

City of Gardner, Massachusetts

Vendor, Hawker or Peddler Permit Application Packet



## CITY OF GARDNER, MASSACHUSETTS

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 Fee is \$54.00; check made payable to the City of Gardner.**

Even if you have a license issued by the State Division of Standards, you must complete this application as instructed below, and attach a copy of the license. The Police Chief may issue you a Permit once these requirements are met.

For more information on the State license, contact the Division at:

(617)727-3480 or find it on the internet at <http://www.state.ma.us/standards/index.htm>.

**No such permit shall be issued by the Police Department unless application or request for the same is made a minimum of 10 calendar days prior to such Sunday or Holiday for which permission is requested**

### To complete the application:

1. Fill in all information requested. Sign the Acknowledgement, and sign the Release and Indemnity Agreement. Attach a list of the names and addresses of all employees who will be working under this license.

2. Proceed to each Department for which a sign-off is required, as follows:

Gardner Treasurer/Collector Office	95 Pleasant Street	Room 118
Gardner Health Department	95 Pleasant Street	Room 29
Gardner Fire Department	70 City Hall Avenue	
Gardner Police Department	31 City Hall Avenue	

3. Review all Conditions and sign the Acceptance of Conditions.

4. Submit the application to the Chief of Police, Gardner Police Department, 31 City Hall Avenue.

Application Fee \$54.00

For Police Department Use Only  
Date Approved \_\_\_\_\_ Amt. Pd. \_\_\_\_\_

**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): \_\_\_\_\_

Street Address with Zip Code: \_\_\_\_\_

Tax Identification Number: \_\_\_\_\_ Check one:  SSN  FEIN

Mailing Name (where we should send correspondence to): \_\_\_\_\_

Address with Zip Code: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address with Zip Code: \_\_\_\_\_

Emergency Contact 1: Phone: \_\_\_\_\_

Emergency Contact 2: 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 with 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 with Zip Code: \_\_\_\_\_

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

Address with Zip Code: \_\_\_\_\_

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

Address with Zip Code: \_\_\_\_\_

Mass. Hawkers and Peddlers License Number (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 employees who will be working under this license been cited by the GARDNER Police for illegally vending in the City during the past year? \_\_\_\_\_

**ACKNOWLEDGEMENT**

I hereby state that all 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 subject to criminal prosecution pursuant to MGL c101. I also understand that any violation of the City's rules and regulations pertaining to Transient Vendors, Hawkers, or Peddlers could subject me to arrest, fine, and/or loss of this Permit.

**Signature of Applicant:** \_\_\_\_\_

**RELEASE AND INDEMNITY AGREEMENT**

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

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

**DEPARTMENTAL 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.

\_\_\_\_\_ Date \_\_\_\_\_  
Conditions \_\_\_\_\_  
Signature \_\_\_\_\_ Print Name \_\_\_\_\_

**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.

\_\_\_\_\_ Date \_\_\_\_\_  
Conditions \_\_\_\_\_  
Signature \_\_\_\_\_ Print Name \_\_\_\_\_

**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 regard to fire codes.

\_\_\_\_\_ Date \_\_\_\_\_  
Conditions \_\_\_\_\_  
Signature \_\_\_\_\_ Print Name \_\_\_\_\_

**OTHER CONDITIONS**

1. In the event new employees are hired, the Applicant shall submit to the Chief of Police an updated list of names and home addresses of all employees working under this Permit.

2. Operation on the following is prohibited without approval of the Chief of Police or his designee:

Sundays, Legal Holidays, or on such legal holidays which fall on Sundays 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 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 Chapter 272 Section 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 Chapter 40 Section 21D.**

5. Other conditions:

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**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**\_\_\_\_\_

City of Gardner, Massachusetts  
Office of the Collector/Treasurer

**NOTICE: TREASURER NEEDS FIVE BUSINESS DAYS TO PROCESS THIS FORM.**

**CERTIFICATE OF GOOD STANDING**

Exact name of taxpayer/applicant's business: \_\_\_\_\_

Address of taxpayer/applicant's business in Gardner: \_\_\_\_\_

Address of taxpayer/applicant's home in Gardner: \_\_\_\_\_

Applicant's phone: \_\_\_\_\_ Day: \_\_\_\_\_ Evening: \_\_\_\_\_

I, (print name) \_\_\_\_\_, the undersigned Taxpayer, hereby certify that all the information contained herein is true and correct and all taxes and fees due the City have been paid or that the Taxpayer has entered into an agreement to pay all taxes and fees and is current on said agreement.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY, \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Taxpayer/Applicant's signature)

**REVIEW BY TREASURER**

DATE OF REVIEW: \_\_\_\_\_

The above named applicant is:

In good standing with this office

Is not in good standing with this office

NOTES: \_\_\_\_\_

TREASURER'S SIGNATURE: \_\_\_\_\_