

NOTICE OF PUBLIC HEARING  
LOCAL LAW 2013-2  
MODIFICATION TO CHAPTER 87  
PEDDLERS, SOLICITORS AND CANVASSERS

Notice is hereby given that a Public Hearing will be held before the Town Board of the Town of West Seneca on the 4<sup>TH</sup> day of February, 2013 at 7:00 PM, at the Town Hall, 1250 Union Road, West Seneca, New York to hear all interested parties and citizens for or against the adoption of Local Laws Number 2, for the year 2013.

Any resident of the Town of West Seneca is entitled to be heard upon said proposed adoption of Local Law No. 2, for the year 2013. Copies of the law will be available at the office of the Town Clerk for inspection by any person during regular business hours and is posted on the Town's web-site.

Jacqueline A. Felser, Town Clerk  
Dated: January 7, 2013

LOCAL LAW 2013-02  
TOWN OF WEST SENECA  
MODIFICATION TO Chapter 87, PEDDLERS, SOLICITORS AND CANVASSERS

§87.2

PEDDLING: The selling or offering for sale of any goods, *services*, wares or merchandise for immediate delivery, which the person selling or offering for sale carries with him in traveling or has in his possession or control, upon any of the streets, roads or highways or from house to house within the Town of West Seneca, provided that the word "peddling" shall not apply to the selling or offering for sale of bread or bakery products, milk or milk products, ice cream or ice cream products and daily, weekly or other papers within the Town of West Seneca or to the selling or offering for sale of real estate by real estate agents licensed in the State of New York or insurance by insurance agents or brokers licensed under the insurance laws of the State of New York.

(Amended 1- -13)

SOLICITING: The seeking or taking of contracts or orders for any goods, *services*, wares or merchandise for future delivery or for subscriptions or contributions upon any of the streets, roads or highways or from house to house within the Town of West Seneca, provided that the word "soliciting" shall not apply to the seeking of or taking of orders by any manufacturer or producer for the sale of bread or bakery products, milk or milk products, ice cream or ice cream products and daily, weekly or other papers within the Town of West Seneca or to the seeking or taking of orders by real estate agents licensed in the State of New York or by insurance agents or brokers licensed under the insurance laws of the State of New York for insurance purposes.

(Amended 1- -13)

§87.3

No person shall engage in soliciting, peddling or *a transient retail business* within the Town of West Seneca without procuring a license from the Town Clerk.

(Amended 1- -13)

§87.5

(8) The length of time for which the license is required and registration is to be effective, which will not exceed one year.

(Amended 1- -13)

§87.6

The fee for any peddler or solicitor license shall be at the rate of two hundred dollars (\$200.00). The license shall be valid for a period of one year.

The fee for any transient retail business license shall be at the rate of two hundred dollars (\$200.00). The license shall be valid for a period of one year.

(Amended 1- -13)

§87.7

Every applicant for a transient retail business license shall post a security deposit or bond in the amount of five hundred dollars (\$500.00) to ensure compliance with regulations governing Chapters 87 and 92 of the Code of the Town of West Seneca.

A. If the applicant fails to comply with Chapter 87 of the Code of the Town of West Seneca after due notice of its violation, then his license shall be revoked as provided in § **87-12** of this chapter, and, in addition, said security deposit or bond will be forfeited to the Town of West Seneca. Notice of a violation may be made orally to the applicant or his employee by the Town Clerk, Building Inspector, assistants, employees or by any member of the Police Department.

B. Any moneys forfeited will be used to pay reasonable expenses incurred in cleaning up any debris or garbage left by the transient merchant. If the owner of said premises shall do the work, the town shall reimburse him for all reasonable and necessary expenses from the moneys forfeited, but in no event in an amount greater than the amount of the security deposit or bond actually forfeited.

(Added 1- -13)

§87.10

- B. No peddler, solicitor or transient retail business shall have any exclusive right to any location in the public streets nor shall any be permitted a stationary location nor shall any be permitted to operate in any congested area where his/her operations might impede or inconvenience the public or local businesses.
- C. No peddler or solicitor shall frequent any street in such a nature so as to cause a private or public nuisance
- D. Every solicitor, peddler, or transient retail business while engaged in soliciting, peddling and its transient retail business within the town, must carry the license upon his/her person and must exhibit the same upon request to all persons solicited or to any police officer within the Town of West Seneca.

§87.11

Entering a private residence or place of business in the Town of West Seneca by a solicitor or peddler, as defined herein, for the purpose of selling or offering for sale or for soliciting orders for goods, services, wares, merchandise, contracts or personal services or remaining in a private residence or the premises thereof or any place of business or on the premises thereof after the owner or occupant thereof shall have requested any solicitor or peddler to leave or going in and upon the premises of a private residence or place of business by a solicitor or peddler, as defined herein, for any such purposes when the owner or occupant has displayed a "no soliciting" sign on such premises is prohibited and is further declared to be an offense