



*a town for a lifetime*  
**IRONDEQUOIT New York**

**PEDDLER'S, VENDOR'S, OR SOLICITOR'S APPLICATION FOR PERMIT**  
**PURSUANT TO TOWN CODE 167 OF THE TOWN OF IRONDEQUOIT**

1. NAME OF APPLICANT: Fill in the exact legal name and address of the person or entity to which the permit is proposed to be issued (the "Applicant").

(a) If the Applicant is a corporation, list exact full name as it appears on the Certificate of Incorporation, together with the state of incorporation.

(b) If the Applicant is a partnership, joint venture or D.B.A. with more than one (1) member, list exact full name and address as it appears on the Partnership Agreement, or D.B.A. Certificate, together with the full name of each general partner.

(c) If the Applicant is an individual, sole proprietorship or individual D.B.A., list the exact name and address of the Applicant and any individual owner.

NAME/ADDRESS

a)

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2. For each entity and/or individual listed in answer to Question No. 1, above, set forth the complete legal address and phone number. For a corporation or partnership, such address will be the principal office of the business, for an individual, such address will be the person's current, permanent home. Please set forth the street address by number, street, city and zip code. **Attach additional pages if necessary.**

**POST OFFICE BOX NUMBERS ARE NOT ACCEPTABLE.**

ADDRESS

PHONE NUMBER

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3. Is a Certificate from the Sealer of Weights and Measures necessary? Yes No

If yes, please provide certificate. \_\_\_\_\_

4. Is a Professional License necessary? Yes No

If so, please provide proof. \_\_\_\_\_

5. Is a bond necessary? Yes No

If so, please provide. \_\_\_\_\_

6. (a) Is the Applicant a Veteran or other fraternal organization? Yes No

If so, list the name and address of Applicant's local chapter, post, or other group within Monroe County.

**NAME/ADDRESS**

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(b) Is the Applicant a not-for-profit organization qualified under §501(c)(3) of the Internal Revenue Code?

Yes  No

If so, attach recognition letter from Internal Revenue Service, and list the name and address of Applicant's local chapter or other organization within Monroe County. If not, list "N/A".

**NAME/ADDRESS**

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(c) Is Applicant a church, synagogue, or other religious organization or sect?

Yes  No

7. On a separate sheet, list any past violations of the Irondequoit Peddlers, Solicitors, and Vendors Law or any comparable laws, ordinances, statutes, rules, order or regulations of any other municipality or of the New York State Door to Door Sales Protection Act by Applicant or by any officer, director, partner, or employee or agent of Applicant, within the past ten (10) years.

**8. DESCRIPTION OF GOODS OR SERVICES TO BE OFFERED**

Set forth a detailed description of the type, name, and brand of all goods, wares, commodities or services to be offered for sale, together with showing the amount, quality, and value of all items to be marketed. **Note that your permit is only good for such items as you fully describe on this application form.**

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**9. PRIOR CONVICTIONS**

Set forth all felonies and misdemeanors with which Applicant and/or owner, officer, partner or director of Applicant have been convicted within the last ten (10) years, including a description of the original charges, the date charged, and the name and address of the court where such charge was brought and the disposition of each charge. Check box as applicable:

(a) ( ) There have been no such charges

(b) ( ) The charges were as follows (include conviction, date, nature of offense, penalty imposed, and name of Court):

NOTE: A POLICE BACKGROUND CHECK OF EACH PERSON TO BE SOLICITING WITHIN THE TOWN IS REQUIRED. THE POLICE CHECK MUST BE MADE AT THE APPLICANT'S EXPENSE AND MUST BE OBTAINED FROM THE TOWN OR CITY WHERE EACH SOLICITOR RESIDES AND BE PERSONALLY PROVIDED TO THE TOWN CLERK'S OFFICE AT THE TIME OF APPLICATION AND PRIOR TO ISSUANCE OF LICENSES.

