CHAPTER 828
Peddlers and Solicitors

EDITOR'S NOTE: Unless otherwise indicated, this chapter was enacted on November 8, 1972, and amended on July 17, 1978.

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CROSS REFERENCES

Regulation by County; peddler's fees - see Code of Va. '15.2-913
License taxation - see Code of Va. ''58.1-3717 et seq.
Parking for commercial purposes - see TRAF. 480.02
Parking on private property generally - see TRAF. 480.03
Trespass - see GEN. OFF. 660.01
Business license required - see B.R. & T. Ch. 840
Commercial activities in park and recreation areas - see S.U. & P.S. 1092.12

828.01 SHORT TITLE.

This chapter shall be known and may be cited as the "Loudoun County Peddler's Ordinance."

828.02 PURPOSE.

The purpose of this chapter is to regulate the activities of door-to-door vendors within the County, for the safety and well-being of County residents.

828.03 DEFINITIONS.

(a) As used in this chapter, unless the context clearly indicates otherwise:

(1) "Canvass" or "solicit" means traveling from premises to premises or from street to street, taking or attempting to take orders for the sale or lease of goods, wares, merchandise or personal property of any nature for future delivery or for service to be furnished or performed at that time or in the future, whether or not such person carries or exposes for sale a sample of such sale or lease or whether or not he is collecting advance payment on such sales or leases.

(2) "Peddle" means traveling from premises to premises or from street to street offering or exposing for sale or lease or making sales or leases of goods, wares or merchandise.

(b) The term "peddling" or "peddler," "soliciting" or "solicitor," "canvassing" or "canvasser," as used in Sections 828.04 through 828.07, shall not be construed to include the following:

(1) Those persons who sell, solicit orders for or offer for sale, in person or by their employees, ice, wood, charcoal, meats, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruits or other family supplies of a perishable nature or farm products grown or produced by them or their employer and not purchased by them or their employer for resale;
(2) The vending or delivery of ice, wood, coal, meat, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruits or other supplies of a perishable nature, by vendors duly licensed under State law, to sell the same from a truck wagon in the County;
(3) Persons peddling, soliciting or canvassing where all the proceeds derived from such peddling, soliciting or canvassing are to be used solely for nonprofit charitable, religious or community service purposes;
(4) Sales or solicitation of orders by agents or salesmen of wholesale businesses who sell to retail dealers, institutions, processors, restaurants or manufacturers for manufacturing or other purposes, when such selling or soliciting is on commercial or industrial property;
(5) The delivering or soliciting of newspaper subscriptions;
(6) The soliciting of personal services by persons to be furnished by such persons on the premises where such solicitation is made;
(7) Any person who has a regularly established place of business or identifiable geographic location in the County, from which he transacts business and deals in goods, wares or merchandise or performs services or solicits orders for the same on a continuing and on-going basis within the County; and
(8) Persons licensed by the State under Title 38.2 of the Code of Virginia of 1950, as amended.

828.04 REGISTRATION REQUIRED.

(a) No person shall peddle, solicit or canvass without first registering with the County Sheriff on forms furnished and prescribed by the Sheriff which forms provide for the following information:

(1) The name and a personal description of the registrant;
(2) The registrant's address;
(3) A brief description of the nature of the business and the goods to be sold;
(4) If employed, the name and address of the employer, together with proper credentials establishing the exact relationship;
(5) If not employed, but representing a company, corporation, partnership, association or other legal entity, the name and address of such entity, together with proper credentials establishing the exact relationship;
(6) The length of time for which the right to do business is desired;

(7) If a vehicle is to be used, a description of the same, together with the license number or other means of identification; and
(8) The place where the goods or property proposed to be sold are manufactured or produced, the place where such goods or products are located at the time such application is filed and the proposed method of delivery.

(b) At the time of registration, each applicant shall submit two front view photographs (one and one-half inches by two inches), or the applicant shall be photographed by the County Sheriff.

828.05 REGISTRATION FEE.

Any person peddling, soliciting or canvassing within the legal boundaries of the County shall pay a registration fee of fifteen dollars ($15.00) per year for the privilege. No permit shall be issued until such person has paid the required fees.
(Ord. 82-18. Passed 10-21-82.)

828.06 ISSUANCE OF PERMIT; QUALIFICATIONS OF PERMITTEE; CONTENTS OF PERMIT.

(a) Upon completion of the forms and processing described in Section 828. 04 and payment of the initial registration fee described in Section 828. 05, a numbered permit shall be issued by the County Sheriff which shall be valid for one year from the date of issue.

(b) No permit shall be issued to any person who has been convicted of a violation of any of the provisions of this chapter within one year of the date of the application or who has been convicted of a felony at any time.

(c) The permit shall be furnished on forms prescribed by the County Sheriff and shall contain the following information:
(1) The permit number;
(2) The name and address of the applicant;
(3) The date the permit was issued and the date of expiration;
(4) The name and address of the employer or principal;
(5) A physical description (height, weight, color of hair and eyes, complexion) and the date of birth of the applicant and the presence and location of marks and scars on the applicant;
(6) The signature of the County Sheriff; and
(7) A brief description of the nature of the business and the goods to be sold.

828.07 PEDDLING, SOLICITING AND CANVASSING OF UNREGISTERED ITEMS PROHIBITED.

No person shall peddle, solicit or canvass any product, service or thing not included in the registration provided for in Section 828.04.

828.08 STANDARDS OF CONDUCT.

No peddler, solicitor or canvasser, and no other person who peddles, solicits or canvasses in the County, shall fail to conform to the following standards of conduct whether or not such person is required to register with the County Sheriff under Sections 828.04 and 828.05:

(a) Such persons shall conduct themselves at all times in an orderly and lawful manner.

(b) Such persons shall identify themselves, on request, by means of a permit issued by the County Sheriff, if required to register under this chapter, or if not required to register, by a valid State motor vehicle driver's license or a firm or corporate identification card.

(c) Such persons shall not fail to immediately identify themselves and the purpose for which they are on the premises.

(d) Such persons shall give a written receipt for all orders taken within the County.

(e) Such persons shall not go upon any residence or create any sound in any manner calculated to attract the attention of the occupant of any residence, for the purpose of securing an audience with the occupant thereof and engaging in any of the activities defined in Section 828. 03, prior to 9:00 a.m. or after 9:00 p.m. of any weekday, or at any time on a Sunday or on a State or national holiday.

(f) Such persons shall not fail to leave the premises in an orderly fashion upon the request of the resident or homeowner.

828.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)