

**Chapter 70**  
**PEDDLERS AND STREET VENDORS**

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[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg as indicated in article histories. Other amendments noted where applicable.]

**GENERAL REFERENCES**

Handbills and posters — See Ch. 57.  
Parades and motorcades — See Ch. 67.

Streets and sidewalks — See Ch. 95.

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**ARTICLE I**  
**General Regulations**  
[Adopted 10-7-1963 by Ord. No. 157]

**§ 70-1. License required.**

From and after the passage of this article, unless a license has been previously obtained and payment therefor made as prescribed in § 70-3 hereof, it shall be unlawful for any person, firm or corporation, whether as principal or agent, to:

- A. Sell or offer for sale to the consuming public, on the public highways or from house to house within the Borough of Pennsburg, Montgomery County, Pennsylvania, as a huckster, peddler, hawker, street vendor, traveling merchant or agent, any provisions, produce, fruit, vegetables, goods, wares or merchandise, or any of them.
- B. Offer for sale goods, wares, merchandise, flowers and plants from any fixed or permanent stand or location on the streets, lanes or alleys of the borough.

**§ 70-2. Issuance of license. [Amended 10-5-1998 by Ord. No. 9-98]**

It shall be the duty of the Mayor, upon application of any person, firm or corporation who may desire to be engaged, employed or concerned in any business aforesaid, and upon the payment to the Borough Treasurer of the fee or fees hereinafter specified, to issue a license to such person, firm or corporation authorizing and allowing him or it to engage in the business aforesaid during the time period for which the license is issued.

**§ 70-3. Fees. [Amended 10-5-1998 by Ord. No. 9-98]**

The amount of the fee or fees to be paid to the Borough Treasurer for the privilege of engaging in any of the businesses aforesaid shall be an amount which shall be determined by the Pennsburg Borough Council from time to time by resolution.

**§ 70-4. Identification card or button.**

As evidence of the issuance of such license or licenses, the Mayor shall provide the licensee or licensees with suitable means of identification in the form of either an identification card or a button, which shall be carried and displayed by each person mentioned in § 70-3 hereof.

**§ 70-5. Exemptions.**

Nothing contained in this article shall be construed to apply to farmers selling their own produce; to the sale of goods, wares and merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose; nor to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, milk and milk products or ice and fuel; nor shall it be construed to prohibit any merchant, grocer or dealer from delivering goods purchased at his store or place of business.

**§ 70-6. Violations and penalties. [Amended 4-4-1977 by Ord. No. 2-77]**

Any person who shall violate any provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$300 and costs of such proceedings, or upon default in payment of such fine and costs, by imprisonment in the county jail for a term of not more than 30 days. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

**ARTICLE II****Obstruction of Sidewalks****[Adopted 12-21-1989 by Ord. No. 9-89]****§ 70-7. Unlawful acts.**

It shall be unlawful for any person, persons, firm or corporation to store, display or sell any kind of foodstuff and beverages on public highways, including sidewalks or cartways, or any portion thereof or to make use of the sidewalk or cartway or any portion thereof as a place for waiters, waitresses, salesmen, clerks or customers to stand or sit while transacting businesses or in any way to obstruct the sidewalk or cartway or any portion thereof and prevent the free use of the same by the general public.

**§ 70-8. Applicability.**

The provisions of this article shall not apply to the sale and storage or display of foodstuff and beverages when authorized and approved by Pennsburg Borough Council, sidewalk sales and parades.

**§ 70-9. Violations and penalties.**

Any person, firm or corporation who or which shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine not more than \$300 and/or to imprisonment for a term not to exceed three days. Each day that a violation of this article continues shall constitute a separate offense.