**10. DESCRIPTION OF PROPOSED PLAN OF OPERATION**

(a) Set forth a detailed description of your specific proposed plan of operations to be used in merchandising the products or services. If door-to-door solicitation is proposed, set forth the days and hours of each week that such solicitation may occur.

**NOTE** that you may not sell or vend within 250 ft. of any school property between the hours of 8:00 AM and 4:00 PM on school days, nor enter upon private property for the purpose of peddling or soliciting before the hour of 10:00 AM of any day or after one- half hour before sunset of any day, except upon the prior invitation of the householder or occupant. There are other restrictions for which you are responsible as well.

Please review Town Code Section 167-12 for a listing of such restrictions.

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**\*\*YOU MAY NOT DEVIATE FROM THE ABOVE-STATED PROPOSED PLAN OF OPERATION WITHOUT SUBMISSION AND APPROVAL OF A NEW APPLICATION.\*\*\***

(b) If a form of contract or order form to be signed by customers is to be used, a copy of such form, complying with the provisions of New York Personal Property Law Article10- A, if applicable, must be attached to this application.

**11. NOTE** If the application has more than one (1) employee, agent, independent contractor, or other authorized representatives, who will work in the Town of Irondequoit, the same information must be supplied as to each such person, who must complete and swear to a separate application form and pay for an individual permit fee. List all such persons and their addresses here. They will be asked to provide either an Employee/Agent/Independent Contractor ID or letter from "Applicant" stating they are representing their organization. (Attach additional pages if necessary.)

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12. Name and phone number of authorized agent who is responsible for supervision of employees while working in Irondequoit. (Please provide cell phone number, if possible.)

Name \_\_\_\_\_ Phone \_\_\_\_\_

**NO ENDORSEMENT The grant of a permit or certificate of permit by the Town of Irondequoit does not constitute an endorsement or official approval of your products or services. It is unlawful to make any representation to the contrary.**

**COMPLETED APPLICATION AND \$500.00 NON-REFUNDABLE APPLICATION FEE SHALL BE GIVEN TO THE TOWN CLERK AT LEAST TWO (2) WEEKS IN ADVANCE OF THE FIRST DAY OF SOLICITATION. AS NOTED, BACKGROUND CHECK MUST BE SUBMITTED PRIOR TO SOLICITORS RECEIVING LICENSE.**

**13. CERTIFICATION AND OATH**

(a) The undersigned has received, read and understands Chapter 167 of the Town Code of the Town of Irondequoit, entitled "PEDDLING AND SOLICITING" and agrees to abide by all restrictions and conditions set forth in such law.  
(b) The undersigned applicant has read this completed application and knows the contents thereof and swears that the same is true to deponent's knowledge.

DATED: \_\_\_\_\_  
(Name of Applicant)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name & Title of Signer)

Sworn to before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public)

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**\*FOR CLERK'S USE ONLY ALL FEES MUST BE CASH, CERTIFIED CHECK OR MONEY ORDER\***

Date: \_\_\_\_\_ Clerk Taking Application: \_\_\_\_\_

Application Fee: \$500.00 (Cash, Certified Check or Money Order) \_\_\_\_\_  
If organization is exempt from Solicitor's License Fee, please check here. \_\_\_\_\_

Solicitor's License Fee: \$150.00/3 months (Cash, Certified Check or Money Order) \_\_\_\_\_  
Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

Additional Months @ \$50.00/month (Cash, Certified Check or Money Order) if applicable: Yes/No  
Number of months: \_\_\_\_\_ Fee: \_\_\_\_\_ Total Fee: \_\_\_\_\_

DATE APPROVED/DENIED BY TOWN CLERK \_\_\_\_\_

**\*MAKE ADDITIONAL COPIES FOR EACH EMPLOYEE/INDEPENDENT CONTRACTOR/SOLICITOR\***  
**\*ADDENDUM TO ORIGINAL APPLICATION\***

**SOLICITOR LICENSE APPLICATION**

**TO BE COMPLETED BY EMPLOYEE/INDEPENDENT CONTRACTOR OF SOLICITOR**

**DEFINITION OF SOLICITOR:** Solicitor is a person doing business through the acts of selling or offering for sale, soliciting orders, demonstrating or making estimates on goods, services or merchandise directly to the public in the public streets and public places or by going from house to house whether by appointment, referral, uninvited solicitation, route salesman or party plan within the Town of Irondequoit.

