CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

Part 3

Transient Retail Merchants and Mobile Food Vendors

§301. Definitions.

APPLICANT – Any person or business who applies for a license under the provisions of this Ordinance.

ENFORCEMENT OFFICER – The Township Supervisors, Township Secretary, Township Roadmaster, Central Keystone Council of Governments and police officers having jurisdiction in White Deer Township, as well as any officer designated by the Township Board of Supervisors, from time to time.

MOBILE FOOD VENDOR – A food establishment that is located upon a vehicle, or which is pulled by a vehicle, where food or beverage is cooked, prepared and served for individual portion service such as a mobile food kitchen.

RESTAURANT – An establishment where meals are generally served and eaten on premises; prepares and serves food and drink to customers in return for money, either paid before the meal or after the meal is provided.

TRANSIENT RETAIL MERCHANT- Any person engaged in peddling, canvassing, soliciting, or taking of orders, either by sample or otherwise, house-to-house or upon any of the streets or sidewalks within White Deer Township. This term shall not include persons soliciting for charitable purposes or persons soliciting votes for elected office.

§302. Applications for License. Every Transient Retail Merchant and Mobile Food Vendor in White Deer Township shall first make application at the White Deer Township Municipal Building to the Secretary of the said Township for a license. Upon such application each Transient Retail Merchant and Mobile Food Vendor shall provide the following: name, address, previous criminal record, if any, the names of the persons or entity for whom they work if any, the names of employees, the type of goods, wares, and merchandise they wish to sell or the entity for whom they are soliciting, the specific dates for which they wish to sell, solicit or take orders, the make, model, color and registration information for the vehicle(s) to be used, if any. The License shall expire 90 days from the date of issuance.

(1) No license under this Ordinance shall be transferable from one person or entity to another, and every applicant must sign their application for a license and sign the license issued.

§303. Fee. The applicant shall pay Twenty-Five Dollars ($25.00) per 90 days for the license.

(1) No fee shall be required for Transient Retail Merchants: (a) soliciting for charitable organizations or (b) soliciting votes for elected office.

(2) No fee shall be required for Mobile Food Vendors: (a) operating in support of a charitable organization, (b) operating in connection to an approved special event in which the Mobile Food Vendor is a registered participant, (c) operating in support of a White Deer Township based business event or (d) operating in support of a residential area event such as a block party.

§304. Issuance of License. Upon making application therefor and paying the proper fee as herein specified, a license shall be issued to every approved Transient Retail Merchant and Mobile Food Vendor. Such license shall contain the information required to be given upon the application therefor. Each Transient Retail Merchant and Mobile Food Vendor shall at all times when engaged in merchandising, soliciting or sales in the Township, carry such a license upon his/her person, and shall exhibit such license upon request to all police officers, Township Enforcement Officials, and/or citizens. No person shall engage in selling any product not mentioned upon such license.

§305. Prohibited Acts. The following shall apply to licensees:

(1) Transient Retail Merchants.

(a) No Transient Retail Merchant shall engage in merchandising or soliciting at any time on any day of the week other than from 9:00 o'clock A.M. until 5:00 o'clock P.M., Monday through Friday.

(b) No Transient Retail Merchant shall occupy any fixed location upon any of the roads, streets, alleys, or sidewalks of this Township for the purpose of merchandising or soliciting with or without a stand or counter.

(c) Any Transient Retail Merchant operating without the required license shall be deemed in violation of this Ordinance, and the Transient Retail Merchant shall be subject to penalties and fines as provided herein and as otherwise provided by law.

(2) Mobile Food Vendors.

(a) No Mobile Food Vendor shall commence operation unless the required license has been obtained from the Commonwealth of Pennsylvania Department of Agriculture. Mobile Food Vendors must show proof of inspection by the Commonwealth of Pennsylvania Department of Agriculture as required by state law.

(b) All licenses from the Commonwealth of Pennsylvania Department of Agriculture shall be prominently displayed at all times during operation as a Mobile Food Vendor.

(c) Upon request from a Township Enforcement Officer, a Mobile Food Vendor must show proof of general liability insurance in the amount of $100,000.00 per individual and $300,000.00 per occurrence.

(d) Any Mobile Food Vendor operating without the required license shall be deemed in violation of this Ordinance, and the Mobile Food Vendor shall be subject to penalties and fines as provided herein and as otherwise provided by law.

