

TOWN OF BROOKLYN
WARNING OF
SPECIAL TOWN MEETING APRIL 7, 2015

The electors and those persons eligible to vote in town meetings of the Town of Brooklyn, Connecticut, are hereby warned and notified that a Special Town Meeting will be held at the Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, Connecticut, on April 7, 2015 at 7:00 P.M. for the following purpose:

1. To choose a moderator the said hearing
2. To determine the wishes of those present and eligible to vote upon a revised Peddlers, Solicitors and Salesmen Ordinance. A copy of said ordinance is on file in the Office of the First Selectman and Town Clerk and also the Brooklynct.org website and available for public inspection during normal business hours
3. To determine the wishes of those present and eligible to vote upon the use of \$37,250 of the Brooklyn Land Acquisition Fund to acquire, with the Connecticut Department of Agriculture, an agricultural conservation easement for the development rights to approximately 50 acres of land on Barrett Hill Road
4. To determine the wishes of those present and eligible to vote upon the appropriation of funds from the Town Reserve, not to exceed \$400,000, to replace and repair the fire alarm systems located in the Brooklyn Elementary and Middle Schools

Dated at Brooklyn, Connecticut this ____ day of _____, 2015.

BOARD OF SELECTMEN

Richard Ives
First Selectman

Robert Kelleher
Selectman

Joseph Voccio
Selectman

4-1 PEDDLERS, SOLICITORS AND SALESMEN.

4-1.1 Definitions.

As used in this Ordinance:

Charitable shall mean a non-profit patriotic, philanthropic, social service, benevolent, educational, civic or fraternal.

Contributions shall mean alms, food, clothing, money, subscription, property or donation.

Peddler shall mean any person, whether principal or agent, who goes from place to place within the boundaries of Brooklyn, selling or bartering or carrying for sale or barter or exposing therefore any food, goods, wares or merchandise either on foot or from any vehicle. This shall include offering to accept orders of purchase for future delivery of any goods, wares or merchandise including magazines and other printed matter.

Person shall mean any individual, partnership, corporation, or association.

Religious and Religion shall not mean and include the word charitable as herein defined but shall be given their commonly accepted definitions.

Solicit and Solicitation shall mean the request directly of money, credit, property, financial assistance or other items of value on the plea or representation that such money, credit, property, financial assistance or other items of value will be used for a charitable or religious purpose.

4-1.2 Hours of Operation.

No Peddler, whether exempt or not from the provisions of this section, under any circumstance may sell, barter or carry for sale or barter or expose any food, goods, wares or merchandise either on foot or from any vehicle, or solicit contributions for any charitable or religious cause before the hours of 8 a.m. or after 9 p.m. No Peddler, with the exception of those exempted under Section 4-1.3 below, may sell barter or expose for sale any food, goods, wares or merchandise, either on foot or from any vehicle, within Five Hundred (500) feet of any school.

4-1.3 Persons Exempted.

Subsections 4-1.4 through 4-1.9 shall not apply to:

- a. Persons less than seventeen (17) years of age;
- b. Persons exempted under Connecticut General Statutes;
- c. Persons licensed by the State of Connecticut;
- d. Persons selling only to stores or other business establishments for resale; and
- e. Charitable or religious organizations or their representatives engaged in solicitation, where no food, goods, wares or merchandise is offered in exchange for money, credit, property or financial assistance, even if such exchange is labeled a donation.

4-1.4 Required Application and Identification.

