

COMMON COUNCIL ----- SPECIAL MEETING

NOVEMBER 17, 1983

Meeting is called to order at 7:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Leopold, Butera, Evans, Farah.

____ Present _____ Absent.

NOTICE OF SPECIAL MEETING - to be held on the 17th day of November, 1983 at 7:30 O'Clock P.M. for the purpose of acting upon the following:

01 - ORDINANCE Re: Peddlers

RETURN OF SERVICE - Notices delivered and served by Police Officers of the City of Danbury.

A motion was made by _____ & seconded by _____ for the CALL and RETURN OF SERVICE to be accepted.

01 ✓
REPORT &
ORDINANCE

Re: Peddlers

The Ordinance was

PUBLIC SPEAKING SESSION

There being no further business to come before the Common Council a motion was made by _____ & seconded by _____ for the meeting to be adjourned at _____ O'Clock P.M.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	CONSTANCE McMANUS <i>Constance McManus</i>	1833
2.	RICHARD B. ELDER <i>R B Elder</i>	2033
3.	BERNARD P. GALLO <i>Bernard Gallo</i>	1930
4.	JOHN A. McGARRY <i>John A McGarry</i>	1842
5.	RUSSELL M. FOTTI <i>Russell Fotti</i>	1920
6.	CAROLE A. TORCASO <i>Donald A Torcaso</i>	1930
7.	GENE ERIQUEZ <i>Gene Enriquez</i>	1942
8.	JOHN ESPOSITO <i>PUT IN MAIL Box AT 0427 BY OFFICER Emicke 11/15/83/0427</i>	
9.	NICHOLAS ZOTOS <i>Nicholas Zotos</i>	1959
10.	FRANK REPOLE <i>Frank Repole</i>	1723
11.	DIANE EPPOLITTI <i>Diane Eppolitti</i>	1745
12.	RICHARD M. WHITE <i>Richard M White</i>	1736
13.	ANTHONY J. CASSANO <i>Anthony Cassano</i>	1810
14.	LOUIS T. CHARLES, JR. <i>PUT IN MAIL Box AT 0420 By OFFICER Emicke 11/15/83/0420</i>	
15.	ERNEST M. BOYNTON <i>Ernest M Boynton</i>	2004
16.	JOSEPH DaSILVA <i>J. DaSilva</i>	2024
17.	XXXXXXXXXXXXXXXXXXXX JOHN LEOPOLD <i>Kathryn Leopold</i>	1658
18.	THOMAS E. EVANS <i>T. E. Evans</i>	1802
19.	JANET A. BUTERA <i>Janet A Butera</i>	2019
20.	EDWARD T. TORIAN <i>Edward Torian</i>	1849
21.	MOUNIR FARAH <i>M. Farah</i>	1618

Each Notice so served upon each member, all having been done by me on this date 14 November 1983.

Attest: P.O. Renee D. Ferrante
Policemen of the City of
Danbury



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

November 17, 1983

Be it ordained by the Common Council of the City of Danbury:

THAT Section 11-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Section 11-4. Peddlers.

(A) Definitions.

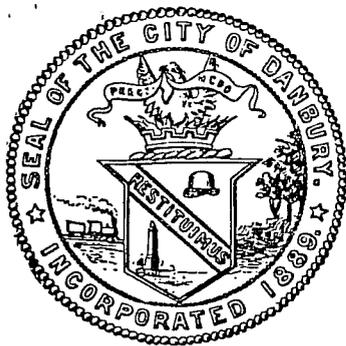
Peddler shall mean any person, whether principal or agent, who goes from town to town or place to place in the same town selling or bartering, or carrying for sale or barter, or exposing therefor, any goods, wares or merchandise, either on foot or from any animal or vehicle.

(B) License Required; Issuance. No peddler, as herein defined, except those exempt under the General Statutes of the State of Connecticut or this ordinance, shall be permitted to conduct business within the City of Danbury without first obtaining a license. The chief of police of the City of Danbury or his designee may authorize the Town Clerk of the City of Danbury to issue a license to any peddler authorizing such peddler to barter, sell, to exhibit for the sale of, or to exhibit for the purpose of taking orders for the sale of his goods or merchandise in the City of Danbury provided such peddler shall have fully complied with the provisions hereof and shall have made payment of the sum of Two Hundred and Fifty (\$250.00) Dollars to the Town Clerk of the City of Danbury for said license. Each license so issued shall contain a full-face photograph of the licensee.

(C) Exemptions.