**\*\*\*PRIOR TO SUBMITTING AN APPLICATION FOR A SOLICITOR'S LICENSE, EACH APPLICANT MUST OBTAIN A POLICE BACKGROUND CHECK, AT THEIR EXPENSE, FROM THE TOWN OR CITY WHERE THEY RESIDE. THIS MUST BE PRESENTED PERSONALLY TO THE TOWN CLERK'S OFFICE.\*\*\***

Date of Application: \_\_\_\_\_

Name of person making application: \_\_\_\_\_

State any other name, assumed name or nickname, by which you are/have been known:  
\_\_\_\_\_  
\_\_\_\_\_

Mailing Address: \_\_\_\_\_

Residence Address (P.O. Box will not be accepted, must use current home address):  
\_\_\_\_\_

Phone No.: ( ) \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Citizen of U.S. (Circle one): Yes or No Date of Birth: \_\_\_\_\_

Title of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: ( ) \_\_\_\_\_

**EMPLOYEE/INDEPENDENT CONTRACTOR I.D. MUST BE SHOWN: I.D. NO. \_\_\_\_\_**

Will a vehicle(s) be used in soliciting? (Circle one): Yes or No

Make & Model: \_\_\_\_\_ State: \_\_\_\_\_ License No.: \_\_\_\_\_

**\*Copy of Vehicle Registration Must be Attached.\***

APPLICANT'S SIGNATURE: \_\_\_\_\_  
\*\*\*\*\*

**For Clerk's Use Only**

ALL FEES MUST BE CASH, CERTIFIED CHECK OR MONEY ORDER

Clerk Taking Application: \_\_\_\_\_

ORIGINAL LICENSE FEE: \$150.00 for 3 Months

Beginning \_\_\_\_\_ Ending \_\_\_\_\_  
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**WHEN EXTENDING LICENSE, VERIFY ABOVE INFORMATION.**

Clerk Taking Application: \_\_\_\_\_ ADDITIONAL FEES: \$50.00/MONTH

NUMBER OF MONTHS \_\_\_\_\_ Beginning \_\_\_\_\_ Ending \_\_\_\_\_ TOTAL FEE: \_\_\_\_\_

\*File with original Application      Date Approved/Denied by Town Clerk \_\_\_\_\_

## **Irondequoit Town Code: Chapter 167, PEDDLING AND SOLICITING**

[HISTORY: Adopted by the Town Board of the Town of Irondequoit 1-20-1977 as Ch. 17 of the 1977 Code; amended in its entirety 4-23-2002 by L.L. No. 8-2002. Subsequent amendments noted where applicable.]

### **§ 167-1. Definitions.**

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

**HAWKER AND PEDDLER** -- Except as hereinafter expressly provided, any person, either principal or agent, who, from any public street or public place or by going from house to house or place of business to place of business, on foot or on or from any vehicle, sells or barters, offers for sale or barters or carries or exposes for sale or barter any goods, wares or merchandise, books, magazines, periodicals or any other item or items of value, except milk, water and newspapers.

**SOLICITOR** -- Any person who goes from place to place or house to house or by telephone or stands in any street or public place taking or offering to take orders for goods, wares or merchandise, books, magazines, periodicals or any other item or items of value (except newspapers or milk) or for services to be performed in the future or for making, manufacturing or repairing any article or thing whatsoever for future delivery.

The term "solicitor" shall, however, also mean and include any person taking or offering to take orders for goods, wares or merchandise, books, magazines, periodicals or any other item or items of value (except newspapers or milk) or for services to be performed in the future or for making, manufacturing or repairing any article or thing whatsoever for future delivery at the home or residence of any person who has been solicited prior thereto by telephone or has responded to any type of advertising media requiring an appointment or consultation or sales presentation in the home or place of residence of such person.

