

Amendments to § 130-11 (*Please see language in bold on second page*)

§ 130-11 EXEMPTIONS FROM LICENSING REQUIREMENTS

- (A) This chapter shall not be construed to include the selling of any article at wholesale to dealers in such articles, or the delivery of milk, eggs, bread, newspapers, or other necessary and perishable articles of food or merchandise of a type commonly delivered on a house-to-house basis at intervals of less than one week.
- (B) Any veteran who holds a special license issued under the laws of the state shall be exempt from securing a license or paying the fees as provided herein, but shall be required to comply with all other applicable sections of this chapter and shall be required to register with the Town Manager and obtain a permit, which will be issued by the Town Manager upon property identification and exhibition of the state license.
- (C) 1. Any nonprofit religious, charitable, education, civic, or veterans' organization, society, association, service club, volunteer first aid, or fire company, and the like, desiring to solicit, or have solicited, in its name, money, donations of money or property or financial assistance of any kind, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of the organization at any place or places within the town for a charitable, religious, patriotic, or philanthropic purpose shall be exempt from the provisions of § 130-3, 130-4 and 130-5 of this chapter, provided that there is a filed a sworn application, in writing, with the Town Manager or Police Chief, which application shall give the following information:
 - (a) The name and purpose of the cause for which the permit is sought;
 - (b) The name and address of the organization;
 - (c) The period during which solicitation is to occur; and
 - (d) The name and address of each agent or representative who will conduct solicitations and the length of time that the agent or representative has been employed or affiliated with the organization, society, association, or corporation.
- 2. Upon being satisfied that the person, organization, society, association, and the like, is a bona fide nonprofit religious, charitable, educational, patriotic, or philanthropic organization, and that the agents or representatives who shall conduct the solicitations have no criminal background, the Town Manager or Police Chief shall issue a permit, without charge to the organization, association, or corporation, to solicit in the town. The organization, association, society, corporation, and the like, shall furnish to all its members, agents, or representatives conducting solicitation, credentials, in writing, stating the name of the agent and the duration and purpose of solicitation.
- (D) Any school, political or civic organization, benevolent society, service club, or organization not operated for profit which is located in or has substantial membership from the town is hereby exempt from the provisions of this chapter.

(E) For the purposes of this article the vendors participating in the Chestertown Farmer's Market and the Chestertown Artisan's Market are not considered as meeting the definition of peddlers, hawkers, itinerant merchants or transient vendors as they are sanctioned through a separate process with the Mayor and Council of Chestertown.

(F) For the purposes of this article the operators of Food Trucks, approved individually by the Mayor and Council of Chestertown through the filing of an application, will not be considered as meeting the definition of peddlers, hawkers, itinerant merchants or transient vendors as long as they meet all of the following requirements:

- (a)** that they operate on the streets of Chestertown at the exact locations and under the circumstances specified by the Town in their license to operate.;
- (b)** that Downtown locations of Food Trucks be limited to three sides of the Fountain Park on High, Cross and Park Row for the lunch hours only (10 am to 3 pm and not on Saturdays during the Farmer's Market activities unless specifically invited by the Market or by another approved Town event replacing the Market;
- (c)** that all other locations for the operation of Food Trucks be approved for times and locations by the Mayor and Council of Chestertown.
- (d)** that Food Truck operators provide proof the state or county licenses and health department permits required to operate a itinerant food products concession as ;
- (e)** that the Food Truck operator provide evidence of liability insurance in an amount of at least \$1,000,000 and that the Town be specifically named on the policy as an additional insured.
- (f)** No bells, whistles, horns, klaxons, or systems of sound amplification may be used at any time while in the Town limits. Food truck operators will provide and use their own power and any generators used shall not violate Town Noise Ordinance regulations.
- (g)** That a monthly fee, as set by the Mayor and Council, be paid in advance before commencing any operations.
- (h)** That trash cans be set out by the Food Trucks and that said trash be collected by the vendor and removed from the Town (not placed in public containers).
- (i)** Food Truck operations are discretionary by the Town and failure to follow the requirements will result in the removal of the permission to operate