

Vending / Peddling

Be advised any and every person wishing to peddle or vend goods within the Town of Orange requires an individual permit. The Town of Orange does not issue company-wide permits.

The Town of Orange requires vendors and peddlers to be fingerprinted by the Orange Police Department. These prints will be kept on file for five calendar years. After five years a new set of prints is required. You must call the Records Division office at (203) 891-2134 to set up your appointment for fingerprinting. You will turn in your completed application and all appropriate fees at the time of your fingerprint appointment. No prints will be taken unless a completed application is being filed at the same time.

Please review *Ordinance for Control of Vending and Peddling Activities* for further information.

Checklist for Vendors

- ☐ Completed and notarized application
- ☐ \$25 check payable to the **Town of Orange** (or copy of Honorable Discharge if applicable)
This fee is per person for the duration of the event
- ☐ \$50 certified bank check or money order payable to **Treasurer-State of CT**.
This fee is charged by the State of Connecticut for fingerprint processing.
- ☐ Proof of an insurance policy issued by an insurance company licensed to do business in the State of Connecticut of not less than \$1,000,000. Such insurance shall name as an additional insured, the Town of Orange.
- ☐ Two prints of a full face photograph taken no more than 30 days prior to the date of any person who will be vending within the Town of Orange
- ☐ A valid motor vehicle operator's license or other such identification

Checklist for Peddlers

- ☐ Completed and notarized application
- ☐ \$125 check payable to **Town of Orange** (or copy of Honorable Discharge if applicable)
- ☐ \$50 certified bank check or money order payable to **Treasurer-State of CT**.
This fee is charged by the State of Connecticut for fingerprint processing.
- ☐ Proof of an insurance policy issued by an insurance company licensed to do business in the State of Connecticut of not less than \$1,000,000. Such insurance shall name as an additional insured, the Town of Orange.
- ☐ Two prints of a full face photograph taken no more than 30 days prior to the date of any person who will be peddling within the Town of Orange.
- ☐ A valid motor vehicle operator's license or other such identification



APPLICATION FOR VENDING AND PEDDLING
Ordinance effective January 5, 1999

Date _____ Email contact address _____

Name of Applicant _____ Alias (if any) _____

Height _____ Weight _____ Gender: ☐ Male ☐ Female

Date of Birth _____ Place of Birth _____ Eye color _____ Hair color _____

Permanent Address _____ Phone # _____

Business Address _____ Phone # _____

Temporary (Local Address) _____ Phone # _____

Name of Employer _____ Phone # _____

Address _____

Length of service with employer _____ Place of residence during past year _____

Nature of employment during past year _____

Name of person for whom or through whom orders are to be solicited, cleared or approved:

Name _____ Address _____

Description of goods to be peddled, vended, sold, offered for sale or for which orders will be solicited, or the services to be performed by the applicant. _____

Name and address of the manufacturer, publisher, distributor or parent company of the goods to be peddled or for which orders will be solicited. _____

If orders are solicited for future delivery, state the location of said goods at the time that said application is made and the proposed method and estimated time of delivery. _____

If vehicle is to be used for soliciting or vending, complete the following:

Year _____ Make _____ Model _____ Color _____ Registration _____ State _____

Owner of vehicle _____ Address _____

Have you ever been convicted of any offense? ☐ No

☐ Yes, date _____ Offense _____

Location of offense _____ Police Dept. involved _____ Penalty _____

Did any offense for which you were convicted involve violence/threat of violence? ☐ No

☐ Yes, explain _____

To be filled out for vendor's license:

Event _____

Date & time _____

Hours vending _____ Location _____

Board of Selectman approval date _____

Section 53a-157, False Statement: Class A Misdemeanor. (A) A person is guilty of false statement when he intentionally makes a false written statement under oath or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable, which he does not believe to be true and which statement is intended to mislead a public servant in the performance of his official function. (B) False statement is a Class A Misdemeanor.

The Penalty for a Class A Misdemeanor is imprisonment for a term not to exceed one (1) year, or a fine not to exceed \$1,000 or both a fine and imprisonment. (Section 53a-28(b), 53a-36 and 53a-42.)

