

MUNICIPALITIES, REGULATION OF MERCHANTS
Act of May 24, 1923, P.L. 442, No. 235
AN ACT

Cl. 53

To provide for the licensing of transient, retail merchants in cities, boroughs, and townships; and providing a penalty for the failure to obtain such license.

Compiler's Note: Section 2101(25) of Act 69 of 1933 provided that Act 235 is repealed insofar as it relates to townships of the second class.

Compiler's Note: Section 3501 of Act 331 of 1931 provided that Act 235 is repealed insofar as it relates to townships of the first class.

Compiler's Note: Section 4701 of Act 317 of 1931 provided that Act 235 is repealed insofar as it relates to third class cities.

Compiler's Note: Section 2 of Act 174 of 1931 provided that Act 235 is repealed insofar as it relates to cities, towns and townships of the first class.

Compiler's Note: Section 3301 of Act 336 of 1927 provided that Act 235 is repealed insofar as it relates to boroughs.

Section 1. Be it enacted, &c., That hereafter every person, whether principal or agent, entering into, beginning, or desiring to begin, a transient retail business in any city, borough, or township of this Commonwealth for the sale of any goods, wares, or merchandise whatsoever, and who hires, leases, occupies, or uses any room, apartment, store, shop, building, railway car, or other place or structure for the exhibition and sale of such goods, wares, or merchandise, shall take out a license for the same from the proper authorities of the said city, borough, or township: Provided, however, That nothing herein contained shall apply to farmers selling their own produce, or to any sale of goods, wares, or merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.

(1 amended May 13, 1925, P.L.642, No.345)

Section 2. The amount of such license in any city or borough shall be fixed by ordinance, duly passed by the council of such city or borough, and shall not be less than twenty-five dollars (\$25) nor exceed the sum of two hundred dollars (\$200) per month, or fractional part thereof, to be paid to the treasurer of said city or borough; and the amount of such license in any township shall be the sum of twenty-five dollars (\$25) per month, or fractional part thereof, to be paid to the county treasurer for the use of the school fund of said township. Said license shall be renewed monthly during the continuance of said sale, and upon failure of said person or persons so to secure such license, he, she, or they shall be fined in a sum not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200), to be collected as other fines are by law collectible, and in default of payment of said fines, shall be

imprisoned in the jail of said city or county for a period not exceeding thirty (30) days.

Section 3. Nothing herein contained shall be construed to relieve any person, partnership, or corporation from the duty of taking out a license, or from the payment of any license tax imposed or authorized by any other statute of this Commonwealth.