing, or any type of donation for the support or benefit of any project or any social, religious, or political organization.
- D. Seeking to secure membership in any social, religious, or political organization or obtain information/data regarding the citizens of the Borough.
- E. Distribution of any advertising matter or informational material for the purpose of purchasing goods or services or informational material about a social, religious, or political organization.

b. §13-602 License Required; Fee:

No person shall engage in any transient retail business within the Borough of Beaver without a license to do so issued by the Borough Manager. The fee for such license shall be as prescribed in a schedule established by resolution of the Borough Council. Such fee must be paid in cash, money order or certified check at the time the license application is filed. The duration of a license shall

be for one day only. Licenses will not be given on Saturdays, Sundays, or Legal Holidays. The license is only valid from 9:00am until 5:00pm. The applicant will provide a copy of their driver's license and information on the vehicle they will be using while conducting their Transient Retail Business within the Borough.

c. §13-609 Penalties:

Any violation of any provision of Part 6 of Chapter 13 of the Borough's Codification of Ordinances, upon conviction will pay a fine not to exceed \$1,000.00 together with costs of prosecution, or imprisonment for not more than 90 days. Each day that a violation is found constitutes a separate offense.

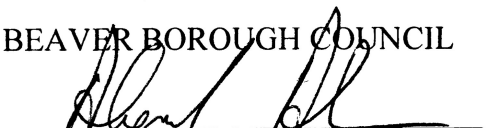
- 3) All other provisions of Ordinance 621 and Ordinance 826 as codified in §13-601 et al. of the Borough's Code of Ordinances remain unchanged unless they conflict with the amendments of this Ordinance. The provisions which are inconsistent with the terms of this Ordinance hereby are repealed.
- 4) All proposed changes in this Ordinance will be effective immediately upon the passage of this Ordinance by Borough Council.

**APPROVED** by the Members of Council of Beaver Borough, Beaver County, Pennsylvania, in public meeting this 12<sup>th</sup> day of December, 2023.

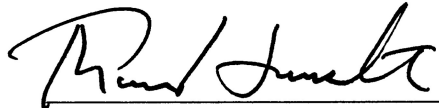
ATTEST:

  
Rebecca Phillips, Secretary

BEAVER BOROUGH COUNCIL

  
Alexander Andres, Council President

Read and approved by me, Thomas Hamilton, Mayor of the Borough of Beaver, this 12<sup>th</sup> day  
of December, 2023.

A handwritten signature in black ink, appearing to read "Thomas Hamilton", written over a horizontal line.

Thomas Hamilton, Mayor