I declare, under the penalties of false statement, that the answers to the above are true and correct.

Applicant's signature _____ Date _____

Subscribed and sworn to before me this _____ day of _____ 20 _____

_____ Notary Public My commission expires _____

*Town of Orange, CT
Thursday, June 11, 2015*

Chapter 302. Peddling and Soliciting

[HISTORY: Adopted by the Board of Selectmen of the Town of Orange as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Bazaars and raffles — See Ch. 177.

Food-handling establishments — See Ch. 227.

Pawnbrokers — See Ch. 298.

Article I. Vending and Peddling Activities

[Adopted 12-9-1998]

§ 302-1. Legislative findings.

It is found and declared that:

- A. The primary purpose of the public streets and sidewalks in the Town of Orange is for use by vehicular and pedestrian traffic.
- B. Due to the nature of the Town of Orange, commercial and business areas of the town have limited, if any, pedestrian traffic and are not safe for pedestrian traffic.
- C. Vending on the public streets and highways of the Town of Orange is generally inappropriate, however, subject to proper controls, vending of goods, materials and merchandise during special events and in prescribed locations promotes the public interest by enhancing public interest and involvement.
- D. Reasonable regulation of the peddling, vending, selling or offer for sale of goods upon any street, highway, sidewalk or public place within the Town of Orange is necessary to protect the public health, safety and welfare.
- E. The regulations contained in this article are not intended to govern public auction sales, pursuant to Section 21-2 of the Connecticut General Statutes.
- F. The regulations contained in this article do not prohibit pure speech by religious organizations but merely regulate the activities of an organization which are commercial in nature.

§ 302-2. Peddling activities restricted.

It shall be unlawful, without first obtaining a peddler's license from the Orange Chief of Police, for any person:

- A. To peddle, vend, sell or offer for sale any goods, wares, merchandise, food and/or beverage items (hereinafter collectively referred to as "goods") from house to house within the Town of Orange (hereinafter "peddling" or "to peddle"); or
- B. To solicit, take or attempt to take orders for the sale of such goods, including magazines and other printed matter, for future delivery if full payment, whether by cash, check or credit card, is required at the time of the solicitation of such goods, or for services to be performed at the time without previous arrangement with such person being solicited for such services.

§ 302-3. Vending activities restricted.

It shall be unlawful, without first obtaining a vendor's license from the Orange Chief of Police, for any person:

- A. To peddle, vend, sell or offer for sale any goods at public or private sale upon any Town of Orange street, highway, sidewalk, public place, state highway within the Town of Orange or any land abutting such town and state streets or highways (hereinafter "vending" or "to vend").
- B. To solicit, take or attempt to take orders for the sale of such goods, including magazines and other printed matter, for future delivery if full payment, whether by cash, check or credit card, is required at the time of the solicitation of such goods, or for services to be performed at that time without previous arrangement with such persons being solicited for such services.

§ 302-4. Application for license.

An applicant for a vendor's license or peddler's license shall complete an application form provided by the Police Department, which application shall contain the following information:

- A. The name, permanent home address, local address if any and business address of the applicant.
- B. A physical description of the applicant including age, height, weight, color of hair and eyes.
- C. Applicant's State of Connecticut Taxation Number.
- D. The name and address of the applicant's employer and if applicable the name and address of the person for whom or through whom orders are to be solicited, cleared or approved.
- E. The length of service of the applicant with said employer.
- F. The place of residence and nature of the employment of the applicant during the last preceding year.
- G. A description of the goods to be peddled, vended, sold, offered for sale or for which orders will be solicited, or of the services to be performed by the applicant.
- H. Where applicable, the name and address of the manufacturer, publisher, distributor or parent company of the goods to be peddled or for which orders will be solicited.

