



**TOWN OF GRANITE QUARRY  
PEDDLERS AND HAWKERS PERMIT**  
(In Accordance with Town Ordinance No. 2022-07)

**DOCUMENT MUST BE DELIVERED IN PERSON TO THE TOWN OF GRANITE QUARRY  
143 N. Salisbury Ave. GQ, Granite Quarry NC 28146**

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Time Period: \_\_\_\_\_  
(Permit is good for a period of one year)

Description of Product: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Approving Officer Must Ensure That All Blocks are Checked.***

Will money be collected on site? Yes \_\_\_\_\_ No \_\_\_\_\_

Certified Criminal History Check Attached? Yes \_\_\_\_\_ No \_\_\_\_\_

Last five cities where the applicant has solicited prior to this application:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

\*Attached to this permit must be a list of all vehicles to be used, including: Year, Make, Model, Color, Tag Number and State.

\*\*Attached to this permit must be a list of all agents to be used, including: Name, Address, Date of Birth, and Social Security Number.

\*\*\*Attached to this permit must be a list of any criminal offenses, other than minor traffic offences, for which the applicant has been charged within the past ten (ten) years.

**Application Fee of \$100.00** Name of Receiving Officer/Agent \_\_\_\_\_

*I have been given a copy of the Town of Granite Quarry Ordinance No. 2022-07 pertaining to Peddlers and Hawkers and I have read this permit application and understand that any falsification of this information or any violation of the Town of Granite Quarry Ordinance No. 2022-07 will result in the forfeiture of the application fee and revocation of the permit. In addition, it is understood that failure to comply with these provisions is punishable as a class 3 misdemeanor, with a fine up to \$500.00 and prosecution to the fullest extent of the law.*

Printed Name of Applicant \_\_\_\_\_

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Issuing Officer \_\_\_\_\_ Date \_\_\_\_\_

Signature of Notary \_\_\_\_\_ Date \_\_\_\_\_  
**(Must be notarized)**

## **ORDINANCE NO. 2022-07**

### **AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S CODE OF ORDINANCES**

#### **BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE QUARRY:**

**Section 1.** That Chapter 8, Article II. Peddlers, Secs 8.19–8.45 is hereby amended to read as follows:

#### **ARTICLE II. – PEDDLERS**

##### **Sec. 8-19. - General provisions.**

- (a) Any person who carries from place to place any goods, wares or merchandise, subscriptions, services and/or discount coupons (hereinafter referred to as "wares") and offers to sell or barter the same or actually sells or barter the same, shall be deemed a peddler, except such person who is a wholesale dealer selling only to merchants for resale. A person deemed a peddler shall apply and procure from the town manager or his designee a town permit for the privilege of transacting such business and shall pay the required permit fee as hereinafter set forth. For purposes of this section, a person who is licensed to operate a push cart for the sell and purchase of food or drink at an event shall not be deemed a peddler.
- (b) Any person who sells or offers to sell from his person, a cart, truck, automobile, or other vehicle operated over and upon the streets and highways within the town any wares shall be deemed a peddler within the meaning of this article. Nothing in this section shall apply to the sale of farm products raised on the premises owned or occupied by the person or his bona fide agent or employee selling the same (See UDO 4.9.2).
- (c) This article shall not apply to solicitation for charitable, civic, religious, or patriotic purposes by persons who serve without compensation or remuneration, nor shall it apply to persons engaging in door-to-door advocacy of a religious, political, or other cause where money or other valuable consideration is not being solicited, nor shall it apply to the distribution of religious or political handbills or pamphlets. Further, this article shall not apply to any person under the age of eighteen (18) years old who desires to offer a service only and who does so solely as a means of earning money for his or her own personal or family use on a short-term, temporary, basis such as and by example only, mowing lawns and raking leaves.
- (d) It shall be unlawful for any person to sell or offer for sale or peddle wares upon the public streets or public parking lots of the town or to engage in business as a peddler anywhere in the town without first having applied for and obtained a permit so to do from the town manager or his designee. For the purposes of this article "any person" or "each person" means an individual and shall be considered in the singular; each

person working for or acting as an agent or in any capacity for an individual, a partnership, a corporation, a company, or a business of whatever nature or kind, must apply for and obtain a permit as set out herein.

- (e) This article shall not apply where town merchants and/or proprietors of stores display goods adjacent to their businesses for sale in front of their stores nor shall this article apply to any individual, business, or organization displaying goods for sale as part of a duly town-authorized festival or public event for which such goods are authorized to be sold.

