

ORDINANCE NO. 36

AN ORDINANCE PROHIBITING, WITHOUT A LICENSE, THE PEDDLING, SELLING OR HAWKING OF PRODUCE AND MERCHANDISE WITHIN THE BOROUGH OF MONROEVILLE AND REQUIRING TRAVELING MERCHANTS, SOLICITORS OR AGENTS SELLING GOODS, WARES AND MERCHANDISE FROM HOUSE TO HOUSE, ON THE STREETS OR FROM WAGONS, MOTOR VEHICLES OR OTHER VEHICLES, WITHIN THE BOROUGH, TO PROCURE LICENSES AND TO PAY CERTAIN LICENSE FEES, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

The Monroeville Borough Council does hereby ordain and enact the following Ordinance:

SECTION 1. That from and after the passage of this Ordinance, it shall be unlawful for any person or persons, firm or corporation, either as a traveling merchant, solicitor or agent to be engaged or concerned in the business or employment of hawking, peddling or selling or the offering to hawk, peddle or sell any produce, fruit, vegetable, meat, fish, oysters, medicines or other merchandise, goods or wares of any kind, from house to house, or upon the public streets, alleys, roads or highways, at wholesale or retail, to private consumers or others, within the Borough, without having first applied for and obtained a license from the Borough as hereinafter provided.

SECTION 2. It shall be the duty of the Borough Secretary, upon application of any person or persons, firm or corporation, who may desire to be engaged, employed or concerned in the business aforesaid, upon the payment to the Borough Secretary of the amounts hereinafter specified, to issue a certificate or license to such person or persons, firm or corporation, authorizing and allowing them to transact for the period therein specified, from the date of such license, the business aforesaid, upon the streets, alleys, roads and highways within the Borough limits.

SECTION 3. Each person or persons, firm or corporation using or employing a horse drawn or motor vehicle for peddling, selling or hawking of any goods, wares or merchandise as aforesaid, within the Borough, shall take out a vehicular license for each vehicle so employed, from the Borough Secretary and shall pay therefor the sum of \$25.00 for one year or additional fraction thereof; the sum of \$5.00 for one month or additional fraction thereof; or the sum of \$2.00 for each week or fraction thereof. Such license shall permit the employe

ment of not more than two persons on each vehicle so licensed and for each person over two, a personal license must be taken out as hereinafter provided.

SECTION 4. Each person, persons, firm or corporation, who may desire to engage in such business aforesaid, without the use of vehicle or vehicles, shall take out a personal license and shall pay therefor the sum of \$25.00 for one year or additional fraction thereof; the sum of \$5.00 for one month or additional fraction thereof; or the sum of \$2.00 for each week or fraction thereof.

SECTION 5. Provided, that nothing in this Ordinance, with respect to the payment of license fees, shall be construed to apply, -

(a) To farmers, selling their own products, produced upon their own property.

(b) To the sellers of any goods, wares and merchandise, donated by the owners thereof, the proceeds wherefrom are to be applied to any charitable or philanthropic purpose.

(c) To any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk or milk products.

(d) Any person or persons taking orders for merchandise by sample, from dealers or merchants for individuals or companies, who pay a license or mercantile tax at their chief place of business.

Such person or persons, firm or corporation, shall be required to take out a license as provided in the above sections, but shall not be required to pay any fee therefor.

SECTION 6. Provided, that nothing contained in this Ordinance shall be construed to prohibit any person or persons, firm or corporation, having a regular place of business within the Borough, from peddling or selling goods, wares or merchandise from his own store or place of business and of the same character as sold by him in his said store or place of business, nor shall it prohibit any person or persons, firm or corporation from delivering any goods, wares or merchandise purchased at his store or place of business, to the residences or places of business of the purchaser.

SECTION 7. That every person or persons, firm or corporation, violating any of the provisions of this Ordinance or failing to secure such a license as aforesaid, shall upon conviction, in summary proceedings before the Burgess or Justice of the Peace of the Borough, pay a fine not less than \$25.00 or more than \$100.00, together with costs, for each offense or violation and in default of payment of fine and costs, shall be committed to the Allegheny County Jail for a period not to exceed thirty (30) days.

SECTION 8. The sections of this Ordinance shall be severable and should any section or provision of this Ordinance be declared by the Courts to be invalid, the same shall not effect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION 9. Any Ordinance or parts of Ordinances conflicting with the provisions of this Ordinance, be and the same are hereby repealed insofar as the same affects this Ordinance.

Ordained and enacted this 27th day of September, 1954.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Edyth J. Amalong
Borough Secretary

By (Signed) Wm. J. Caughey
President of Council

Examined and approved this 27th day of October, 1957

(Signed) Samuel Jenkins
Burgess