

**INCORPORATED VILLAGE OF PLANDOME MANOR
PROPOSED LOCAL LAW NO. 4 OF 2020
CHAPTER 155 PEACE AND GOOD ORDER
AMMENDMENT OF PROVISIONS RELATING TO SOLICIATION**

A local law to amend Chapter 155 of the Code of the Incorporated Village of Plandome Manor entitled, "Peace and Good Order" to create a permit process for any vendor soliciting in the Village of Plandome Manor and to repeal Village Code §155-2(D).

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Plandome Manor as follows:

Soliciting and peddling.

No person, organization, firm, society, association, company or corporation shall, hawk, peddle, solicit, sell, offer to sell or solicit orders for the sale of any goods, wares or merchandise or solicit subscriptions or orders for immediate or future delivery of any merchandise on public or private property in the Village, unless a license has been secured from the Board of Trustees

Application for license.

A. Where such activities are permitted by this chapter, an application to hawk, vend, peddle or solicit orders for the purchase or sale of goods, wares, merchandise or other commodities as provided for in this chapter shall be in writing and addressed to the Village Clerk and shall contain the following information:

- (1) Name, address, telephone number and email address of the person, organization, society, association, company or corporation seeking such the license.
- (2) The type of business operated by the person, organization, society, association, company or corporation seeking such the license.
- (3) A statement of the reason for the license request.
- (4) A statement of the times and frequency of the activity and the approximate number of employees or agents that will be in the Village as a single time.
- (5) Such other information as the Village Clerk may require.

B. All applications must be accompanied by a processing fee in an amount established by resolution of the Board of Trustees, payable to the Village Clerk.

C. Upon receiving such application, the Village Clerk shall present same to the Board of Trustees at its next regular meeting. The Board of Trustees shall approve the application of all bona fide applicants who have complied with the above provisions.

D. Any license approval granted by the Board of Trustees is subject to the following restrictions:

(1) All hawking, vending, peddling or soliciting of orders for the purchase or sale of goods or wares, merchandise or other commodities must be conducted during the following times, excluding all national holidays:

- a. Monday thru Friday 10:00 am to 7:00 pm;
- b. Saturday 10:00 am to 2:00 pm;
- c. the Board of Trustees, for good cause shown, may permit such activities on different days or at different times, in its sole discretion.

(2) Any person, hawking, vending, peddling or soliciting pursuant to a license granted herein shall:

- a. wear a uniform including company identification, identifying them as an employee or agent of the company to which the permit was issued;
- b. carry state issued photo identification;
- c. carry personal business cards issued by the company to which the license was issued; and
- d. carry a copy of the license issued pursuant to this Chapter.

(3) Resident Opt-Out - The Village Clerk shall establish and maintain a list of residents that do not wish to permit hawking, vending, peddling or soliciting at their homes located within the Village. This list shall be provided to all licensees at the issuance of the license.

- a. Village Residents may opt-out of solicitations by providing written notice to the Village Clerk. The notice shall contain their name, address and phone number and state their desire to opt-out.
- b. Within 30 days of receipt of the written notice, the Village Clerk shall update the list and provide it to all licensees.

E. This chapter shall not be applicable to any state of facts under which it is in conflict with the laws or Constitution of the United States. Further, where a veteran or the widow or widower of a veteran lawfully possesses a license from the Nassau County Clerk pursuant to New York General Business Law § 32, such license shall be valid in the Village and the activities permitted by such license shall be lawful activities within the Village.

Suspension and revocation of license.

Any and all licenses which may be granted by the Board of Trustees pursuant to any part of this chapter may, for cause, be suspended by the Mayor and may be revoked by the Board of Trustees after notice and hearing for any of the following causes:

- A. Fraud, misrepresentation or false statement contained in the application for the license.
- B. Violation of any of the restrictions imposed on the issuance of such license, or on the conduct of any solicitation so licensed.
- C. Violation of any of Federal, State or Local Law committed while hawking, vending, peddling or soliciting pursuant to the license granted hereunder.