

**AN ORDINANCE OF THE BOROUGH
OF MOSCOW, LACKAWANNA COUNTY,
PENNSYLVANIA REGULATING CANVASSING,
PEDDLING AND/OR SOLICITING**

Ordinance No 194-2007

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Moscow, Lackawanna County, Pennsylvania, as follows:

An Ordinance of the Borough of Moscow regulating canvassing, peddling and/or soliciting within the Borough.

SECTION I. DEFINITIONS:

As used in this Ordinance, the following terms shall have the meanings indicated:

CANVASSING, PEDDLING and/or SOLICITING - the taking of orders for goods, wares or merchandise, including subscriptions for magazines or other printed matter and the obtaining of contracts for home and building devices, repairs and improvements. In no manner shall this section apply to any religious or political activities or causes.

PERSON - Any natural person.

SECTION II. PERMIT REQUIRED:

No person shall engage in canvassing, peddling and/or soliciting in the Borough for commercial purposes without first having registered and obtained a permit from the Moscow Borough Police Department.

SECTION III. APPLICATION; ISSUANCE OF PERMIT:

a. Any person desiring to engage in canvassing, peddling and/or soliciting shall submit a written application to the Police Department, during regular business hours, on a form to be furnished by the Borough and pay an applicant fee, in an amount fixed from time to time by Resolution of the Borough Council. A separate application shall be filed and separate fee shall be paid by each person who shall actually conduct the soliciting or peddling and shall apply where an employer desires to secure permits for its employees, agents or servants.

b. Said application shall be upon a form provided by the Borough Office and shall contain at least the following information, verified by oath or affirmation:

1. The full name of the applicant and local address, if any;
2. Permanent address and business address;
3. Applicant's drivers license number and Social Security Number;

4. The name and address of employer and letter from employer or a statement that such applicant is self-employed;
5. The nature of the goods, wares, services or merchandise offered for sale;
6. The length of time he or she wishes to engage in this work;
7. A statement as to whether or not the applicant has ever been convicted or plead guilty to any crime, and if the answer is in the affirmative, the nature of the offenses and the punishment or punishments imposed;
8. The make, model and color of vehicle to be used, if any; and,
9. The applicant shall provide acceptable proof of identification, a copy of which will be made part of the permit.

c. The Police Department will issue a permit to the applicant. The Chief of Police, or his/her designee shall hold each application for a five (5) day period to enable the Police Department to conduct a background check of each applicant, and cause such investigation of the applicant's business and moral character to be made as deemed necessary for the protection of the public.

d. A permit will be valid for the time period applied for or for the balance of the calendar year in which it is issued. In no event shall a permit be valid for more than one (1) year from the date it is issued. If the person holding the permit shall desire to continue or renew soliciting or peddling, he/she shall be required to file a new application for a permit and pay a new permit fee. Such permit may not be transferred from one person to another.

SECTION IV. CONDITION OF PERMIT:

The applicant shall conduct his or her canvassing, peddling and/or soliciting in accordance with the laws of the Commonwealth of Pennsylvania and the ordinances of the Borough of Moscow and only during the hours of 9:00 A.M. until 7:00 P.M. on every day except Sunday. Sundays are permitted for approved charitable purposes, excepting, however, that ice cream vendors shall be permitted to sell during permitted hours on Sunday but shall not be permitted to solicit from door to door on that day.

SECTION V. EXCEPTIONS:

This Ordinance shall not apply to boys or girls under sixteen (16) years of age who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent the Boy Scouts or Girl Scouts or similar charitable organizations who take orders for and deliver cookies and the like.

SECTION VI. ENFORCEMENT:

The Police of the Borough of Moscow shall be charged with the responsibility of enforcing the provisions of the several sections of the Ordinance.

SECTION VII. VIOLATIONS AND PENALTIES:

Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this Ordinance shall, upon conviction, be sentenced to pay a fine not to exceed the maximum fine of \$300.00, plus costs of prosecution, and, in default of payment of such fines and costs, imprisonment for a term not exceeding thirty (30) days. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. All fines or penalties shall be paid to the Borough of Moscow for the general use of the Borough.

SECTION VIII.

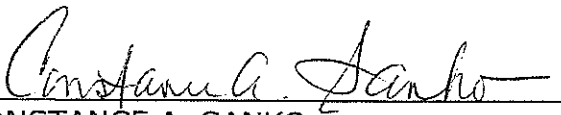
All Ordinances or parts of Ordinances, which are consistent herewith, are hereby repealed.

BE IT ORDAINED AND ENACTED INTO LAW by the Borough Council of Moscow in lawful session assembled, this 5th day of March, 2007.

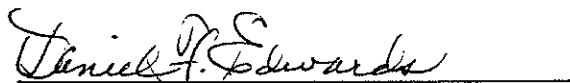
BOROUGH OF MOSCOW

BY: 
ARTHUR PENCEK
PRESIDENT OF COUNCIL

ATTEST:


CONSTANCE A. SANKO
SECRETARY

Approved this 5th day of March, 2007.


DANIEL F. EDWARDS
MAYOR