



TOWN OF ORLEANS

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BOARD OF
SELECTMEN

TOWN
ADMINISTRATOR

TOWN OF ORLEANS RULES & REGULATION FOR HAWKERS & PEDDLER'S LICENSE

DEFINITION

HAWKERS AND PEDDLERS shall mean any person, either principal or agent who goes from place to place in the same town selling or bartering, or carrying for sale, any goods, wares or merchandise by foot. Massachusetts General Laws Chapter 101.

RULES & REGULATIONS

1. No peddler shall be granted an Orleans Peddlers license until a State Peddler's license has been secured and a copy submitted with the application to the town. No person may sell or display wares in Orleans without an Orleans Peddler's license.
2. All Peddlers must conform to the By-Laws of the Town of Orleans.
3. Push carts (other than one day and special permit holders) must operate from a permanent location for selling wares. (must attach documentation from property owner showing you have permission to be at the location)
4. No peddler may sell or display wares within 500 feet of a store selling similar wares
5. The laws regarding hawkers and peddlers do not apply to the following people:
 - Wholesalers selling only to dealers.
 - Commercial agents selling by samples, catalogues, or other means intended to promote future sales.
 - Heating oil dealers.
 - Seller of fish, fruits, vegetables, or other farm products produced by the seller or the seller's family.
 - Sellers of articles for charitable purposes.
 - Licensed sellers of dairy products.
6. Hawkers and Peddlers may not sell the following items:
 - Jewelry, except for costume jewelry valued at no more than ten dollars that is made by a nonprofit or charitable organization.
 - Furs.
 - Wines or other spirits.
 - Small artificial flowers and miniature flags, except by temporary license.
7. Hawkers and Peddlers may sell the following items without a license:
 - Newspaper and religious publications.
 - Flowering plants.
 - Uncultivated (wild) flowers, fruits, nuts, and berries.

8. For all Town sponsored events held on Town property no more than four (4), one day Hawkers and Peddlers license(s) shall be issued. Such licenses shall be issued on a first come first serve basis, and shall be limited to business(s) located within the Town or owned by a resident of the Town.
9. All advertising must be confined to the vehicle.
10. All licenses must be clearly displayed on the vehicle at all times. The licensee is responsible for providing a trash can and cleaning the area before leaving.
11. All Peddler's must be licensed by the Town of Orleans at a fee of \$75.00
12. A \$25.00 filing fee must accompany each application, payable to the Town of Orleans.
13. Any person operating a business without obtaining a proper license will be fined \$100.00 and may be subject to court action.
14. All units must be self-contained mobile units and must be inspected by the Orleans Police Department and Health Agent (if applicable).
15. The license fee may be waived by the Board of Selectmen for non-profit organizations who comply with these regulations.

SPECIAL PERMIT (ONE DAY LICENSE)

1. Each Peddler must follow the flow of traffic and must keep moving when not engaged in the process of selling.
2. A maximum of four (4) sellers will be allowed per license. Each seller's name must appear on the license and they must carry a copy of said license when selling.
3. It is the responsibility of the license holder to inform all sellers working under his license of the rules and regulations pertaining to this license and must insure they are in compliance.
4. A State license is not required for a Special Permit.
5. A fee for a Special Permit for one day events is \$25.00 payable to the Town of Orleans.
6. A \$25.00 filing fee must accompany each application, payable to the Town of Orleans.

REQUIREMENTS

1. No push cart or mobile vender is permitted to be parked in town without a duly licensed operator in attendance and the vehicle must be licensed by the Board of Health.

2. Before selling in Orleans: a) you must have a valid license signed by the Board of Selectmen, b) license fee must be paid to the Town.
3. You must make application in person at the Selectmen's Office.
4. Each applicant must attend a scheduled Board of Selectmen's meeting. The meetings are held every 1st & 3rd Wednesday evening and will be scheduled by the Board of Selectmen's staff.
5. A copy of a current business certificate or Article of Organization must be submitted with the license application.
6. **Applicant must obtain a State Hawkers and Peddler license** from the Division of Standards, One Ashburton Place, Room 1115, Boston, MA 02108, phone number: (617).727.3480 or online at: <http://www.state.ma.us/standards/license.htm>
7. All business licenses must be paid for by: cash, money order or certified check.
8. **Any person who sells, displays, or offers to sell ice cream from an ice cream truck or any other prepackaged food product from an ice cream truck is required to obtain a valid permit** issued by the chief of police, or an authorized third party. There are two ways to obtain such permit: Either by applying to the municipality where the applicant lives or by applying to the municipality where the applicant plans to operate the ice cream truck. An applicant who obtains a permit in the municipality where he or she lives may operate without restrictions in any other municipality. However, an applicant who obtains a permit in a particular municipality where he or she intends to operate is restricted to operating in that municipality. For more details visit the following website: <http://www.mass.gov/eopss/agencies/dps/ice-cream-truck-vendors.html>

ADOPTED: 5/3/89

REVISED: 5/30/90, 9/10/08 & 7/15/15