### **§ 167-2. Applicability.**

A. Nothing in this chapter shall be held to apply to:

- (1) Any sales conducted pursuant to statute or by order of any court.
- (2) Any person selling personal property at wholesale to dealers in such articles.
- (3) Berry pickers who sell berries of their own picking.
- (4) The peddling of meats, fish, fruit and farm produce by farmers and persons who produce such commodities.
- (5) Any honorably discharged member of the armed forces or any other person who has procured a license issued by the County Clerk as provided by § 32 of the General Business Law of the State of New York, as amended or changed.

B. Exempt organizations.

- (1) Nonprofit organizations. Nonprofit organizations and persons working for such organizations shall be exempt from the license fees. However, such organizations shall be subject to the application fee and shall register annually by the application process with the Town Clerk in the event that they plan to engage in vending, hawking, peddling or soliciting and shall indicate the type of activities to be undertaken and the time when they will be

performed. At the time of application, such organizations shall also offer proof of their nonprofit status as being organized under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, that maintains a chapter or local organization within Monroe County. Proof should be submitted in the form of evidence of nonprofit filing from the department of state in the state for the organization has incorporated.

(2) Children, veterans, fraternal organizations. A child residing in the Town and regularly attending any public school district or parochial or private school located, in whole or in part, within the County of Monroe or a member of a veterans organization or fraternal organization, provided that such organization has and maintains a chapter, post, lodge, camp or other group within Monroe County, are exempt from the provisions of this chapter, provided that any person coming within the provisions of this exemption shall only peddle, vend or solicit in connection with an authorized activity of the organization of which he or she is a member or of the school which he or she attends.

C. Interstate commerce. This chapter also shall not apply so as unlawfully to interfere with interstate commerce, and, to that end, all persons claiming to be engaged in interstate commerce or claiming any of the exemptions hereinabove set forth shall apply to the Town Clerk for a certificate of compliance, using the form of application described in § 167-4; the applicant shall also submit to the Town Clerk satisfactory evidence that he or she is engaged in interstate commerce.

D. Certificate of compliance for exemptions. When the applicant shall have established to the satisfaction of the Town Clerk that he or she is engaged in interstate commerce or is entitled to one or more of the above exemptions, the Town Clerk shall issue to him or her a certificate of compliance stating, among other things, that such person has complied with the requirements of this section and has satisfactorily established that he or she is engaged in interstate commerce. Such certificate shall be carried with the person exercising it and shall be exhibited upon demand. All certificates issued pursuant to this chapter shall be issued for a period not to exceed one year, nor a shorter term than three months, but in any event shall expire on the 31st day of December following the date of issuance. The securing of any such certificate by fraud or misrepresentation by any person not in fact engaged in interstate commerce or entitled to one or more exemptions shall constitute a violation of this chapter.

### **§ 167-3. License required.**

It shall be unlawful for any person within the corporate limits of the Town to act as a hawker, peddler or solicitor as herein defined or assist the same without first having obtained and paid for and having in force and effect a license therefor and having received a solicitor's permit.

### **§ 167-4. Application fee.**

A nonrefundable application fee must be submitted to the Town Clerk prior to receiving an application for a license. Said fee shall be established from time to time by resolution of the Town Board. All funds are to be cash or certified check or money orders.

### **§ 167-5. License application.**

A. Any person desiring to procure a license as herein provided is required to furnish the appropriate application fee and file a written application upon a form furnished by the Town Clerk. Along with submission of the written application, the applicant must obtain a police background check of each person to be soliciting within the Town. The policecheck must be made at the applicant's expense, must be obtained from the town or city where each solicitor resides and be personally provided to the Town Clerk's office. Such application shall be given to the Town Clerk at least two weeks in advance of the first day of solicitation and shall contain the following information:

- (1) The quantity of vehicles and the vehicle identification number, copy of the vehicle registration, plate number, model and make of each vehicle to be used by the applicant in carrying on the business for which the license is desired.
- (2) The kind of goods, wares and merchandise he or she desires to sell or the kind of service he or she desires to perform.
- (3) The method of distribution.
- (4) The name, permanent business address, business telephone number and age of the applicant.
- (5) Whether or not the applicant and each solicitor associated therewith has been convicted of a misdemeanor or felony and, if so, give the date of conviction, the nature of the offense, the penalty imposed and the name and address of the court.
- (6) A police background check of each person to be soliciting within the Town. The police check must be made at the applicant's expense and must be obtained from the town or city where each solicitor resides.
- (7) The name and address of the person, firm or corporation he or she represents.
- (8) The length of time the applicant desires the license; such a license shall not be issued for a longer term than one year nor a shorter term than three months.
- (9) A written, detailed description of the specified proposed plan of operations to be used by the applicant.
- (10) Any violation(s) of this chapter or any comparable laws, ordinances, statutes, rules, orders or regulations of any other municipality or of the State Door-to-Door Sales Protection Act,EN within the past 10 years, by the applicant or any individuals employed by or on behalf of the applicant as a vendor, solicitor or peddler.
- (11) Such other information as may be required by the Town Clerk to determine the veracity or to clarify any of the prior statements required in this subsection.

B. If applicable, such application shall be accompanied by a certificate from the Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and

approved.

C. If applicable, such application shall be accompanied by proof of a professional license held if said license must be used in conjunction with the solicitation.

**§ 167-6. Bond required.**

An application for a license as a solicitor who demands, accepts or receives payment or deposit of money in advance of final delivery shall also be accompanied by a cash deposit or surety company bond or other bond secured by sufficient collateral in such amount as is determined by resolution of the Town Board, said bond to be approved by the Town Attorney as to form and surety conditioned for making a final delivery of the goods, wares or merchandise ordered or services to be performed in accordance with the terms of such order or, failing therein, that the advance payment on such order be refunded. Any person aggrieved by the action of any licensed solicitor shall have the right by action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect, and, in case of a cash deposit, such deposit shall be retained by the Town for a period of 90 days after the expiration of any such license, unless sooner released by the Town Board.

**§ 167-7. Issuance of license.**

- A. Application; grant. Except for those organizations which are exempt as outlined in this chapter, the Town Clerk shall issue a license pursuant to a valid application for peddling and soliciting.
- B. Use. A license shall not be assignable. Any holder of such license who permits it to be used by any other person and any person who uses such license granted to any other person shall each be guilty of a violation of this chapter.
- C. Contents. All licenses shall be filed in the Town Clerk's office and shall state clearly the kind of vehicle, if any, to be used and the kind of goods, wares or merchandise to be sold or service to be rendered, the dates of issuance and expiration of the license, the fee paid and the name and address of the licensee.
- D. Display. Every licensee, while exercising his or her license, shall carry the license with him or her and shall exhibit the same upon demand or, if engaged in telephonic solicitation, shall, upon each completed call, immediately state his or her name and address and number of his or her license.

**§ 167-8. Term of license.**

All licenses issued pursuant to this chapter shall be issued for a period not to exceed one year, nor a shorter term than three months but, in any event, shall expire on the 31st day of December following the date of issuance.

**§ 167-9. License fees.**

License fees set in accordance with § 1-18 shall be paid to the Town Clerk for the license herein required.

**§ 167-10. Employees; card of identification.**

- A. Number limited. Any person who aids or assists a solicitor in selling and delivering must obtain a separate license.
- B. Identification card required. All persons who have obtained a solicitor's license shall at all times carry and on demand display a card of

identification issued by the Town Clerk, which card shall contain the following information: the name of the employee, the name of the employer and the date of expiration of the employer's license. Such identification cards shall be valid until the expiration of the license under which they are issued.

- C. Statement required. Each such employee shall file with the Town Clerk a statement, including his or her name, age, permanent and city address, telephone number and the name, address, and telephone number of his or her employer.
- D. Refusal; revocation of card. The provisions of § 167-6 respecting the revocation of a license shall apply to the revocation of cards of identification. The issuance of a card of identification may be refused upon the same grounds as set forth in § 167-6A for the refusal of a license.