- a. Except as provided in subsection 4-1.3, no Peddler shall sell or expose or offer for sale or solicit orders for any articles of food or any goods, wares, merchandise, materials or services or solicit for any contracts within the Town unless he or she shall have made application for and been issued a license as hereinafter provided.

b. The applicant for the license shall complete an application form provided by the Town Clerk which shall contain the following information:

1. The full name, home address and business address of the applicant along with the telephone numbers of each address.
2. A physical description of the applicant, including sex, age, height, weight, physical build, color of hair and eyes, complexion and identifying scars, marks and characteristics, if any.
3. The name, address and telephone number of the applicant's employer, principal or contract associates.
4. The purpose for which the applicant desires to obtain a license and particularly the type of food, goods, wares, merchandise, materials, services or contracts with or in which the applicant intends to deal.
5. Whether, when, where and on what charges the applicant has ever been arrested together with the disposition of such charges.
6. Whether, when, where, in what court and by whom the applicant or any present or former employer, principal or contract associate has ever been sued in a civil action alleging fraud or misrepresentation in connection with or as a result of the applicant's activities in soliciting for any contract or in selling, exposing or offering for sale or soliciting orders for any articles of food or any goods, wares, merchandise, materials or service.
7. The year, make, model and license plate number of any vehicles the applicant intends to use.

c. The applicant, at the time of executing the application form, shall also submit photo identification satisfactory to the Town Clerk. Each application shall be signed by the applicant and sworn to before a Justice of the Peace or other person authorized by the laws of the State of Connecticut to administer oaths.

d. The applicant will be subject to a police background check. Approval of the application, or denial for good cause, will be decided by the Town Clerk no later than thirty (30) days from the date the application was submitted to the Town Clerk.

4-1.5 Fees

The fee for such application shall be Twenty (\$20.00) Dollars per person payable to the Town Clerk upon submission of the application. If the application is approved, the further sum of Eighty (\$80.00) Dollars shall be due and payable to the Town Clerk upon the issuance of the license. No license shall be issued or renewed unless all fees due hereunder have been paid in full.

4-1.6 Registration Expiration.

All licenses issued under this Ordinance shall expire on the thirty-first day of December subsequent to the date on which they are issued, unless sooner revoked as hereinafter provided. Except as provided in subsection 4-1.3, no person whose license has expired shall engage in any of the activities described in subsection 4-1.4 until such person shall have made application for renewal with the Town Clerk, obtained a current license and paid a fee of One Hundred

(\$100.00) Dollars per person . No person, who has had a previously issued license revoked in accordance with Section 4-1.8, shall be eligible for a renewal.

4-1.7 License.

The Town Clerk shall issue a license to each person filing an application form in accordance with the provisions of subsection(s) 4-1.4 and 4-1.6. The license shall bear the same identifying number appearing on the applicant's original license and shall set forth the name, home address and business address of the applicant, the name and address of the applicant's employer, principal or contract associates, the type of contracts, food, goods, wares, merchandise, materials or services with or in which the applicant has registered to sell, and the date of issuance and date of expiration of the license. Each person to whom a license has been issued pursuant to this Ordinance shall carry it at all times while engaged in the activities described therein and shall exhibit it forthwith to any police officer, town official or prospect who shall ask to see it.

4-1.8 Revocation of Credentials.

Such a license shall be refused or, after issuance, revoked by the Town Clerk and immediately returned if the applicant or credentialed individual has made any false statement or representation in any application filed pursuant to this Ordinance, has been convicted of any crime or misdemeanor involving moral turpitude or of any violation of this Ordinance. There shall be no refund when a license, after being issued, is revoked.

4-1.9 Records.

It shall be the duty of the Town Clerk to keep a record of all licenses granted or renewed under the provisions of this Ordinance giving the number and date of all licenses, the name, age and residence of the person licensed, the amount of fees paid and also the dates of revocation of any licenses revoked. A record shall also be kept of each complaint concerning the activities of the licensee.

4-1.10 Violations and Penalties.

Any person who shall violate any provision of this Ordinance or shall make any false statement or misrepresentation on an application form filed pursuant to this Ordinance shall be subject to a fine of not more than One-Hundred Ninety Nine (\$199.00) Dollars for each offense and, upon conviction or a finding of such violation, their license shall be revoked immediately. No new license shall be issued to such person. Each day of selling, offering for sale or soliciting without the license as required by this Ordinance, shall be considered a separate offense.

4-1.11 Effective Date.

This section shall take effect fifteen (15) days after publication in accordance with the General Statutes of the State of Connecticut.