



CITY OF GARDNER POLICE DEPARTMENT
200 Main Street
Gardner, MA 01440
Phone (978) 632-5600
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Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

VENDOR, HAWKER, OR PEDDLER PERMIT APPLICATION PACKET

City of Gardner Code Chapter 428 requires a Permit before conducting any hawking and peddling activities in the City. A Permit is valid one year from the date of issue. The annual, nonrefundable, fee is \$54.00. Make checks payable to: The City of Gardner.

A City of Gardner Permit is still required, even if you have a license issued by the State Division of Standards. If you have such a license, please attach a copy with this application. The Police Chief may issue you a Permit once the below requirements are met. For more information on the State License, please contact the Division at (617) 727-3480 or online at the Mass.gov website.

No such Permit shall be issued by the Police Department until the Permit application is completed and submitted a minimum of 10 calendar days prior to the of operation for which the permit is requested for.

To Complete the Application:

1. Fill in all information requested. Attach a list of names, dates of births, and addresses for all employees who will be working under this Permit. Make sure to review all conditions and then sign in the requested three places.
2. Proceed to the following Departments, for which their sign-off is required:
 - a. Gardner Treasure/Collector Office 95 Pleasant St. Room 118
 - b. Gardner Health Department 95 Pleasant St. Room 29
 - c. Gardner Fire Department 70 City Hall Ave.
3. Submit the application with a check in the amount of \$54.00 to the Chief of Police Gardner Police Department 200 Main St.

For Police Department Use ONLY

Date Approved

Fee Paid:\$ _____

APPLICATION FOR A HAWKER AND PEDDLER LICENSE

Application Date: _____

___ New Application

___Renewing Application with Additions or Changes

___Renewing Application with NO Additions or Changes

Business Name: _____ Business Phone #: _____

Doing Business As (D/B/A) (If Applicable): _____

Address/State/Zip Code: _____

Tax Identification Number: _____ Check One: SSN ___ FEIN ___

Mailing Name (Where/Who correspondence should be sent): _____

Address/State/Zip Code: _____

Property Owner Name: _____ Phone #: _____

Address/State/Zip Code: _____

Emergency Contact & Phone #: _____

Emergency Contact & Phone #: _____

Type of Business (Check One): **Sole Proprietor** ___ **Partnership (Inc. LLP)** ___ **Trust** ___

Corporation (Inc. LLC) ___ **Other** ___

If a Sole Proprietor:

Owner's Name and D.O.B: _____

Address/State/Zip Code: _____

If a Partnership, Trust or Corporation (Attach additional sheets as needed)

Partner's/Member's/President's Name and D.O.B: _____

Address/State/Zip Code: _____

Partner's/Member's/Secretary's Name and D.O.B: _____

Address/State/ZipCode: _____

Partner's/Member's/Treasurer's Name and D.O.B: _____

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Fee Paid:\$ _____

Address/State/Zip Code: _____

Mass. Hawkers and Peddlers License # (Attach a Copy): _____

Date of Issuance: _____

Detailed description of the wares to be peddled:

Detailed description of the vehicle, cart or display to be used:

Expected areas of Operation:

Expected dates and hours of Operation:

Attach a list of the names and addresses of all employees who will be working under this Permit

Have you or any of your employees who will be working under this Permit been cited by the Gardner Police Department for illegal vending in the past year? _____

Acknowledgement

I hereby state that all the information provided on this application is true and accurate, and I understand that any information that is found to be false or misleading will result in the forfeiture of this Permit, and that I will be required to wait one year before submitting a new application, and that I may be subjected to criminal prosecution pursuant to MGL Ch. 101. I also understand that any violation of the City's rules and regulations pertaining to Transient Vendors, Hawkers, or Peddlers could subject myself to arrest, fine and/or loss of this Permit.

Signature of Applicant: _____ Date: _____

For Police Department Use ONLY

Date Approved _____

Fee Paid:\$ _____

RELEASE AND INDEMNITY AGREEMENT

I, the undersigned Applicant, hereby agree to release, discharge and hold harmless, the City of Gardner, a municipal corporation in the Commonwealth of Massachusetts, and its officers, employees, agents and servants from all actions, causes of actions, claims, demands, damages, costs, loss of service, expenses and compensation associated with the undersigned's conduct under this Permit as described herein.

Signature of Applicant: _____ Date: _____

DEPARTMENT APPROVALS

Sealer of Weights and Measures (Required for ALL Hawkers and Peddlers using a scale)

I have inspected the cart, vehicle or display, and any weighing and measuring devices that will be used by this Hawker and Peddler, and have found that they are operating properly.

Print Name: _____ Date: _____

Conditions: _____

Signature: _____

Inspectional Services/Health Division (Required Only for the sale of Foods and Beverages. A Health Certificate may be required)

I have inspected the cart, vehicle or display to be used by this Hawker and Peddler and find that it conforms to all laws set by the State and City with regard to health codes.

Print Name: _____ Date: _____

Conditions: _____

Signature: _____

Fire Prevention Bureau (Required only for the use of propane or other Flammables)

I have inspected the cart, vehicle or display to be used by this Hawker and Peddler and find that it conforms to all laws set by the State and City with regards to fire codes.

Print Name: _____ Date: _____

Conditions: _____

Signature: _____

OTHER CONDITIONS

- 1. In the event new employees are hired, the applicant shall submit an updated list of names and addresses of all employees working under this Permit to the Chief of Police.
- 2. Operation on the following is prohibited without the approval of the Chief of Police or his designee. Sundays, Legal Holidays, or on such legal holidays which fall on a Sunday and are celebrated on the following day. Furthermore, operation in the following areas is prohibited without special approval of the Gardner City Council or the Chief of Police.

Central Street
 Main Street
 Pleasant Street to the Junction of Willow Street
 Connors Street
 Parker Street from Pleasant Street to Nichols Street
 Chestnut Street
 City Hall Avenue

- 3. The Applicant shall not go uninvited to any dwelling or place of residence for the purpose of selling, bartering, or attempting to sell or barter his or her wares.
- 4. Hawking and Peddling is prohibited within 1000 feet of any school, playground, or park within the City of Gardner on any day of the week. The School Committee, by majority vote, may waive the 1000 foot requirement relative to school property, and the City Council or Police Department may waive the 1000 foot requirement relative to parks and playgrounds.

Any Hawker/Peddler who violates these regulations shall be liable to a penalty of \$20.00 for each offense. Each day a violation continues shall constitute a separate offense. Any Hawker/Peddler remaining on any property in willful violation of these regulations may be arrested pursuant to MGL Ch. 272 § 59, without a warrant, by any officer authorized to serve criminal process in the place where the offense is committed and kept in custody until he or she can be taken before the Gardner District Court. Any Hawker or Peddler who violates these regulations may also be penalized by a noncriminal disposition as provided by MGL Ch. 40 § 210.

- 5. Other Conditions:

Acceptance of Conditions

I hereby state that I will adhere to all of the conditions listed above, including all of the conditions set forth by the City Departments in the approvals provided above.

Signature of Applicant: _____ Date: _____