#### **§ 167-11. Written statement of orders required.**

A written statement of all orders taken by licensed solicitors who demand, accept or receive payment or deposit of money in advance of final delivery, setting forth the terms thereof, the amount paid in advance, the name of the solicitor and the name of the person or firm he or she represents, shall be given to the purchaser at the time the money is paid to or deposited with the solicitor.

#### **§ 167-12. Regulations.**

- A. Unlawful sales. A hawker, peddler or solicitor shall not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale or offer for sale any unwholesome, tainted or diseased provisions or merchandise.
- B. Sanitary conditions. A hawker, peddler or solicitor shall keep the vehicles and receptacles used by him or her in a clean and sanitary condition and the food stuffs and edibles offered for sale well covered and protected from dirt, dust and insects.
- C. Noises. A hawker, peddler or solicitor shall not blow a horn, ring a bell or use any other noisy device so as to create a public nuisance.
- D. Obstructions. A hawker, peddler or solicitor shall not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street, sidewalk, right-of-way, or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.
- E. Measuring devices. A hawker, peddler or solicitor shall not use any weighing or measuring device unless the same shall have been examined and sealed by the County Sealer of Weights and Measures.
- F. Hours. A licensee may not sell or vend within 250 feet of any school property between the hours of 8:00 a.m. and 4:00 p.m. on school days, nor enter upon private property for the purpose of peddling or soliciting before the hour of 10:00 a.m. or after 1/2 hour before sunset of any day, except upon the prior invitation of the householder or occupant.
- G. Appealing to sympathies. No peddler or solicitor shall, in order to effectuate or assist in any sale or solicitation, represent that he or she is engaged in any contest or in any way attempt to induce a sale or solicitation by appealing to the sympathies of the person so solicited.
- H. Permitted place. A licensee may perform his/her respective acts and

occupations at any place in the Town of Irondequoit, except on property owned or leased by the Town of Irondequoit or any district thereof or on property owned by any school district, or otherwise prohibited by the owner of private property.

- I. Use of public streets. None of the foregoing licensees shall use any of the public streets or government property within the Town of Irondequoit as standing places for their vehicles, handcarts or pushcarts for the conduct of business.

**§ 167-13. Permit restriction for Fourth of July Celebration; exception.**

- A. No peddler, solicitor or vendor of any type shall be issued a permit for the duration of the Fourth of July Celebration in the Town of Irondequoit, from start to finish, for the portion of Titus Avenue from the intersection of Portland Avenue to the intersection of Kings Highway.
- B. Exception. The license procedure as set forth in this chapter will not apply to those vendors participating in the July Fourth Celebration as selected by the July Fourth Committee.

**§ 167-14. Solicitation of funds; registration.**

- A. Application for registration; contents. An application to solicit funds for any cause whatever as provided for in this section shall be addressed to the Town Clerk at least two weeks in advance of the first day of solicitation, and such application shall contain the following information:
  - (1) The name and purpose of the cause for which permission is sought
  - (2) The names, addresses and telephone numbers of the officers and directors of the organization.
  - (3) The time for which permission is sought and localities and places of solicitation.
  - (4) Whether or not any commissions, fees, wages or emoluments are to be expended in connection with such solicitation.
  - (5) Such other information as the Town Clerk shall require to determine the veracity or to clarify any of the prior statements required in this subsection.
- B. Statement of finances. It shall be the duty of the Town Clerk, before granting permission to solicit funds or donations as provided for in this section, to compel the applicant to file with him or her a signed statement of all moneys collected in the calendar year or the fiscal year of such organization, society, association or corporation previous to the application, the expenditures connected therewith, together with the names and addresses of all persons receiving wages, commissions or emoluments and the amounts so expended.
- C. Registration. Registration as required by this section shall be done, in writing, at the office of the Town Clerk during regular business hours and shall include the following information:
  - (1) The name, address and telephone number of the organization, society, association, religious institution or corporation desiring to solicit in the Town.