(1) The provisions of this section shall not apply to the sales by farmers and gardeners of the produce of their farms and gardens, or to the sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods, to sale on approval, to conditional sales of merchandise, or to the taking of orders for merchandise for future delivery when full payment is not required at the time of solicitation.

(2) The provisions of this section shall not apply to sales by charitable or non-profit organizations or to sales made to dealers by commercial travelers or selling agents in the usual course of business, nor to any sale of goods, wares or merchandise on the grounds of any incorporated agricultural society during the continuance of any annual fair held by such society, or to any general sale, fair, auction or bazaar held by any school, college or other educational institution, or by an ecclesiastical society or church corporation provided, however, that no peddler shall be relieved or exempted from the provisions of this section by reason of associating himself temporarily with any local dealer, auctioneer, trader or merchant, or by conducting his business in connection with or in the



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

name of any local dealer, auctioneer, trader or merchant.

(3) The provisions of this section shall not apply to peddlers whose total inventory within the city is less than \$25.00.

(4) No license fee shall be required from any resident of this state who has resided within the state for a period of two (2) years, next preceding the date of application for such license and who is a honorably discharged veteran, as defined by Section 27-103 of the Connecticut General Statutes, for the privilege of selling wares or merchandise within the limits of the City of Danbury pursuant to the provisions hereof. Issuance of a license hereunder may be deferred for a period not to exceed seven days for the purpose of investigation. Each such veteran engaged in said occupation shall produce his discharge, certificate of honorable discharge from the service, or a copy thereof, certified by the Town Clerk from the records of the town where such discharge or certificate of discharge is recorded as provided in Section 12-93 of the Connecticut General Statutes, for inspection, together with a certificate from the Town Clerk that the applicant is a resident of the state, upon a demand of any proper City official and, if he fails to do so, he shall not be entitled to any privilege under this section. Any person who makes a false representation for the purpose of availing himself of the privilege of this section shall be fined not more than Twenty-five (\$25.00) Dollars.

(D) Application: Information to be Provided.

Every peddler who is subject to the provisions of this section shall make application to the Chief of Police for a license at least ten (10) days prior to the date of his contemplated sale or exhibit to be held in the City of Danbury. All such applications shall be in the form of an affidavit stating:

1. The full name and address of the peddler;
2. The location of his or its principal office and place of business;
3. The names and addresses of all agents and employees of the peddler who will represent the peddler in Danbury as salesmen;
4. The kind and character of the goods or merchandise to be bartered, sold, offered for sale or exhibited;
5. The period during which the applicant intends to solicit orders;
6. A physical description of the applicant setting forth his age, weight, height and color of hair and eyes;



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

7. Whether the applicant has been convicted of any crime and, if so, the nature of the matter and when and where it occurred;
8. A full description of each motor vehicle to be used, if any, while engaged in sales in the City of Danbury, including the make, year, type and registration of the vehicle involved. In addition, when requesting a license, the applicant shall submit to the Police Department a specimen of his signature, his fingerprints, two copies of a recent photograph and his social security number.

Before any license, as herein provided, shall be issued to any peddler, such applicant shall file with the Town Clerk an instrument nominating and appointing the Town Clerk, or the person performing the duties of such position, his true and lawful agent with full power and authority to acknowledge service of notice of process for and on behalf of said applicant in respect to any matters connected with or arising out of the business transacted under said license and the security given as required by this Ordinance, or for the performance of the conditions of said security, or for any breach thereof, which said instrument shall also contain recitals to the effect that said applicant for said license consents and agrees that service of any notice of process may be made upon said agent, and when so made shall be taken and held to be as valid as if personally served upon the person or persons applying for said license under this ordinance, according to the law of this or any other State, and waiving all claim or right of error by reason of such acknowledgment of service or manner of service. Immediately upon service of process upon the Town Clerk, as herein provided, the Town Clerk shall send to the licensee at his last known address, by registered mail, return receipt requested, a copy of said process.

Applicants for a peddler's license, when applying for such license, must show conclusive proof of possession of a State of Connecticut sales and use tax permit.

No license shall be issued to any person pursuant to the provisions of this section whose business requires, or who uses in his business, any measure, weight or scale, until such person shall present to the Chief of Police a certificate from the sealer of weights and measures of the City of Danbury attesting that said measures, weights or scales have been tested by said sealer of weights and measures and found to be accurate.

No licenses shall be issued to any corporation pursuant to the provisions hereof until the Town Clerk of the City of Danbury has been provided with a certificate issued by the State of Connecticut attesting to the good standing of said corporation.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

(E) Security.