- I. If the applicant shall solicit orders for future delivery, the location of such goods at the time that said application is made and the proposed method and estimated time of delivery.
- J. The make, model, color, identification number and state marker number of the vehicle if any to be used by the applicant in the performance of the vending or soliciting activities, whether said vehicle be owned by said applicant, his or her employer or any other person.
- K. Two prints of a full face photograph taken not more than 30 days prior to the date of application of any person who will be vending or peddling within the Town of Orange.
- L. An Application for a vendor's license shall indicate the special event for which the vendor's license is sought.
- M. Proof of an insurance policy issued by an insurance company licensed to do business in the State of Connecticut, protecting the applicant and the Town of Orange from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the license in a single limit amount of not less than \$1,000,000. Such insurance shall name as an additional insured, the Town of Orange, and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance, written notice to the Town of Orange.
- N. A statement as to whether the applicant has been convicted of any offense, as defined in Section 53a-24 of the Connecticut General Statutes, and, if so, the nature of the offense and the penalty imposed, if any.
- O. The applicant's fingerprints to be taken by the Police Department which will remain with said application for a period not to exceed five years.
- P. If the goods to be vended or peddled are food, beverage, or other consumable food products, then a copy of the license received under the Town of Orange Ordinance Requiring Licensing of Places Dispensing Food or Beverages Covered by the State Public Health Code (the "food license").

§ 302-5. Identification; fees; exemption for veterans.

At the time of submitting such application, the applicant shall also show a valid motor vehicle operator's license or other such identification satisfactory to the Police Department and pay the sum of \$25 to the Police Department as the fee for the issuance of said vendor's license and/or the sum of \$125 to the Police Department as the fee for the issuance of a peddler's license. The licensing fee under this section shall be waived for any veteran of any branch of the armed services of the United States of America upon presentation of a copy of the applicant's Honorable Discharge.

§ 302-6. Issuance of license.

Upon compliance by the applicant with the provisions of §§ 302-4 and 302-5 hereof, the Chief of Police shall issue a vendor's license or peddler's license, as the case may be, to the applicant, which license shall set forth the name and address of the applicant and of his employer if any, the date of issuance of the license, the words "Licensed Vendor" or "Licensed Peddler," as the case may be and the nature of the goods to be sold or for which orders will be solicited, or the nature of the services to be performed as the case may be; provided however that the Chief of Police shall not be required to issue such license to any person who

has been convicted of any violation of this article or of a crime as defined in Section 53a-24 of the Connecticut General Statutes.

§ 302-7. Vending restrictions.

Vending is prohibited within the Town of Orange with the following exceptions:

- A. During special events or activities held or promoted by the Town of Orange, or any of its boards, commissions, agencies or duly appointed officials or committees, including the Memorial Day Parade and the Annual Independence Day Celebration, but specifically excluding the Orange Volunteer Fireman's Carnival and the Orange Country Fair, or any event or activity where the Board of Selectmen specifically votes to prohibit vending.
- B. Vending shall be authorized only within or adjacent to the location of the special event and shall occur only within a specific location or area which shall be designated by the Chief of Police after consideration of the public health, safety and welfare and specifically delineated on the license issued by the Chief of Police.

§ 302-8. Peddling restrictions.

Peddling is prohibited within the Town of Orange with the following exceptions:

- A. Peddling shall occur only between the hours of 10:00 a.m. and 1/2 hour prior to sunset.

§ 302-9. General restrictions.

No vendor or peddler shall:

- A. Vend or peddle except as authorized under this article.
- B. Leave any stand or motor vehicle from which vending or peddling occurs unattended.
- C. Store, park or leave any stand overnight on any street or sidewalk or park any motor vehicle other than in a lawful parking space.
- D. Sell food or beverages for immediate consumption unless he has available for public use his own, or a public, litter receptacle which is available for his patron's use.
- E. Leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales made by the vendor or peddler.
- F. Solicit or conduct business with persons in motor vehicles.
- G. Sell anything other than that which is authorized under the license to vend or peddle.
- H. Sound or permit the sounding of any device which produces a loud and raucous noise or use or operate any loud speaker, public address system, radio sound amplifier or similar device to attract the attention of the public.

§ 302-10. Obstruction of streets and other ways prohibited.

