

Borough of Milton Police Department

1 Filbert Street

Milton, PA 17847

(570) 742-8757 FAX (570) 742-2325

Please note the following:

- 1.) One form of state-issued photo ID must be provided with this application.
- 2.) A current PA Patch background check, conducted within the past 30 days, must be provided with this application. It shall be obtained by, and at the cost of, the applicant.
- 3.) Solicitation hours are Monday – Friday 9 a.m. to 5 p.m.; Saturday 9 a.m. to 12 p.m. ONLY. No soliciting on Sundays.
- 4.) A copy of the registration card and proof of insurance for the vehicle(s) being used during solicitation shall be provided with this application.
- 5.) Failure to complete this form in full will result in denial of permit.

Completed application and Criminal history required for each person soliciting within the borough.

Date: _____

Name of Applicant: _____

Home Address: _____

Phone: () _____ - _____ DOB: ____/____/____ Age: _____ Sex: _____

Business Name: _____

Business Address: _____

Business Phone: () _____ - _____ What are you soliciting? _____

Have you ever been convicted of a crime? _____ Year of conviction _____

Description of Vehicle being used:

Make: _____ Model: _____ Year: _____ Color: _____

Vehicle Registration Plate #: _____ State: _____

Driver License #: _____ State: _____

Certificate of Automobile Liability: _____

Body Type (circle one): Coupe Sedan Station Wagon SUV Truck Van

What is the length of time you are requesting the license to be valid?

_____ \$10 one-day permit _____ \$25 one-week permit

_____ \$50 one month permit (or fraction thereof)

In addition to the fees listed above, a \$5 fee will be collected annually for each vehicle registered to be used in canvassing and soliciting within the borough.

Signature of Employer and Applicant releases the Borough of Milton Police Department from all liability resulting from acts performed by the applicant while soliciting within the borough. The applicant agrees to carry their copy of the License Application with them while in the borough, and shall present such application to any law enforcement officer or any person with whom he shall talk, upon their request. The applicant agrees to immediately leave any premises upon request of the occupant.

Any person, firm or corporation violating any of the provisions shall, upon conviction thereof by any District Magistrate, be fined a sum of not more than \$100 plus costs of prosecution. Default in payment can result in imprisonment for a period of not more than 30 days, or until such fine and costs shall be paid.

Employer's Name – Print

Employer's Signature (required)

Applicant's Name – Print

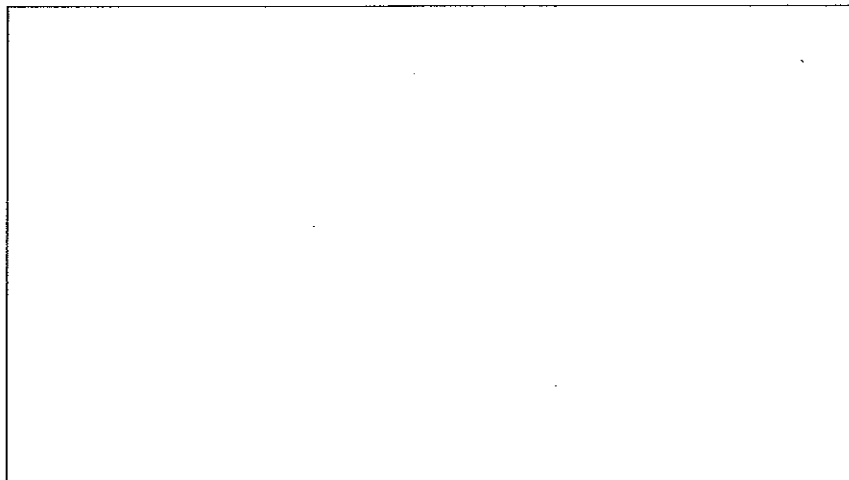
Applicant's Signature (required)

OFFICE USE ONLY

Application: Approved or Denied Reason for Denial: _____

Application reviewed by: _____ Date: _____

THIS PERMIT IS VALID FOR USE DURING THE FOLLOWING DATES: _____



ORDINANCE NO. 1185

AN ORDINANCE OF THE BOROUGH OF MILTON, AMENDING SECTION 177-2 OF THE CODE OF ORDINANCES OF THE BOROUGH OF MILTON, PERTAINING TO AN APPLICATION FOR IDENTIFICATION FOR SOLICITATION WITHIN THE BOROUGH OF MILTON BY ADDING A REQUIREMENT THAT THE APPLICANT SUBMIT A BACKGROUND CHECK FROM PA PATCH WITH THE APPLICATION FOR A PERMIT.

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Milton, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION I – Section 177-2 Application of the Code of Ordinances of the Borough of Milton pertaining to applications for individuals to engage in canvassing and soliciting within the Borough of Milton is hereby amended by adding the following subparagraph:

D. The Applicant shall submit with the application a copy of a background check from PA PATCH which Applicant shall obtain, at Applicant's expense through the on-line application process.

SECTION 2. All other provisions of the said section of the Milton Code of Ordinances shall remain in full force and effect except as amended hereby.

ENACTED AND ORDINANCED into an Ordinance this 9th day of October, 2013.

ATTEST:

Michelle R. Wood
Borough Secretary

[Signature]
President of Council

APPROVED the 9th day of October, 2013.

Edward E. Nelson
Mayor

Chapter 177. PEDDLING AND SOLICITING

[HISTORY: Adopted by the Borough Council of the Borough of Milton 5-28-1997 by Ord. No. 1087. Amendments noted where applicable.]

§ 177-1. Registration required.