Before any license, as provided by this ordinance, shall be issued for engaging in peddling, as defined herein, such applicant shall file with the Town Clerk a bond running to the City of Danbury in the sum of One Thousand (\$1,000.00) Dollars executed by the applicant, as principal, and two sureties upon which service of process may be made in the State of Connecticut, or such other equivalent form of security as may be deemed satisfactory by the Corporation Counsel of the City of Danbury or his designee, conditioned upon full compliance by the applicant with all of the provisions of the Ordinances of the City of Danbury and the statutes of the State of Connecticut, regulating and concerning the sale of goods, wares and merchandise, and will pay all judgments rendered against said applicant for any violation of said Ordinances or Statutes or any of them together with all judgments and costs that may be recovered against him by any person or persons for damage growing out of any misrepresentation or deception practiced on any person transacting such business with such applicant, whether such misrepresentations or deceptions were made or practiced by the licensee or by his servants, agents or employees, either at the time of making the sale or through any advertisement of any character whatsoever, printed or circulated with reference to the goods, wares and merchandise sold or any part thereof. Action on the security may be brought in the name of the City to the use of the aggrieved person. Such bond must be approved by the Corporation Counsel both as to form, and as to the responsibilities of the sureties thereon, if any. Said security shall be held for a period of three (3) months beyond the expiration of the license or the surrender of same to the Town Clerk of the City of Danbury.

(F) Investigation; Mechanics of Issuance; Nontransferability.

No license shall be issued for a period of at least ten (10) days after the application for such has been filed, nor later than one (1) month thereafter, as the requirements of a reasonable investigation may dictate. Upon approval of the applicant for a license, the Police Department shall retain the original application and return to the applicant the duplicate printed copy. The license shall not be transferable. The license must be signed by the Town Clerk of the City of Danbury. The Chief of Police, or his designee, may refuse to authorize the issuance of such license:

1. If the applicant has given false or misleading information on his application;
 2. If the applicant fails to give any information required herein;
- or

3. If the applicant has been adjudged by any court to have been involved in or been a participant in any fraudulent action of any type or description, civil or criminal.

(G) Grounds for Revocation.

The chief of police may revoke a license if the licensee:

1. Has given false or misleading information on his application; or
2. His agents or employees violate any of the provisions of this section; or
3. Commits any fraud, misrepresentation or false statement in connection with the selling of goods, wares or merchandise; or
4. Has been convicted of any felony or of a misdemeanor involving moral turpitude; or
5. Conducts the business licensed under this ordinance 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.

Upon revocation of the license of such peddler, such license and all permits issued to his employees or agents shall be delivered to the police department. The chief of police may not revoke any license issued hereunder unless the license holder is notified of his right to a hearing which notice shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing, if requested. Such notice shall be mailed postage prepaid, to the license holder, at his last known address, return receipt requested, at least five (5) days prior to the date set for the hearing.

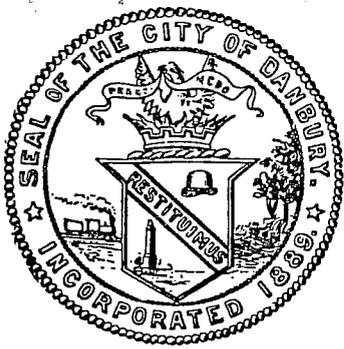
(H) Duration.

Licenses issued hereunder shall continue in effect until October 1st following the date of their issuance.

(I) Permits for Individual Agents and Employees of Peddlers.

(1) Required; Authority to Issue. All individuals who are agents and employees of peddlers shall be prohibited from conducting business within the City of Danbury until:

- (a) Said peddler has been issued a license by the Town Clerk of the City of Danbury; and
- (b) Said agents and employees have obtained individual permits from the chief of police or his designee. The chief of police or his designee is authorized to issue a permit to any employee or agent of a licensed peddler authorizing any such employee or agent to barter, sell, exhibit for sale, or exhibit for the purpose of taking orders for sale, in the City of Danbury, of his goods or merchandise; but only after each such employee or agent has fully complied with the provisions hereof and has made payment in the sum of One (\$1.00) Dollar for said permit. Permits will not be required for employees or agents of a principal who is otherwise exempt from the provisions of this section.



ORDINANCE

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COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

(2) Notification of Chief of Police as to Additions or Deletions from List of Employees or Agents.

It is the responsibility of the peddler to notify the chief of police, in writing, of any additions to or deletions from the list of names of said peddler's employees or agents.

(3) Application for Permit; Information to be Provided.