**Sec. 8-20. - Permit.**

- (a) *Application.* Each person desiring a permit to engage in business as a peddler within the town shall make written application to the town at least five (5) working days before such person seeks to sell such person's wares, which application shall contain the following:
  - (1) The name, address, date of birth, Social Security number, vehicle description and tag number as applicable of the applicant;
  - (2) The name and address of the person, if any, that the applicant represents;
  - (3) An accurate and detailed description of the kind of wares offered for sale (no wares which are reasonably deemed dangerous or likely to cause damage by releasing projectiles or substances shall be permitted);
  - (4) Whether the applicant, upon any sale or order, shall demand, accept, or receive payment or deposit of money in advance of final delivery;
  - (5) The period of time such applicant wishes to engage in such business within the town;
  - (6) A certified copy of the applicant's criminal record from the applicant's state of residence dated within one month prior to the date of application for a permit or acceptable evidence that the applicant has no criminal record;
  - (7) The names of the last five (5) cities or towns wherein the applicant has worked before coming to the town and the dates of such work in said cities or towns and the addresses and dates of residence where the applicant has resided for the past five (5) years, such addresses to include physical addresses and not post office or mail drop boxes;
  - (8) Information concerning whether the applicant is on, or has been on, parole or probation in North Carolina, any other state, or the federal government.
  - (9) A list of any criminal offenses, other than minor traffic offenses, for which the applicant has been charged within the past ten (10) years. For purposes of this

subsection, a "minor traffic offense" is an offense that is a violation of G.S. Ch. 20, that is punishable as, or would be punishable as, an infraction in the State of North Carolina.

- (a1) A fee in the amount set by the Town Board must be paid before an application can be processed provided that payment of such fee is not a guarantee or promise that such application will be approved.
- (a2) Each person desiring to engage in an activity defined as a peddler herein must obtain a permit. A permit is not transferable and cannot be used for the activities of another person working or acting on behalf of an applicant for a permit.
- (a3) Falsification of any matter on or provided as part of the application for a permit shall be grounds for immediate denial of the permit.
- (b) *Issuance.* No permit shall be issued under the provisions of this article until the applicant shall have complied with all the provisions and requirements of this article.
- (c) *Denial.* A permit can be denied for the same reasons that such permit can be revoked as set out in this article.
- (d) *Permitted hours.* A person issued a permit pursuant to this section shall not engage in the activity of peddling between the hours of 8:00 p.m. through 9:00 a.m.
- (e) *Duration.* A permit issued under the provisions of this article shall be valid for a period of one (1) year from the date of issuance.
- (f) *Contents.* Each permit issued under the provisions of this article shall be signed by the town manager or his designee, shall be dated as of the date of its issuance, and shall state the duration or term of such permit on the face thereof. Any permit not dated and signed as required in this section, or which was issued in violation of this section, shall be void.
- (g) *Display.* Every peddler issued a permit under the provisions of this article and doing business within the town shall wear and display a town-approved permit in a manner clearly visible to anyone such person is approaching for the purpose of selling or attempting to sell such peddler's wares. Failure to display such permit as provided herein shall be deemed a misdemeanor as set out in section 8-21.
- (h) *Possession and display of identification.* Any person while engaged in the activity of a peddler as set out in this article shall, in addition to displaying a valid permit, possess a current, verifiable form of photographic identification, and must present such identification upon either the request of a law enforcement officer or upon the request of any person approached by such peddler who is attempting to sell, or sells, his or her wares to such person requesting such identification. For purposes of this

subsection, a "verifiable form of photographic identification" shall include, but not be limited to, a valid driver's license, passport, state issued identification card, or student identification card containing a recent photograph of such person.

- (i) *Revocation.* Any permit issued under the provisions of this article may be revoked by the town manager or his designee for the violation by the peddler permittee of any applicable provision of this article, state law or town ordinance, rule or regulation applicable to peddlers, or for the violation of any state or federal law involving fraud, theft, sexual assault, taking indecent liberties with children, sexual crimes involving children, sexual exploitation of children, or controlled substances.

**Sec. (8-21). - Misdemeanor.**

- (a) The practice of going in and upon the streets, sidewalks, roads, parking lots, public vehicular areas as that term is defined in G.S. 20-4.01, businesses, or private residences in the town by peddlers not having been properly permitted as set out in this article is declared to be a nuisance and is punishable as a class 3 misdemeanor.
- (b) Any person violating any part of this article shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the courts by a fine in an amount greater than one hundred dollars (\$100.00) but not more than five hundred dollars (\$500.00) or imprisonment, or by both as provided in G.S. 14-4.

**Sec. 8-22. - Other licenses or permits.**

The provisions of this article shall not exempt the applicant from obtaining any other license or permit as may be required by law.

**Secs. 8-23—8-45. - Reserved.**

**Section 2.** That the fee schedule for FY22-23 is hereby amended to include a \$100 per person Peddler Permit fee.

**Section 3.** All ordinances in conflict herewith are repealed to the extent of any such conflict.

**Section 4.** This ordinance is effective on the 11<sup>th</sup> day of July 2022.