No person, association, partnership, firm or corporation shall, either directly or indirectly, sell goods, wares, merchandise, magazines, periodicals, books or other personal property by canvassing or soliciting, or solicit or canvass for contribution, in the Borough of Milton, without first having registered with the Police Department and obtained an identification card from the borough.

§ 177-2. Application.

- A. Any person desiring to engage in canvassing and soliciting shall submit a written application to the Police Department on a form to be furnished by the borough, accompanied by two photographs (two inches by three inches minimum) of himself, taken within six months prior to the date of the application.
- B. The applicant shall state in such written application his name, age, sex, home address, business address, name and address of employer, if any, what he desires to canvass and solicit for, the length of time he wishes to engage in this work, the make and type of vehicle, if any, he will use, its registration number, the driver registration number, certificate of automobile liability coverage and whether he has ever been convicted of a felony, misdemeanor or a crime of any kind.
- C. In addition thereto, the application shall contain the signature of the employer as well as of the applicant and shall contain therein the stipulation and agreement on the part of the employer, in consideration of the issuance of such license or permit, to become liable for any and all acts of such solicitor while within the Borough of Milton, in violation of law or otherwise. Such employer liability shall be construed to have no application to bona fide charitable organizations.

§ 177-3. Identification card.

- A. An identification card will not be issued to any person who has been convicted of felony, misdemeanor or a crime of any kind involving moral turpitude, and such person shall not be allowed to engage in canvassing and soliciting in the Borough of Milton.

- B. An identification card will be valid for the balance of the calendar year in which it is issued. Such card may not be transferred from one person to another and shall be considered a personal permit or license.

§ 177-4. Investigation; issuance or refusal of license.

Promptly upon receiving any application for a permit to canvass or solicit within the Borough of Milton, the Chief of Police or his designee shall cause such application and applicant to be thoroughly investigated by the Police Department of the Borough of Milton. In the event that such investigation should indicate that the granting of such permit would or might be injurious to the public interest, or to the public health, safety or morals, the Chief of Police or his designee shall have, and is hereby given, the power and authority to refuse to issue such license or permit. In any instance where the Chief of Police or his designee should deem it necessary or advisable to secure and check the fingerprints of any such applicant, refusal of such applicant to voluntarily furnish such fingerprints shall constitute, in and of itself, sufficient and valid ground for refusal to issue such license. The Chief of Police or his designee will issue to the applicant an identification card (to which one of the applicant's photographs will be affixed) within 10 days from the date of filing of the application.

§ 177-5. Standards of conduct.

Every person to whom an identification card has been issued shall, in the conduct of his activity, comply with the following standards of conduct:

- A. He shall carry his identification card at all times and exhibit it upon request to any police officer, ordinance officer of the Borough of Milton or to any other person whom he shall call or with whom he shall talk.
- B. He shall not permit any person to have possession of his identification card and shall immediately report its loss to the Borough Police Department. He shall not cause or permit his identification card to be altered or defaced in any way.
- C. He shall not enter or attempt to enter any dwelling without the invitation or permission of the occupant and shall immediately leave any premises upon request of the occupant.
- D. He shall engage in canvassing and soliciting between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday and 9:00 a.m. and 12:00 Noon on Saturdays, legal holidays being excepted therefrom. Such activities at any other time are hereby expressly declared unlawful.
- E. He shall not be guilty of any false pretense or misrepresentation and particularly, he shall not represent his identification to be an endorsement of himself or his goods or services or of the goods or services of his employer.

F. He shall immediately surrender his identification card to the Borough of Milton Chief of Police or his designee upon revocation thereof.

§ 177-6. Revocation of identification card.

Any identification card may be revoked by the Chief of Police or his designee if the holder fails to comply with the standards of conduct contained in § 177-5 hereof, or any of them, or ascertainment by the Chief of Police or his designee that the holder has made a false statement in his application.

§ 177-7. Applicability.

- A. This chapter shall not apply to persons under the age of 19 years who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent the Boy Scouts and Girl Scouts or similar organizations and take orders for and deliver cookies and the like.
- B. Any person who works for an organization which has been registered with the Pennsylvania Department of State, as required by Act No. 337, approved August 9, 1963, known as the "Solicitation of Charitable Funds Act," *Editor's Note: See 10 P.S. § 162.1 et seq.* shall not have to register with the Borough of Milton, but such organization shall cause notice to be given to the Chief of Police or his designee that such person will be canvassing and soliciting in the Borough of Milton; any such person shall carry an appropriate identification card issued by the organization for which he works.
- C. Any person soliciting funds for a charitable cause which is not within the purview of the Solicitation of Charitable Funds Act and not registered thereunder shall be required to file an application as required under this chapter, except that the Chief of Police or his designee may, at his option, waive the requirements for the submission of photographs of the applicant. Further, recognizing that no profit is derived by any individual from such activity, no fee shall be charged for the issuance of a license to solicit for bona fide charitable contributions.

§ 177-8. Registration fee.

Every person engaged in canvassing and soliciting in the Borough of Milton and not exempted from the requirements of this chapter, shall pay a registration fee as follows:

- A. Ten dollars for one day;
- B. Twenty-five dollars for one week;
- C. Fifty dollars for one month or fraction thereof;

D. Five dollars annually for each motor vehicle registered to be used in canvassing and soliciting.

§ 177-9. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this chapter shall, upon conviction thereof before any District Magistrate, be fined a sum of not more than \$100 and costs of prosecution and, in default of payment of same, shall be sentenced to imprisonment in the Northumberland County Jail for a period of not more than 30 days or until such fine and cost shall be paid. Each day of violation shall constitute a separate offense.