Individuals who are or will be employees or agents of a peddler licensed hereunder shall make application to the chief of police for a permit at least ten (10) days prior to the date of the contemplated sale or exhibit to be held in the City of Danbury, which application shall be in the form of an affidavit stating:

- (a) The full name and address of the peddler;
 - (b) The name and address of such individual employee or agent of said peddler;
 - (c) A physical description of the applicant setting forth his age, weight, height and color of hair and eyes;
 - (d) Whether the applicant has been convicted of any crime and, if so, the nature of the matter and when and where it occurred;
 - (e) The period during which the applicant intends to solicit; and
 - (f) A full description of each motor vehicle to be used, if any, while engaged in sales in the City of Danbury, including the make, year, type and registration of the vehicle involved.
- In addition, when requesting a permit, the applicant shall submit to the police department a specimen of his signature, his fingerprints, two copies of a recent photograph and his social security number.

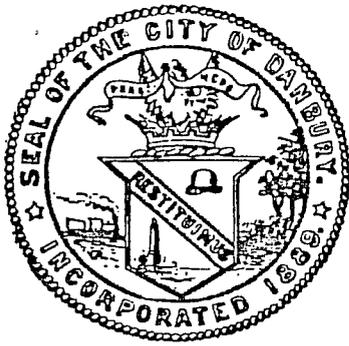
(4) Investigation Period; Mechanics of Issuance; Nontransferability.

No permit shall be issued for a period of at least ten (10) days after the application for such has been filed, nor later than one (1) month thereafter, as the requirements of a reasonable investigation may dictate. The permit shall not be transferable. The permit must be signed by the chief of police or his designee.

(5) Grounds for Refusal.

The police department may refuse to issue a permit:

- (a) If the applicant has given false or misleading information on his application;



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

- (b) If the applicant fails to give all information required in subsection (1)(3) above;
- (c) If the applicant has been convicted of a crime; or
- (d) If the name of the applicant fails to appear in the license application of his principal.

(6) Grounds for Revocation.

The police department may revoke a permit if the permittee:

- (a) Has given false or misleading information on his application; or
- (b) Violates any provision of this section; or
- (c) Is no longer an agent or employee of a licensed principal; or
- (d) Commits any fraud, misrepresentation or false statement in connection with the selling of goods, wares or merchandise; or
- (e) Has been convicted of a felony or of a misdemeanor involving moral turpitude; or
- (f) Has conducted his 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.

Upon revocation of a permit, the permittee shall deliver his permit to the police department.

(7) Duration.

The permit, as provided herein, shall continue in effect only so long as the license of the permittee's principal remains in effect.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

(8) Presence of Peddler During Sale Required.

No permit issued to an agent or employee of a licensed peddler shall be valid unless the licensed peddler is actually present on the premises where and while the agent or employee engages in business.

(J) Rules and Regulations.

Each peddler shall conform to the following rules and regulations:

(1) On all solicitations to sell, whether made in person, by telephone or otherwise, the peddler shall state his name, his principal's name, if applicable, and his permit or license number upon request. The permit or license is valid only between the hours of 9:00 a.m. and 5:00 p.m. for initial solicitations.

(2) Any sale or contract of sale which is completed without strict compliance with this section may be rescinded by the purchaser within seven (7) calendar days after execution, and all monies paid shall be promptly refunded to the purchaser, upon tender or offer of tender of the merchandise to the peddler.

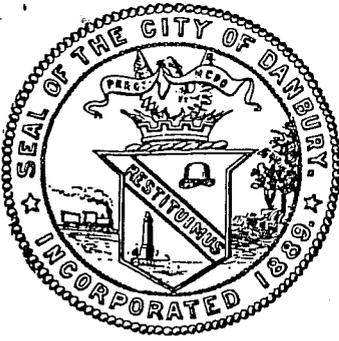
(3) The peddler shall conduct himself at all times in an orderly and lawful manner.

(4) The peddler shall give a written receipt of all orders taken within the City of Danbury, which receipt shall be signed by the peddler and shall set forth a brief description of the goods, wares, merchandise or services ordered, the total purchase price thereof, and the amount received by the peddler from the purchaser.

(5) While engaged in business within the City of Danbury the peddler shall wear or otherwise conspicuously display the license or permit issued to him hereunder.

(6) Each peddler who advertises within the State of Connecticut concerning the conduct of his business in Danbury shall include a reference to his license number in every such advertisement.

