

LOCAL LAW #5 OF 2022  
**AMENDING CHAPTERS 155 (PEDDLING) AND 114 (FEES)  
OF THE IRVINGTON CODE**

Be it enacted by the Board of Trustees of the Village of Irvington as follows:

Section 1: The title of Chapter 155 of the Code of the Village of Irvington is hereby amended to read as follows (deleted language ~~stricken~~; new language in *italics*):

**Chapter 155 ~~PEDDLING~~ *MOBILE VENDING***

Section 2: Section § 155-1 is hereby amended to read as follows (deleted language ~~stricken~~; new language in *italics*):

**§ 155-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

~~ENHANCED PEDDLER'S MOBILE VENDING LICENSE~~ – A permit issued pursuant to this chapter that allows a ~~peddler~~ *mobile vendor* in a vehicle to remain in the same space in an Enhanced ~~Peddler's Mobile Vending License~~ *Parking Zone* for up to five hours.

~~ENHANCED PEDDLER'S MOBILE VENDING LICENSE PARKING ZONE~~ – Parking spaces designated in this chapter at which ~~peddlers~~ *mobile vendors* possessing an Enhanced ~~Peddler's Mobile Vending License~~ may park for up to five hours.

~~PEDDLE MOBILE VENDING~~ – ~~To~~ *Offering* for sale any goods, wares, merchandise or services in any public place or public street, or by going from house to house or place of business to place of business, on foot or on or from any vehicle.

~~PEDDLER'S MOBILE VENDING LICENSE~~ – A permit issued pursuant to this chapter ~~that limits a peddler to remain in the same location for up to ten minutes.~~

*MOBILE VENDOR* – *Person who offers for sale any goods, wares, merchandise or services in any public place or public street, or by going from house to house or place of business to place of business, on foot or on or from any vehicle.*

Section 3: Section 155-2 is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

**§ 155-2. License required.**

- A. No person or entity shall ~~peddle~~ *engage in the mobile vending of* merchandise *or services* of any description within the Village of Irvington without first having obtained either a ~~Peddler's Mobile Vending License~~ or an Enhanced ~~Peddler's Mobile Vending License~~. Such license shall be granted only on an application made to the Mayor or to the Board of Trustees, in writing, and if deemed proper, (s)he may be granted a license as provided in this chapter, permitting said party to carry on the business mentioned in said application for a period not exceeding one year from the date of the license; and the person so applying shall, upon the granting and delivery of said license, pay a fee as set from time to time by the Board of Trustees.
- B. The provisions of this section shall not apply to wholesale ~~peddlers~~ vendors who ~~shall~~ sell exclusively to dealers.
- C. *A Mobile Vending License permits a mobile vendor to remain in the same location for up to ten minutes.*

Section 4. Section 155-3 is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

**§ 155-3. Restrictions.**

A licensed ~~peddler~~ *mobile vendor* must:

- A. Keep any vehicles and receptacles used by the ~~peddler~~ *vendor* in a clean and sanitary condition and protect any food or drinks offered for sale from vermin, insects, dirt, dust, or other contaminants.
- B. Not stand or permit the vehicle used by the ~~peddler~~ *vendor* to stand in one place in any public place or street for more than ten minutes, except that a ~~peddler~~ *vendor* with an Enhanced ~~Peddler's Mobile Vending License~~ may park in a designated Enhanced ~~Peddler's Mobile Vending License~~ Parking Zone for up to five hours but only if the ~~peddler~~ *vendor* is accompanying the vehicle.
- C. Not stand or permit the vehicle used by the ~~peddler~~ *vendor* to stand in front of any premises for any time if the owner of the premises or the lessee of the ground floor thereof objects.
- D. Not permit any vehicle used by the ~~peddler~~ *vendor* to stop or remain on any crosswalk.
- E. Not create or maintain any booth or stand or place barrels, boxes, crates, signboards, or other obstructions upon any street or public place.

- F. Not sell any goods or merchandise of any kind on or along any portion of Broadway that is situated in a residential zoning district, unless sufficient parking is available within 60 feet on or along either side of Broadway.
- G. Not permit the ~~peddler's~~ *vendor's* vehicle to idle for more than ten minutes in any one location.

Section 5: Section 155-4 is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

**§ 155-4. Enhanced ~~Peddler's~~ *Mobile Vending License Parking Zone.***

- A. The following spaces constitute the Enhanced ~~Peddler's~~ *Mobile Vending License Parking Zone*:
  - (1) Eight parking spaces located on the west side of North Astor Street, immediately south of the Irvington train station building.
  - (2) One parking space located on the east side of North Astor Street, in between the two entrances into the municipal parking area defined in §213-22B.
  - (3) Any parking space located in Scenic Hudson Park as approved by the Superintendent of Recreation and Parks.
- B. A vehicle with an Enhanced ~~Peddler's~~ *Mobile Vending License* may park only in these spaces, provided that there is a space available.

Section 6: Section 155-8 is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

§ 155-8. Penalties for offenses.

- A. Every person, firm or corporation violating any provisions of this chapter shall be liable to a penalty of not less than \$200 and not more than \$500 for each and every offense, and each and every violation shall constitute disorderly conduct, and every person violating the same is hereby declared a disorderly person.
- B. In addition, the Board of Trustees may revoke the license of any ~~peddler~~ *mobile vendor* who the Board finds violated any of the restrictions listed in §§ 155-3 and 155-4.

Section 7: Chapter 114, Fees and Charges, is hereby amended as follows (new language in *italics*; deleted language ~~stricken~~):

**Chapter 155—~~Peddling and Soliciting~~ *Mobile Vending***

155-2A Application fees:

~~Peddler's~~ *Mobile Vending License*

For permission to ~~peddle~~ *engage in mobile vending* for one year \$100

For permission to ~~peddle~~ *engage in mobile vending* for one day or part of a day \$ 50

~~Enhanced Peddler's~~ *Mobile Vending License*

For permission to ~~peddle~~ *engage in mobile vending* for one year \$1,000

For permission to ~~peddle~~ *engage in mobile vending* for one day or part of a day \$ 100

Section 8: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 9: This local law shall take effect upon filing with the Secretary of State.