
CHAPTER 102

HAWKERS, PEDDLERS AND SOLICITORS

ARTICLE I

Regulations for Certain Areas

[Adopted 9/77]

102-1. Activity prohibited from certain areas.

No persons shall sell or offer to sell within the limits of Route No. 16 and Norcross Circle, public roads within the Town of Conway, any goods, produce and/or wares to the general public.

102-2. Deliveries excepted from prohibition.

Nothing hereunder shall be deemed to prohibit house-to-house deliveries of goods, produce and/or wares.

102-3. Violations and penalties.

Whoever violates the provisions of this Article shall be punished by a fine not to exceed one hundred dollars (\$100) on conviction of his first offense hereof; and on each subsequent conviction, such person shall be punished by a minimum fine of seventy-five dollars (\$75), and not to exceed one hundred dollars (\$100) for each offense.

ARTICLE II

Soliciting in Streets

[Adopted 3/85]

102-4. Soliciting in streets unlawful.

It shall be unlawful to stand on the traveled portion of a way, as defined in RSA 259:125(I), for the purpose of soliciting business or contributions in regard to a commodity or service or for the purpose of distributing any literature advertising some commodity or service.

102-4.1. Vending carts. [Added 3/91]

A. Purpose. The purpose of this section is to provide a controlled means of allowing vending carts in the Town of Conway. Vending carts offer products and services to residents and visitors, but their uncontrolled proliferation could cause safety problems and could detract from the aesthetics and character of the town.

B. Definitions. As used in this section, the following definitions shall apply:

SIGNAGE -- Any form of commercial message designed to attract attention, advertise, etc.

VENDING CART -- A nonmotorized, wheeled cart, designed for pushing as the sole form of locomotion and designed with the capacity to store food/beverage products and used for retailing such goods. If the primary product sold is not food/beverage, then the cart shall not be considered a "vending cart" and shall be required to obtain site plan approval from the town.

C. Applicability. Every vending cart operating in the Town of Conway shall be responsible for obtaining a permit pursuant to this chapter and shall be responsible for complying with these regulations and any additional terms of the permit.

D. Location. Vending carts are allowed only in locations which meet each of the following criteria:

- (1) Vending carts shall be allowed only in the Business District.
- (2) Vending carts shall not be located in areas subject to vehicular traffic, i.e., parking lots, roads, driveways, etc.
- (3) Vending carts shall be permitted only on private property, with written authorization of the landowner provided at the time of application.
- (4) Vending carts shall comply with the following minimum setbacks from the property borders:
 - (a) Village Commercial District:
 - [1] Zero-foot front setback.
 - [2] Zero-foot side setback.
 - (b) Highway Commercial District:
 - [1] Twenty-five-foot front setback.
 - [2] Ten-foot side setback.

E. Density. One cart per lot shall be the maximum allowed, unless the lot has three hundred (300) or more feet of road frontage, in which case two (2) vending carts shall be the maximum allowed.

F. Duration. Permits shall specify starting and ending dates, and the maximum duration shall not exceed six (6) months.

G. Signage. Signage shall be restricted to message and communication instruments which are a physical part of the cart. No separate signs are permitted.

H. State approval. Vending cart operators shall have in their possession a valid vending permit from the New Hampshire Department of Health.

I. Permitting. The operator shall secure a vending cart permit from the Board of Selectmen or their designated agent prior to commencement of operation. The operator shall complete the application form, which must be signed by both the operator and landowner. A fee of twenty-five dollars (\$25) shall be paid at the time the application is submitted to the town. Upon approval, the Board of Selectmen or their designated agent shall issue a permit, which shall be attached in a visible location on the vending cart.

102-5. Violations and penalties.

Any person violating this Article shall be fined up to one hundred dollars (\$100) for each offense, to inure to the town for its general purposes.