



**Town of Litchfield**  
**PLANNING & ZONING**  
**COMMISSION**  
**LITCHFIELD, CONNECTICUT**

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Mailing Address: P.O. Box 488  
Litchfield, CT 06759

April 5, 2021

At the Planning and Zoning Commission meeting of April 5, 2021, the Commission resolves that food truck permitting, inspection, and enforcement resides with the First Selectman and Board of Selectmen as specified in the Code of Ordinances in the Town of Litchfield, Connecticut Article II. Peddlers, Hawkers, and Solicitors Sections 8-21 thru 8-29

Attached:  
Town of Litchfield  
Hawker and Peddler Ordinance material



# FIRST SELECTMAN

### Phone:

(860) 567-7550

### Fax:

(860) 567-7552

### Town Hall

74 West Street

P.O. Box 488

Litchfield, CT 06759

### Hours of Operation

Monday - Friday: 9:00am to 4:30pm

## About

Welcome to the Town of Litchfield’s official website. I hope it is helpful and informative. In addition to the website, I invite you to visit our town, not only for its rich historical background, but also for its special annual events such as the Litchfield Hills Road Race held in June, Open House Tour in July, and Borough Days in September. We also offer the beauty of open space, lake and waterways for fishing, boating and swimming. Miles of trails offer hiking opportunities from a short waterway boardwalk to day-long treks and horse trails. When it’s time to relax we have wonderful restaurants, shops and a spacious Green.




We’ve worked hard to create a comprehensive website that is easy to navigate and helps you find what you seek. We would appreciate any feedback you would be willing to provide us at (860) 567-7550.

## Latest News


A message from the First Selectman

## RESOURCES

### FILES & DOCUMENTS

-  [Tag Sale Ordinance](#)
-  [Hawker & Peddler Ordinance](#) ✓
-  [Fair Housing](#)

### LINKS

-  [Open Burning](#)
-  [CT State Website](#)
-  [State - Local Relations in CT](#)
-  [Report a Power Outtage / Request of Service from Eversource](#)
-  [Litchfield Post Office](#)
-  [Board of Selectmen](#)

## **ARTICLE II. PEDDLERS, HAWKERS AND SOLICITORS\***

### **Sec. 8-21. Registration – Required.**

It shall be unlawful for any person over sixteen (16) years of age to solicit orders of purchase for future delivery of or to hawk, peddle or vend any goods, wares or merchandise, including magazines and other printed matter, from door-to-door or on any street or highway within the town without first registering with the first selectman and having his credentials stamped as provided in this article. Registration shall not constitute a permit to enter privately policed areas. This article shall not apply to mail or telephone solicitation.

### **Sec. 8-22. Same – Application contents.**

- (a) An applicant for permission to solicit, hawk, peddle or vend under the terms of this article shall complete an application blank provided by the board of selectmen, which application blank shall contain the following information:
  - (1) The name, home address and local address, if any, of the applicant;
  - (2) A physical description of the applicant setting forth the applicant's age, date of birth, height, weight and color of hair and eyes;
  - (3) The name and address of the person, firm or corporation for whom or through whom orders are to be solicited or cleared or goods and merchandise obtained;
  - (4) The nature of the goods, wares or merchandise which are to be sold or for which orders are to be solicited;
  - (5) A statement as to whether the applicant has been arrested or convicted of any crime or misdemeanor and, if so, what;
  - (6) A statement as to the period during which the applicant intends to solicit, hawk, peddle or vend.
- (b) The applicant, at the time of executing such application blank, shall also submit identification satisfactory to the first selectman which shall contain a specimen of the applicant.

### **Sec. 8-23. License fee; contents, stamping and issuance of credentials.**

Upon compliance by the applicant with the provisions of section 8-22 and the payment of a license fee for a one-day license, for a one-week license or for a six-month license in advance by the licensee to the town, which fees shall be as established from time to time, the first selectman shall stamp the credentials of the applicant, which credentials shall set forth the name and address of the applicant and of his employer, if any; the nature of the goods, wares or merchandise for which orders are to be solicited, hawked, peddled or vended; and the period during which the applicant may solicit, hawk, peddle or vend which shall be for either one(1) day, one (1) week or six (6) months, as appropriate; provided, however, that the first selectman shall not be required to grant such permission to any person who has been convicted of any crime or misdemeanor involving moral

turpitude or of any violation of this article. Charitable, religious or educational organizations as defined in IRS code 50(c) shall not be required to pay a license fee.

**Sec. 8-24. Rights and responsibilities of holder of credentials.**

Stamped credentials shall be nontransferable and shall entitle the holder, for the period indicated, unless revoked, to solicit orders within the town for the purchase of the goods, wares or merchandise specified in his application. The holder shall have his stamped credentials, in his possession at all times while soliciting orders and shall exhibit the credentials at any time upon request by a police officer or any purchaser or prospective purchaser.

**Sec. 8-25. Conduct.**

Any person soliciting within the town, whether or not required to register under the provision of this article, shall conform to the following:

- (1) The solicitor shall conduct himself at all times in an orderly and lawful manner.
- (2) The solicitor shall give a written receipt for all orders taken within the town, which receipt shall be signed by the solicitor and shall set forth a brief description of the goods, wares or merchandise ordered, the total purchase price thereof, and the amount of the down payment received by the solicitor from the purchaser.

