

TOWN OF LINCOLNVILLE
ORDINANCE
REGULATING THE BUSINESS OF HAWKING AND PEDDLING

SECTION 1. Pursuant to Title 30, Maine Revised Statutes Annotated, 2151 (5) (C) and (F) an Ordinance for the regulation of the business of hawking and peddling of merchandise at retail and regulating the business of itinerant vending of merchandise at retail is enacted. Enactment date is September 29, 1987.

SECTION 2. License Required

It shall be unlawful for any person, firm, or corporation to engage in the business of hawking or peddling of any merchandise, article, or thing without first having secured a license therefor from the Board of Selectmen of the Town of Lincolnville, except for any such person, firm or corporation listed in the following paragraph who is not involved in the business of itinerant vending of merchandise at retail.

This Ordinance and the licensing requirement contained herein does not apply to persons selling merchandise by sample, list, or catalog for future deliveries; farm, dairy, orchard, fish, and forest products of their own production; newspapers and religious literature; unless such person, firm, or corporation is engaged in the business of itinerant vending of merchandise at retail.

SECTION 3. Applications

Applications for such licenses shall be made to the Board of Selectmen by delivery of such application to the Town Clerk; and such applications shall be on a form prescribed by the Board of Selectmen and shall state thereon the description and number of vehicles, if any, intended to be operated in connection with the business for which the license is required, the kind of merchandise to be hawked or peddled; and the permanent address of the hawker and/or peddler.

SECTION 4. Fee

The fee for such a license shall be \$25 for an annual license and shall be payable with the submission for the license. The duration of a license shall be one (1) year from the date of issuance.

SECTION 5. Peddlers and Hawkers

No peddler or hawker shall ply his or her trade on any street, sidewalk, park, parkway, beach, parking lot, or any other public place unless the license hereunder specifies that peddling and/or hawking in such places is permitted thereunder.

SECTION 6. Fraud

Any licensed peddler and/or hawker who shall be guilty of any fraud, cheating or misrepresentation, and convicted therefore by a Court of competent jurisdiction, while acting as a peddler/hawker in the Town, or who shall barter, sell, or peddle any goods or merchandise or wares other than those specified in his/her application for a license shall be deemed guilty of a violation of this Ordinance.

SECTION 7. Penalty

Any person, firm, or corporation violating any provision of this Ordinance shall be fined not less than \$100.00 nor more than \$250.00 for each offense; and a separate offense shall be deemed committed on each day during or on which the violation occurs or continues. All fines and penalties shall be recovered on complaint by the Town of Lincolnville before a Court of competent jurisdiction to the use of the municipality.

Enacted: September 29, 1987

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