(e) No Mobile Food Vendor shall hereafter sell or offer for sale any products or services within 500 feet of the designated boundaries of any Township-organized, Township-sponsored or Township-sanctioned event or activity to which vendor access is restricted or regulated, provided that this restriction shall not apply to a Mobile Food Vendor who receives written permission from the event organizer sponsoring the event to operate within the boundaries of any Township-organized, Township-sponsored or Township-sanctioned event or activity.

(f) No Mobile Food Vendor on public property or within the public right-of-way shall provide or allow any dining area, including but not limited to, tables, chairs, booths, bar stools, benches or standup counters.

(g) For Mobile Food Vendors on public property, including the Township's right-of-way, the Township reserves the right to temporarily move a Mobile Food Vendor if the approved location needs to be used for emergency purposes, snow removal, construction or other public benefit or if the location is required for a Township-sponsored event.

(h) Township trash receptacles may not be used by Mobile Food Vendors. All Mobile Food Vendors must provide a waste bin and a recycle bin which shall be removed by the Mobile Food Vendor at the close of the Mobile Food Vendor's business day and shall pick up and remove all papers, wrappers, bottles or other refuse dropped by the customers thereof within 30 feet of the vicinity of the Mobile Food Vendor. Under no circumstances shall a Mobile Food Vendor use containers or receptacles intended for the use of the general public.

(i) No Mobile Food Vendor shall make or cause to be made any unreasonable or excessive noise.

(j) A Mobile Food Vendor may not operate on or within any Township park, Township-owned parking lot, defined parking spaces on or along roadways or other property owned by White Deer Township, unless approved as part of a special event or approval from the Board of Supervisors.

(k) No Mobile Food Vendor is permitted to park or stop to serve customers within a 150-foot radius of any principal customer entrance to any restaurant or food establishment serving food products within the Township. This restriction may be waived by the Township in connection with an approved special event.

(l) No operator of a Mobile Food Vendor shall park, stand or move a vehicle and conduct business within areas of the Township where the Mobile Food Vendor has not been authorized to operate.

(m) Mobile Food Vendors are permitted to park and serve customers on private property, only if given express written consent of the property owner and such written consent is kept onsite by the Mobile Food Vendor.

(n) No Mobile Food Vendor shall hereinafter sell or offer for sale any food or nonfood products and services in a manner that would substantially obstruct a public right-of-way, impair the movement of pedestrians or vehicles or pose a hazard to public safety.

(o) No Mobile Food Vendor may park within 15 feet of a fire hydrant, or in any no parking or unloading zone.

(p) Mobile Food Vendors may not operate between the hours of 9:00 o'clock P.M. and 8:00 o'clock A.M., and Mobile Food Vendor facilities must be removed from public property by 9:30 o'clock P.M. each day.

(q) All Mobile Food Vendors shall be attended at all times by at least one operator who is at least eighteen years of age.

(r) All Mobile Food Vendors occupying a public space must be in operation within 60 minutes of occupying the space.

(s) No Mobile Food Vendors shall use electric, water or wastewater facilities of the Township without the written consent of the Township.

(t) No liquid waste or grease is to be disposed on the ground around vegetation, in storm drains or onto the sidewalks, streets or other public spaces. Under no circumstances shall grease be released or disposed of in the Township's sanitary sewer system. A written statement regarding the procedure for disposal of wastewater and/or grease shall be provided when applying for a license.

(u) Unattended vehicles are prohibited. No Mobile Food Vendor shall be left unattended and unsecured at any time food is kept in the mobile food truck. Any Mobile Food Vendor which is found to be unattended shall be considered a public safety hazard, shall be ticketed and may be impounded.

(v) A Mobile Food Vendor operating outside of an approved route, at an unauthorized location or beyond the hours for which the operation has been permitted shall be deemed to be operating in violation of this Ordinance and may be subject to enforcement action and fines and penalties as provided herein.

§306. Supervision by Township. The Township Enforcement Officers, as defined herein, shall supervise the activities of all Transient Retail Merchants and Mobile Food Vendors.

§307. Suspension of License. The Township Enforcement Officers, as defined herein, shall be authorized to deny, revoke or suspend operations for any Transient Retail Merchant or Mobile Food Vendor found to be in violation of the requirements of this Ordinance.

§308. Penalties. Violations of this Ordinance shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rule of Criminal Procedure. The fine for a violation of this Part shall not

exceed $1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses.

(Ordinance No. 86, adopted October 27, 2026)