**Sec. 8-26. Hours of sale.**

No person shall solicit orders of purchase for future delivery of any goods, wares or merchandise, including magazines and other printed matter, nor shall any person hawk, peddle or vend from door-to-door or on any street or highway within the town before the hour of 7:00 a.m. or after the hour of 8:00p.m. between the dates of April 1 and October 1, and before the hour of 8:00a.m. or after the hour of 6:00 p.m. between the dates of October 1 and April 1.

**Sec. 8-27. Exemptions.**

- (a) This article shall not apply to salesmen selling goods to retail or wholesale stores for resale; to sales by farmers or gardeners of the produce of their farms and gardens; to the sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods; to wholesalers selling and delivering their wares and goods to the merchants of the town; to goods, merchandise or foodstuffs sold and delivered by the merchants of the town; to vendors of newspapers or periodicals; to the sales of goods by student of the schools of the town, providing such sales have been approved by the board of education.

- (b) This article shall not apply to those persons exempted by the statutes of the state. The license fee may be waived by the first selectman for students in the public schools of the town.

**Sec. 8-28. Appointment and responsibilities of assistant to perform clerical functions of article.**

The board of selectmen may appoint any person to perform the clerical functions of registering solicitors, hawkers, peddlers or vendors under this article; provided, however, that such agent shall not receive any separate compensation from the town for the performance of any duties under this article and shall not refuse to stamp the credentials of any solicitor except upon the direction of the first selectman. The cancellation of the credentials stamp shall be effected only by the first selectman or by some other member of the board of selectman designated by him.

**Sec. 8-29. Violations; penalties.**

Any person violating any of the provisions of this article or making any false statements or misrepresentations of fact for the purpose of obtaining permission to solicit orders shall, upon conviction thereof and in addition to other penalties provided by law, be punished as provided in section 1-10 of the Code and, pending trial therefore, the first selectman may suspend permission to solicit. Upon the conviction of any registered person for any crime or offense under this article or involving moral turpitude, the stamped credentials of such person shall be delivered to the first selectman and the first selectman's stamp on the credentials shall be canceled and such person shall not thereafter solicit orders in the town without reregistering.

[ADOPTING ORDINANCE]

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF LITCHFIELD, CONNECTICUT; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE BOARD OF SELECTMEN OF THE TOWN HEREBY ORDAINS:

**Section 1.** The Code entitled "Code of Ordinances of the Town of Litchfield, Connecticut," published by Municipal Code Corporation consisting of Chapters 1 through 16, each inclusive is adopted.

**Section 2.** All ordinances of a general and permanent nature enacted on or before June 14, 1988, and not included in the Code or recognized and continued in force by reference therein, are repealed, except for ordinances containing the planning and zoning, zoning board of appeals and inland/wetlands conservation fee schedules already in force but omitted from printing. Said fee schedules remain in force.

**Section 3.** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00). Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the board of selectmen may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

**Section 5.** Additions or amendments to the Code, when passed in the form as to indicate the intention of the board of selectmen to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**Section 6.** Ordinances adopted after June 14, 1988, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

**Section 7.** This ordinance shall become effective fifteen (15) days after publication in a local newspaper.

[Adopted November 14, 1989.]

plement insofar as it is necessary to do so to embody them into the unified Code. For example the codifier may:

- (1) Organize the ordinance material into appropriate subdivisions;
- (2) Provide appropriate headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such headings and titles;
- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections \_\_\_\_\_ through \_\_\_\_\_" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and
- (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code, but, in no case, shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already in the Code.

(d) The town clerk shall cause copies of each and every such reprint to be distributed to each distributee and to every purchaser of the Code who has ordered and paid for maintenance service.

#### Sec. 1-9. Altering Code.

It shall be unlawful for any person to change or amend, by additions or deletions, any part of this Code of Ordinances or any ordinance of the town or to insert or delete pages or portions thereof or to alter or tamper with such Code in any manner whatsoever with intent that any portion of this Code or other ordinance of the town shall be misrepresented or with intent to commit a fraud.

#### Sec. 1-10. General penalty; continuing violations.

(a) Whenever in this Code or in any other ordinance of the town or in any rule or regulation

promulgated by any officer of the town, under authority vested in him by law or ordinance, any act is prohibited or is declared to be unlawful or an offense or the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding one hundred dollars (\$100.00). Each day any such violation shall continue shall constitute a separate offense. ✓

(b) The imposition of any punishment in this section shall not prevent the enforced abatement of any lawful condition by the town.

(c) In all cases where the same offense is made punishable or is created by different clauses or sections of this Code, the town counsel may elect under which to proceed, but not more than one (1) recovery shall be had against the same person for the same offense.

(d) Any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a new and separate offense, and each day that such condition continues shall be regarded as such.

#### Sec. 1-11. Certain ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code shall be construed to repeal or otherwise affect the validity of any of the following:

- (1) Any ordinance promising or guaranteeing the payment of money for the town or any evidence of the town's indebtedness;
- (2) Any appropriation ordinance providing for the levy of taxes or for an annual budget;
- (3) Any ordinance annexing territory to the town or excluding territory from the town;
- (4) Any ordinance granting any franchise, permit or other right;
- (5) Any zoning ordinance;
- (6) Any subdivision ordinance;
- (7) Any ordinance creating a special services district;