- (2) The names, addresses and telephone numbers of the officers and directors of the organization, society, association, church or corporation.
- (3) The names, addresses, telephone numbers and ages of all agents or representatives who will solicit in the Town.
- (4) Whether or not the agents or representatives or any of them have ever been convicted of a misdemeanor or felony and, if so, give the date of conviction, the nature of the offense, the penalty imposed and the name and address of the court.
- (5) A police background check of each person to be soliciting within the Town. The police check must be made at the applicant's expense and must be obtained from the town or city where each solicitor resides.
- (6) The number, year, trade name identification or registration number, state of registration and owner of every vehicle to be used.
- (7) The name and purpose of the cause for which soliciting is to be done.
- (8) The time, localities and places of solicitation.
- (9) Whether or not any commissions, fees, wages or emoluments are to be expended in connection with such solicitation and to whom.
- (10) A statement of finances as hereinafter provided in Subdivision B.
- (11) Such other reasonable information as the Town Clerk shall require to determine the veracity or to clarify any of the information required by the subsection.

#### **§ 167-15. Refusal of license.**

A license may be refused if the applicant shall have been convicted of a misdemeanor or felony, which, in the judgment of the Town Clerk, renders the applicant unfit or undesirable to carry on the trade or occupation of peddler or solicitor. The Town Clerk may also refuse a license to any person who, in his or her judgment, shall be an undesirable person or incapable of properly conducting such occupation. In addition, the Town Clerk, upon consultation with the Irondequoit Police Department and Town Attorney, where applicable, may revoke any such license upon his or her determination and finding the regulations and rules herein have been violated. Any applicant who has been refused a license by the Town Clerk may appeal to the Town Board therefor, and the same may be granted or refused by the Town Board, except as prohibited by Town Law § 137, as amended or changed.

#### **§ 167-16. Revocation of license or permit.**

Licenses or permits issued under provisions of this chapter may be revoked immediately by the Town Clerk upon consultation with the Irondequoit Police Department and Town Attorney. If the licensee has one or more employees, agents or contractors, the revocation hereunder shall apply to all. Revocation may occur for the following reasons:

- A. Fraud, misrepresentation or any false statement contained in the application for license.
- B. Fraud, misrepresentation or false statement made in the course of carrying on the business as peddler, huckster, vendor or solicitor.
- C. Any violation of this chapter.
- D. Conviction of any crime or misdemeanor involving dishonesty or moral turpitude.
- E. Conducting the licensed business in an unlawful manner or in such a manner

as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

- F. Any breach of stipulations or conditions specified by the Town Board, if any, or any deviation from the terms and agreements upon which a special permit has been granted, as provided herein.

**§ 167-17. Appeals.**

- A. Any person aggrieved by the action of the Town Clerk in the denial of an application for a license or revocation of a license, as provided in this chapter, shall have the right to appeal to the Town Board.
- B. Such appeal shall be taken by filing, within 14 days after notice of the action complained of has been mailed to such person's last known address, as shown on the application, a written statement setting forth fully the grounds for the appeal.
- C. The Town Board shall set a time and place for a hearing on such appeal, and notice of such hearing shall be mailed to the applicant at his or her last known address at least five days prior to the date set for the hearing.
- D. The granting, refusal, revocation or suspension of a license or permit by the Town Board shall be subject to review pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York. Any such Article 78 proceeding must be commenced within 30 days of the mailing of notice of the action sought to be reviewed.

**§ 167-18. Eligibility for new license restricted.**

Any person denied a license or permit or whose license or permit has been suspended or revoked in accordance with § 167-8 of this chapter shall be ineligible to apply for a new license or permit for a period of six months from the date of such denial, revocation or suspension, unless the applicant shows that the conditions upon which such action was based have been remedied or removed.

**§ 167-19. Penalties for offenses.**

A violation of any provision of this chapter is hereby declared to be a misdemeanor, punishable as provided in § 1-16.