(7) Each peddler who uses a motor vehicle shall plainly and conspicuously display on the front windshield of such motor vehicle a sign issued by the Chief of Police indicating that such person is a licensed peddler. Such sign shall contain the license number issued to the peddler and the date of expiration of such license.



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

November 17, 1983

Be it ordained by the Common Council of the City of Danbury:

(K) One Day, Twenty-Four Hour Licenses for Parades.

A one day, twenty-four hour peddler's license will be issued by the Town Clerk to peddlers or their agents engaged in the sale of various products at parades, upon written application submitted to and approved by the Chief of Police or his designee and upon payment of a fee of Ten (\$10.00) Dollars. Badges shall be issued to peddlers pursuant to this subsection. Said badges shall be displayed conspicuously by licensee. Applicants hereunder shall be excused from compliance with the provisions contained in subsections (B) and (E) hereof.

(L) Any peddler as defined herein who engages in the selling of food or drink within the City of Danbury shall carry and maintain comprehensive general liability insurance including products liability coverage in the amount of \$500,000 each occurrence. A certificate of insurance verifying the existence of the required coverage shall be provided to the Town Clerk by the peddler prior to the issuance of a license pursuant to this section.

(M) Severance Clause.

If any section, sentence, clause or phrase or this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this ordinance, or the ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the validity of such section, sentence, clause or phrase.

(N) Penalty.

Any person who engages in the business of peddling without complying with the provisions of this ordinance shall be fined not more than Fifty (\$50.00) Dollars.

Adopted by the Common Council November 17, 1983
Approved by Mayor James E. Dyer Nov. 18, 1983.

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

November 17, 1983

REPORT

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

The Common Council held a public hearing on Thursday, Nov. 10, 1983 at 7:30 P.M. in the Council Chambers at City Hall, regarding the Peddler Ordinance.

The Committee of the whole met on Wednesday, November 16, 1983 at 8:00 P.M. and recommended to amend the Ordinance in the following manner:

- (C) - 4 should be amended to read "honorably discharged veterans"
- (L) - should be amended to read "products liability coverage in the amount of \$500,000"each occurrence.

The Council as a committee of the whole voted unanimously to recommend that the amended Ordinance be approved.

Respectfully submitted

Constance McManus
Constance McManus
Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

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COMMON COUNCIL

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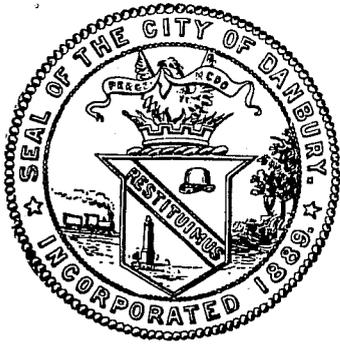
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CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

November 17, 1983

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(C) Exemptions.

(1) The provisions of this section shall not apply to the sales by farmers and gardeners of the produce of their farms and gardens, or to the sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods, to sale on approval, to conditional sales of merchandise, or to the taking of orders for merchandise for future delivery when full payment is not required at the time of solicitation.

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CITY OF DANBURY, STATE OF CONNECTICUT

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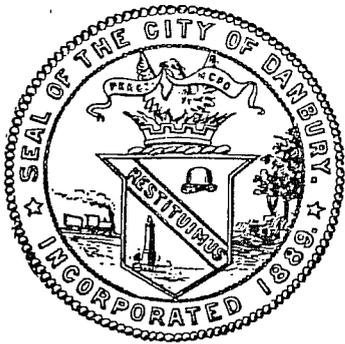
(3) The provisions of this section shall not apply to peddlers whose total inventory within the city is less than \$25.00.

(4) No license fee shall be required from any resident of this state who has resided within the state for a period of two (2) years next preceding the date of application for such license and who is a honorably discharged veteran, as defined by Section 27-103 of the Connecticut General Statutes, for the privilege of selling wares or merchandise within the limits of the City of Danbury pursuant to the provisions hereof. Issuance of a license hereunder may be deferred for a period not to exceed seven days for the purpose of investigation. Each such veteran engaged in said occupation shall produce his discharge, certificate of honorable discharge from the service, or a copy thereof, certified by the Town Clerk from the records of the town where such discharge or certificate of discharge is recorded as provided in Section 12-93 of the Connecticut General Statutes, for inspection, together with a certificate from the Town Clerk that the applicant is a resident of the state, upon a demand of any proper City official and, if he fails to do so, he shall not be entitled to any privilege under this section. Any person who makes a false representation for the purpose of availing himself of the privilege of this section shall be fined not more than Twenty-five (\$25.00) Dollars.

