LANGHORNE MANOR BOROUGH
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2025 - 01

AN ORDINANCE OF THE BOROUGH OF LANGHORNE MANOR, BUCKS COUNTY, PENNSYLVANIA FOR THE REGULATION OF COMMERCIAL DOOR-TO-DOOR PEDDLING, CHAPTER 105

BE IT ENACTED AND ORDAINED by the Council of Langhorne Manor Borough, Bucks County, Pennsylvania, as follows:

SECTION 1. – DEFINITIONS

As used in this Chapter, the following terms shall have these meanings:

CANVASSER

One who engages in the practice of canvassing, the practice of going from dwelling unit to dwelling unit to:

A. conduct surveys for research purposes (other than those conducted by an agency of the state or federal government); or

B. make analyses, take opinion polls and compile rating data; or

C. obtain or seek contributions for any person, organization, or cause; or

D. advance religious or political causes and proselytize with regard thereto; or

E. conduct any similar work which, by its nature, involves door-to-door or place-to-place activity, including distribution of circulars, but not for commercial activity of any kind.

DOOR-TO-DOOR SOLICITATION

The activity of going onto the premises of other persons without prior arrangement with the owner or occupant of such premises, for the principal purpose of the sale or taking of orders for future sales of any type of tangible goods, including, but not limited to, books, magazines or other periodicals, or to enter into any agreement for the provision of services, or any combination of the sale of goods or provision of services, or the distribution of advertising circulars relating to the sale of goods or provision of services.

DOOR-TO-DOOR SOLICITOR

A person engaging in the activity of door-to-door solicitation.

PEDDLER

Any person who shall engage in peddling as herein defined.

PEDDLING

The selling of or offering for sale any goods, wares, services, merchandise or products for immediate delivery or the taking of orders or the execution of an application for goods, wares, services or merchandise to be delivered at a later time which the person is selling or offering for sale and may carry with him or her or has in his/her possession or control upon any of the streets or sidewalks or from house-to-house or by the visitation to private residences or by entering in or upon private property within the Borough. For the purpose of this definition a carrying of a written contract for the purchase of goods, wares, services or merchandise or technological device for ordering or contracting shall also constitute peddling.

STREET SALES

The activity of a person selling any goods or services from any type of portable stand or table or technology or in a vehicle located on any street, roadway or public right-of-way, except a sidewalk abutting a property of which such person is the owner or a lawful occupant thereof.

SECTION 2. – PERMIT AND NOTICE REQUIRED FOR DOOR-TO-DOOR SOLICITATION

A. Any person or organization intending to engage or to cause persons to engage in the activity of door-to-door solicitation, or peddling, or street sales, as defined in this Chapter, prior to commencing such activity shall obtain a permit from the Borough Administrative Offices. In the case of an organization, each person engaging in door-to-door solicitation or peddling shall be required to obtain an individual permit; the organization may not simply obtain one permit applicable to all persons engaging in door-to-door solicitation or peddling on its behalf. Such permit or permits shall be issued only after the person or persons seeking to obtain the permit shall have provided on the application form appropriate information as to the identities and current addresses of all persons that shall be engaged as door-to-door solicitors or peddlers, which information shall be provided under the penalty of law as provided in 18 Pa. C.S.A. §4904 and shall have completed such registration. In addition, the applicant shall execute an acknowledgment of receipt of the terms of Section 6 of this Chapter with respect to private "No Solicitors" or "No Solicitation" or similar signs and shall provide notice to the Borough Administrative Offices of the approximate neighborhoods and locations in which the activity is to take place.

B. Every person to whom a permit shall have been issued under this Chapter shall display the permit on his or her person at all times and exhibit it, upon request, to any police officer or to any person on whom he or she shall call or with whom he or she shall talk for door-to-door solicitation or peddling purposes.

C. Any person engaging in door-to-door solicitation, peddling, or street sales, or any organization employing any door-to-door solicitors, peddlers or street sellers, that shall engage in such activity without obtaining the required permit shall be in violation of this Chapter and shall be liable for the applicable penalty provided for in Section 9.

D. The application process shall be performed by the Administrative Offices and staff of the Borough. As part of the application process, the Borough Police shall obtain the applicant's criminal history/record from the Pennsylvania State Police. The applicant shall pay a fee which shall represent only the cost to the Borough Police of obtaining the applicant's criminal history/record. Alternatively, the applicant may obtain his or her criminal history/record directly from the Pennsylvania State Police at his/her own expense and present it to the Borough Administrative Offices as part of the application process, provided it is dated within ninety (90) days of the permit application. If the applicant obtains his or her criminal history/record directly from the Pennsylvania State Police and presents it to the Borough Administrative Offices as part of the application process, and it is dated within ninety (90) days of the permit application, there shall be no permit fee.

E. The permit fee, which represents only the cost to the Borough of obtaining an applicant's criminal history/record shall be made available upon request by the applicant. The Borough shall respond to this request within a reasonable amount of time.

F. The terms of this Section 2 shall not apply to:

(1) Boys or girls under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent Scouting America, the Girl Scouts or similar organizations such as non-profit organizations for minors related to sports or school or community causes or for taking orders for the delivery of cookies and the like.

(2) Persons defined as "canvassers" herein.

(3) Bona fide candidates for elective office.