No vendor or vending motor vehicle or peddler using a motor vehicle to go door to door shall conduct his business in such a way as would:

- A. Restrict or interfere with the ingress or egress of the abutting property by the owner or tenant or create or become a public nuisance, increase traffic congestion or delay, or constitute a hazard to traffic, life or property or an obstruction to adequate access to fire, police or sanitation vehicles.
- B. Stop, stand or park any vehicle upon any street or permit it to remain there except on the roadway at the curb for purpose of vending or peddling therefrom.

§ 302-11. Health and sanitation requirements for food and beverage vending.

- A. The equipment used in vending food and beverages shall be inspected upon application for a license by the Town Sanitarian who shall issue a Food Service Establishment Inspection and Report Form which shall be a condition precedent to the issuance of a license under this article.
- B. Each business vending or peddling food or beverage shall be inspected in accordance with the requirement of the Public Health Code and the Town Ordinance requiring licensing of places serving foods or beverages covered by the State Public Health Code.

§ 302-12. Transferability, duration and display of peddler's license.

A peddler's license issued pursuant to § 302-6 shall be nontransferable and shall entitle the licensee, for the period of one year from the date of issuance, unless revoked or suspended, to peddle, vend, sell or offer for sale or solicit orders for future delivery of the goods or to perform the services specified in the license application; provided that the license together with the food license, if applicable, shall be conspicuously displayed at the place where the activity for which the license was issued is undertaken.

§ 302-13. Transferability, duration and display of vendor's license.

A vendor's license issued pursuant to § 302-6 shall be non-transferable and shall entitle the licensee to vend or offer for sale or solicit orders for future delivery of the goods or to perform the services specified in the license application for the duration of and only during the hours of operation of the special event for which the license is issued provided that the license, together with the food license, if applicable, shall be conspicuously displayed at the place where the activity for which the license was issued is undertaken.

§ 302-14. Denial, revocation and suspension.

Any license may be denied, suspended or revoked for any of the following reasons:

- A. Fraud or misrepresentation contained in the application for the license.
- B. Fraud or misrepresentation made in the course of carrying on the business of vending or peddling.

- C. Conduct of the licensed business in such a manner as to create a public nuisance or constitute a danger to the public health, safety, welfare or morals.
- D. Conduct which is contrary to or in violation of the provisions of this article.
- E. Conviction of a crime as defined in Section 53a-24 of the Connecticut General Statutes.

§ 302-15. Exceptions.

This article shall not apply to the following:

- A. "Tag sales" conducted by Town of Orange residents on their own premises;
- B. The display of goods by persons having established places of business in the town on the sidewalks or areas adjacent to their places of business if and as permitted by the zoning regulations of the Town of Orange and other applicable laws;
- C. Sales by farmers and gardeners of the produce of their farms and gardens;
- D. The sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods;
- E. Sales on approval, conditional sales of merchandise, or the taking of orders for merchandise for future delivery when full payment is not required at the time of solicitation;
- F. Sales by sales persons selling foods to retail or wholesale stores for resale;
- G. Sales of goods in the manner and in the places described in §§ **302-1** and **302-2** hereof on behalf of an organization, society or association for charitable, religious, patriotic, philanthropic or town purposes or if authorized by the Board of Selectmen licensees or contractors of such an organization, society or association for such purposes.
- H. Sales pursuant to auctions under Section 21-2 of the Connecticut General Statutes.

§ 302-16. Penalties for offenses.

It shall be unlawful to make any false statement for the purpose of obtaining a vendor's license. Any person who violates any provision of this article shall be subject to arrest and prosecution by the proper authorities and may be fined \$100 for each offense, with an additional \$100 per day for each day that the violation continues. Upon conviction of a violation of this article, a licensee shall deliver his vendor's license or peddler's license to the Chief of Police who shall revoke said license and such person shall not thereafter be entitled to engage in the activities for which a vendor's license or peddler's license is required by this article without obtaining a new vendor's license or peddler's license pursuant to the applicable provisions of this article.