(D) Application: Information to be Provided.

Every peddler who is subject to the provisions of this section shall make application to the Chief of Police for a license at least ten (10) days prior to the date of his contemplated sale or exhibit to be held in the City of Danbury. All such applications shall be in the form of an affidavit stating:

1. The full name and address of the peddler;
2. The location of his or its principal office and place of business;
3. The names and addresses of all agents and employees of the peddler who will represent the peddler in Danbury as salesmen;
4. The kind and character of the goods or merchandise to be bartered, sold, offered for sale or exhibited;
5. The period during which the applicant intends to solicit orders;
6. A physical description of the applicant setting forth his age, weight, height and color of hair and eyes;



ORDINANCE

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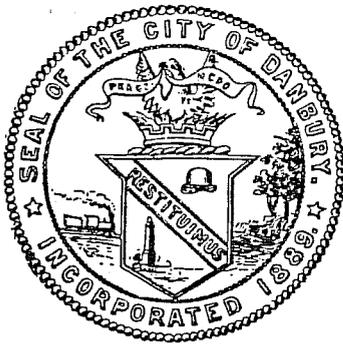
7. Whether the applicant has been convicted of any crime and, if so, the nature of the matter and when and where it occurred;
8. A full description of each motor vehicle to be used, if any, while engaged in sales in the City of Danbury, including the make, year, type and registration of the vehicle involved. In addition, when requesting a license, the applicant shall submit to the Police Department a specimen of his signature, his fingerprints, two copies of a recent photograph and his social security number.

Before any license, as herein provided, shall be issued to any peddler, such applicant shall file with the Town Clerk an instrument nominating and appointing the Town Clerk, or the person performing the duties of such position, his true and lawful agent with full power and authority to acknowledge service of notice of process for and on behalf of said applicant in respect to any matters connected with or arising out of the business transacted under said license and the security given as required by this Ordinance, or for the performance of the conditions of said security, or for any breach thereof, which said instrument shall also contain recitals to the effect that said applicant for said license consents and agrees that service of any notice of process may be made upon said agent, and when so made shall be taken and held to be as valid as if personally served upon the person or persons applying for said license under this ordinance, according to the law of this or any other State, and waiving all claim or right of error by reason of such acknowledgment of service or manner of service. Immediately upon service of process upon the Town Clerk, as herein provided, the Town Clerk shall send to the licensee at his last known address, by registered mail, return receipt requested, a copy of said process.

Applicants for a peddler's license, when applying for such license, must show conclusive proof of possession of a State of Connecticut sales and use tax permit.

No license shall be issued to any person pursuant to the provisions of this section whose business requires, or who uses in his business, any measure, weight or scale, until such person shall present to the Chief of Police a certificate from the sealer of weights and measures of the City of Danbury attesting that said measures, weights or scales have been tested by said sealer of weights and measures and found to be accurate.

No licenses shall be issued to any corporation pursuant to the provisions hereof until the Town Clerk of the City of Danbury has been provided with a certificate issued by the State of Connecticut attesting to the good standing of said corporation.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

(E) Security.

Before any license, as provided by this ordinance, shall be issued for engaging in peddling, as defined herein, such applicant shall file with the Town Clerk a bond running to the City of Danbury in the sum of One Thousand (\$1,000.00) Dollars executed by the applicant, as principal, and two sureties upon which service of process may be made in the State of Connecticut, or such other equivalent form of security as may be deemed satisfactory by the Corporation Counsel of the City of Danbury or his designee, conditioned upon full compliance by the applicant with all of the provisions of the Ordinances of the City of Danbury and the statutes of the State of Connecticut, regulating and concerning the sale of goods, wares and merchandise, and will pay all judgments rendered against said applicant for any violation of said Ordinances or Statutes or any of them together with all judgments and costs that may be recovered against him by any person or persons for damage growing out of any misrepresentation or deception practiced on any person transacting such business with such applicant, whether such misrepresentations or deceptions were made or practiced by the licensee or by his servants, agents or employees, either at the time of making the sale or through any advertisement of any character whatsoever, printed or circulated with reference to the goods, wares and merchandise sold or any part thereof. Action on the security may be brought in the name of the City to the use of the aggrieved person. Such bond must be approved by the Corporation Counsel both as to form, and as to the responsibilities of the sureties thereon, if any. Said security shall be held for a period of three (3) months beyond the expiration of the license or the surrender of same to the Town Clerk of the City of Danbury.

(F) Investigation; Mechanics of Issuance; Nontransferability.