SECTION 3. – TIME LIMITATIONS

No person licensed under this Chapter as a peddler or a door-to-door solicitor, and no canvasser under this Chapter, shall engage in those activities within the Borough on Saturdays and Sundays or on state or federal legal holidays. Those activities are permitted between the hours of 9 a.m. and 5 p.m. on other days. However, boys and girls under the age of 18 as described in Section 2(F)(1) of this Chapter are permitted to engage in Section 2(F)(1)'s described activities on Saturdays between the hours of 10 a.m. and 5 p.m. and on other days between the hours of 9 a.m. and 5 p.m. which are not state or federal legal holidays. Boys and girls under the age of 18 as

described in Section 2(F)(1) of this Chapter are not permitted to engage in Section 2(F)(1)'s described activities on Sundays.

SECTION 4. – STREET SALES PROHIBITED

No person shall engage in any street sales as defined in this Chapter, except as provided in Section 2 above.

SECTION 5. – LICENSE FOR SOLICITING ON BOROUGH PROPERTY

No person licensed as a peddler under this Chapter shall engage in selling products within any Borough park or Borough property without first acquiring an additional permit from the Borough.

SECTION 6. – ENFORCEMENT OF "NO SOLICITORS" AND "NO CANVASSING" SIGNS

A. The owner or lawful occupant of any premises within the Borough not desiring to have persons enter onto his/her premises may post on such premises a legible sign which states, "No Solicitors," "No Solicitation," or words of similar meaning, including "peddling" and "canvassing." Any door-to-door solicitor or peddler who shall enter upon the premises in defiance of such sign shall be in violation of this Section and shall be liable for the applicable penalty provided in Section 9.

B. Any canvasser who shall enter upon the premises in defiance of a "No Canvassing" sign or sign of similar words and meaning shall be in violation of this Section and shall be liable for the applicable penalty provided in Paragraph B of Section 9.

SECTION 7. – NO SOLICITORS OR NO SOLICITATION REGISTRY

The owner or lawful occupant of any premises within the Borough not desiring to have persons enter onto his/her premises for commercial purposes may, in addition to posting on such premises in accordance with Section 6, register with the Borough Administrative Offices to have his/her address placed on a registry to be distributed to those door-to-door solicitors required to obtain a permit under Section 2. Door-to-door solicitors who enter onto premises appearing on the registry shall be subject to the applicable penalty provided for in Section 9.

SECTION 8. – GROUNDS FOR DENIAL OF PERMIT; REVOCATION OF PERMIT

A. A door-to-door solicitation permit shall not be issued to any person who:

(1) Has previously been found guilty of violating any provision of this Chapter; or

(2) Has been convicted, within the seven years preceding the date of the application for a permit, of any theft or theft-related crime, fraud or any

fraud-related crime, or any similar offense tending to show dishonesty of character; or

(3) Has been convicted of any felony.

B. A door-to-door solicitation permit shall be revoked for any of the following reasons:

(1) Conduct by any permit holder that constitutes a violation of this Chapter.

(2) A permit holder going upon premises either posted "No Solicitors" or "No Solicitation," or appearing on the "No Solicitors" or "No Solicitation" registry provided for in Section 7 of this Chapter or both.

(3) Conduct for any permit holder while on private premises that constitutes a summary offense or criminal act, including, but not limited to, defiant trespass.

C. If a company or other entity has more than one person engaging in door-to-door solicitation in the Borough, and the permit issued to any one such person is revoked under Subsection B above, the permits for all door-to-door solicitors working for that company shall be revoked.

D. In the event that a door-to-door solicitation is revoked under this Section, no administrative fees shall be refunded to the permit holder.

SECTION 9. – VIOLATIONS AND PENALTIES

A. Any person, firm or corporation who shall violate any provisions of this Chapter related to permits for door-to-door solicitation or peddling, street sales, the "No Solicitation" registry, "No Solicitation" or similar signs, or door-to-door solicitation or peddling, shall, upon conviction thereof, be sentenced to pay a fine of not more than $1,000, plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Chapter continues or each Section of this Chapter which shall be found to have been violated shall constitute a separate offense.

B. Any person, firm or corporation who participates in canvassing in violation of Section 6 (B) above, or any other applicable Sections of this Chapter, but who has not previously violated this Chapter, and has not committed or is not committing any other crime related to the canvassing, shall first receive a written warning. However, that person, organization or corporation who participates in canvassing which constitutes a second violation of Section 6 (B) above or any Sections in this Chapter which are applicable to canvassing, upon conviction thereof, shall be sentenced to pay a fine of

not more than $500 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Chapter continues or each Section of this Chapter which shall be found to have been violated shall constitute a separate offense.

SECTION 10. – INCONSISTENT ORDINANCES REPEALED

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 11. – IF ANY SECTIONS DECLARED UNLAWFUL

If any Sections or portions of this Chapter are declared unlawful or unconstitutional by a valid court of law in the United States with applicable jurisdiction over the Borough, the remaining Sections shall remain enacted, valid and enforceable.

As the content of this Ordinance has been duly advertised pursuant to 8 Pa. C.S. §3301.1, this Ordinance is hereby **ENACTED** and **APPROVED** this 13th day of May, 2025.

ATTEST:

Peter Gray, Borough Manager

LANGHORNE BOROUGH COUNCIL

Nicholas Pizzola, President

APPROVED:

Robert Byrne, Mayor