



Town of Frankestown

Office of the Select Board

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An Ordinance Regulating Hawkers, Peddlers and Vendors

I. Purpose

The purpose of this ordinance is to provide for the licensure and regulation of hawkers, peddlers and vendors operating in the Town of Frankestown. Such regulation is to provide for the safety and welfare of the residents of Frankestown and other persons. This ordinance is adopted under the authority granted to the Town pursuant to RSA 31:102-a and the laws of the State of New Hampshire.

II. Definition

"Hawkers, Peddlers and Vendors" as used in this ordinance means and includes itinerant vendors, hawkers, peddlers, traders, farmers, merchants, or other persons who sell, offer to sell, or take orders for merchandise from temporary or transient sales locations within the town or who go from town to town or place to place within the town for such purposes.

III. Exemptions

The phrase "hawkers, peddlers and vendors," specifically does not include or affect:

- a. Any candidate for public office in the process of obtaining signatures on nomination papers, who seeks to have the candidate's name placed on the ballot for the state general election by submitting nomination papers under RSA 655:40;
- b. Any person or organization who undertakes activities involving any nonconsensual entry upon private property for the purposes of espousing any political, social, charitable or economic organization or cause, not for profit, or for the purpose of seeking or giving information, or of seeking financial contributions, on behalf of such organization or cause;
- c. Any persons who are under the age of 14 who is selling soft drinks on family owned or leased property;
- d. Any person operating a "farm roadside stand" as defined and regulated by the Frankestown Zoning Ordinance (Section 3.16); and
- e. Any person or organization who undertakes activities, and is a registered vendor of a civic, nonprofit or charitable market, bazaar or similar event.

IV. Times activities are prohibited.

The activities of hawkers, peddlers and vendors is prohibited on any day after the hour of 9:00 p.m. and prior to 9:00 a.m. and all day on Sundays and legal holidays. The Select Board may, however, allow different hours of operation for just cause.

V. Where hawking, peddling and vending prohibited.

Hawking, peddling and vending shall not take place in any residence or other establishment bearing on its exterior a sign plainly visible to visitors indicating "No Trespassing," "No Solicitation," or any similar language. No hawker, peddler, or vendor shall enter upon or remain on any private property at any time after any owner or occupant of such property has communicated to such hawker, peddler or vendor that he or she is not welcome on the premises.

Further, there should be no hawking, peddling or vending activities on any town-owned property, town-leased property, town right-of-way, or any otherwise-described town property without the expressed, written consent of the Francetown Select Board.

VI. Permit required.

No person or organization shall engage in any hawking, peddling, vending, or similar activities unless such person or organization has first obtained a permit from the Chief of Police of Francetown as provided in this section. Permits issued under this ordinance shall be subject to the procedures, regulations, and guidelines established by the Select Board and filed with the Town Clerk. Permits shall be issued by the Select Board, through the Chief of Police, to whom such authority is hereby delegated.

The application for a hawker, peddler, or vendor's permit shall be made to the Chief of Police upon a form provided by the Town.

Each application shall identify and include:

- a. All persons who will be engaging in the hawking, peddling or vending activity by name, birthdate, sex, residential and business address, and driver's license number; and
- b. The organization, if any, on behalf of which the hawking, peddling or vending activity is intended, including name, principal address, state of organization, if applicable, and directors and principal officers, as applicable; and
- c. The intended dates, location(s) and hours of hawking, peddling or vending;
- d. A description of the hawking, peddling, or vending activities and identification of the type of food, beverage, or merchandise to be sold;
- e. A description of any stand, motor vehicle, or other equipment to be used;

- f. A complete State Criminal History Records Information (NH CHRI) dissemination document shall be submitted for all persons who will be engaging in the hawking, peddling or vending activity. Such record shall not be more than 90-days old.
- g. Upon presentation to the chief of police of such application, and deemed to be acceptable, the chief shall issue a permit which shall state the name and address of the person, firm or organization to whom the permit is granted, the purpose for which the permit is given, the hours and days during which the permit is valid, and the length of time for which the permit is current. No permit shall be valid for a period of more than one year from the date of issue. Each applicant for a permit shall be charged a fee of twenty-five dollars (\$25.00) upon issuance of such permit. The permit shall be shown to any person requesting to see such permit to whom the party named on the permit sells or attempts to sell merchandise.

VII. Identification required.

Every person engaging in hawking, peddling or vending shall carry on his or her person, at all times, some form of personal identification document with a photograph affixed to it.

VIII. Right to waive permit fee.

The Francestown Select Board reserves the right to waive the permit fee for all bona fide nonprofit, charitable or similar organizations.

IX. Suspension or revocation.

The chief of police is authorized to suspend or revoke a permit issued under the provisions of this ordinance wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any of the provisions of this ordinance.

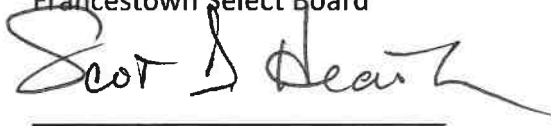
X. Penalty

Pursuant to RSA 31:102-a, any person who violates any provision of this ordinance shall be guilty of a class B misdemeanor, subject to a fine of up to \$1,200, and each continuing day of violation after notice shall constitute a separate offense.

This ordinance shall take effect immediately upon adoption or amendment by the Select Board.

This ordinance, regulating hawkers, peddlers and vendors, is hereby adopted by the
Francetown Select Board following a duly noticed public hearing held on 11/27/2027.
Such notice was posted at the Francetown Town Offices, Francetown Post Office and
published in the Monadnock Ledger-Transcript.

Francetown Select Board



Scot D Heath, Chair



George Ravalico



Charles M Pyle, III