No license shall be issued for a period of at least ten (10) days after the application for such has been filed, nor later than one (1) month thereafter, as the requirements of a reasonable investigation may dictate. Upon approval of the applicant for a license, the Police Department shall retain the original application and return to the applicant the duplicate printed copy. The license shall not be transferable. The license must be signed by the Town Clerk of the City of Danbury. The Chief of Police, or his designee, may refuse to authorize the issuance of such license:

1. If the applicant has given false or misleading information on his application;
2. If the applicant fails to give any information required herein;
or

3. If the applicant has been adjudged by any court to have been involved in or been a participant in any fraudulent action of any type or description, civil or criminal.

(G) Grounds for Revocation.

The chief of police may revoke a license if the licensee:

1. Has given false or misleading information on his application; or
2. His agents or employees violate any of the provisions of this section; or
3. Commits any fraud, misrepresentation or false statement in connection with the selling of goods, wares or merchandise; or
4. Has been convicted of any felony or of a misdemeanor involving moral turpitude; or
5. Conducts the business licensed under this ordinance 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.

Upon revocation of the license of such peddler, such license and all permits issued to his employees or agents shall be delivered to the police department. The chief of police may not revoke any license issued hereunder unless the license holder is notified of his right to a hearing which notice shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing, if requested. Such notice shall be mailed postage prepaid, to the license holder, at his last known address, return receipt requested, at least five (5) days prior to the date set for the hearing.

(H) Duration.

Licenses issued hereunder shall continue in effect until October 1st following the date of their issuance.

(I) Permits for Individual Agents and Employees of Peddlers.

(1) Required; Authority to Issue. All individuals who are agents and employees of peddlers shall be prohibited from conducting business within the City of Danbury until:

- (a) Said peddler has been issued a license by the Town Clerk of the City of Danbury; and
- (b) Said agents and employees have obtained individual permits from the chief of police or his designee. The chief of police or his designee is authorized to issue a permit to any employee or agent of a licensed peddler authorizing any such employee or agent to barter, sell, exhibit for sale, or exhibit for the purpose of taking orders for sale, in the City of Danbury, of his goods or merchandise; but only after each such employee or agent has fully complied with the provisions hereof and has made payment in the sum of One (\$1.00) Dollar for said permit. Permits will not be required for employees or agents of a principal who is otherwise exempt from the provisions of this section.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

(2) Notification of Chief of Police as to Additions or Deletions from List of Employees or Agents.

It is the responsibility of the peddler to notify the chief of police, in writing, of any additions to or deletions from the list of names of said peddler's employees or agents.

(3) Application for Permit; Information to be Provided.

Individuals who are or will be employees or agents of a peddler licensed hereunder shall make application to the chief of police for a permit at least ten (10) days prior to the date of the contemplated sale or exhibit to be held in the City of Danbury, which application shall be in the form of an affidavit stating:

- (a) The full name and address of the peddler;
- (b) The name and address of such individual employee or agent of said peddler;
- (c) A physical description of the applicant setting forth his age, weight, height and color of hair and eyes;
- (d) Whether the applicant has been convicted of any crime and, if so, the nature of the matter and when and where it occurred;
- (e) The period during which the applicant intends to solicit; and
- (f) A full description of each motor vehicle to be used, if any, while engaged in sales in the City of Danbury, including the make, year, type and registration of the vehicle involved.

In addition, when requesting a permit, the applicant shall submit to the police department a specimen of his signature, his fingerprints, two copies of a recent photograph and his social security number.

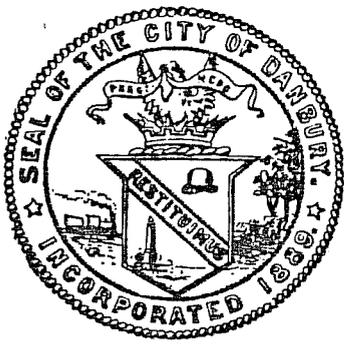
(4) Investigation Period; Mechanics of Issuance; Nontransferability.

No permit shall be issued for a period of at least ten (10) days after the application for such has been filed, nor later than one (1) month thereafter, as the requirements of a reasonable investigation may dictate. The permit shall not be transferable. The permit must be signed by the chief of police or his designee.

(5) Grounds for Refusal.

The police department may refuse to issue a permit:

- (a) If the applicant has given false or misleading information on his application;



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

- (b) If the applicant fails to give all information required in subsection (I)(3) above;
- (c) If the applicant has been convicted of a crime; or
- (d) If the name of the applicant fails to appear in the license application of his principal.

(6) Grounds for Revocation.

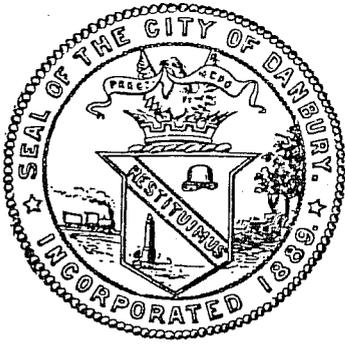
The police department may revoke a permit if the permittee:

- (a) Has given false or misleading information on his application; or
- (b) Violates any provision of this section; or
- (c) Is no longer an agent or employee of a licensed principal; or
- (d) Commits any fraud, misrepresentation or false statement in connection with the selling of goods, wares or merchandise; or
- (e) Has been convicted of a felony or of a misdemeanor involving moral turpitude; or
- (f) Has conducted his 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.

Upon revocation of a permit, the permittee shall deliver his permit to the police department.

(7) Duration.

The permit, as provided herein, shall continue in effect only so long as the license of the permittee's principal remains in effect.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

(8) Presence of Peddler During Sale Required.

No permit issued to an agent or employee of a licensed peddler shall be valid unless the licensed peddler is actually present on the premises where and while the agent or employee engages in business.

(J) Rules and Regulations.

Each peddler shall conform to the following rules and regulations:

(1) On all solicitations to sell, whether made in person, by telephone or otherwise, the peddler shall state his name, his principal's name, if applicable, and his permit or license number upon request. The permit or license is valid only between the hours of 9:00 a.m. and 5:00 p.m. for initial solicitations.

(2) Any sale or contract of sale which is completed without strict compliance with this section may be rescinded by the purchaser within seven (7) calendar days after execution, and all monies paid shall be promptly refunded to the purchaser, upon tender or offer of tender of the merchandise to the peddler.

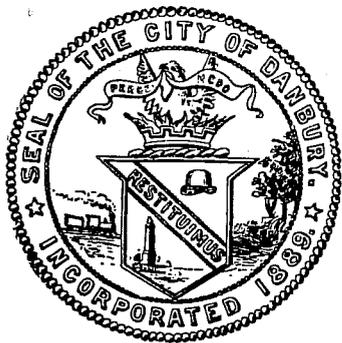
(3) The peddler shall conduct himself at all times in an orderly and lawful manner.

(4) The peddler shall give a written receipt of all orders taken within the City of Danbury, which receipt shall be signed by the peddler and shall set forth a brief description of the goods, wares, merchandise or services ordered, the total purchase price thereof, and the amount received by the peddler from the purchaser.

(5) While engaged in business within the City of Danbury the peddler shall wear or otherwise conspicuously display the license or permit issued to him hereunder.

(6) Each peddler who advertises within the State of Connecticut concerning the conduct of his business in Danbury shall include a reference to his license number in every such advertisement.

(7) Each peddler who uses a motor vehicle shall plainly and conspicuously display on the front windshield of such motor vehicle a sign issued by the Chief of Police indicating that such person is a licensed peddler. Such sign shall contain the license number issued to the peddler and the date of expiration of such license.



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

November 17, 1983

Be it ordained by the Common Council of the City of Danbury:

(K) One Day, Twenty-Four Hour Licenses for Parades.

A one day, twenty-four hour peddler's license will be issued by the Town Clerk to peddlers or their agents engaged in the sale of various products at parades, upon written application submitted to and approved by the Chief of Police or his designee and upon payment of a fee of Ten (\$10.00) Dollars. Badges shall be issued to peddlers pursuant to this subsection. Said badges shall be displayed conspicuously by licensee. Applicants hereunder shall be excused from compliance with the provisions contained in subsections (B) and (E) hereof.

(L) Any peddler as defined herein who engages in the selling of food or drink within the City of Danbury shall carry and maintain comprehensive general liability insurance including products liability coverage in the amount of \$500,000 each occurrence. A certificate of insurance verifying the existence of the required coverage shall be provided to the Town Clerk by the peddler prior to the issuance of a license pursuant to this section.

(M) Severance Clause.

If any section, sentence, clause or phrase or this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this ordinance, or the ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the validity of such section, sentence, clause or phrase.

(N) Penalty.

Any person who engages in the business of peddling without complying with the provisions of this ordinance shall be fined not more than Fifty (\$50.00) Dollars.

Adopted by the Common Council November 17, 1983

Approved by Mayor James E. Dyer Nov. 18, 1983.

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.