LOCAL LAW NO. _____ OF 2026

A LOCAL LAW OF THE CITY OF PORT JERVIS, COUNTY OF ORANGE, AMENDING CHAPTER 403 OF THE CITY CODE

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York, as follows:

Section 1. Statement of Intent

This Local Law is enacted to amend Chapter 403 of the Code of the City of Port Jervis to establish a company-based seasonal permit for door-to-door peddling, subject to an additional fee for each individual peddler, and to create a separate seasonal permit for food trucks and food carts. It is the opinion of the Common Council that these amendments will provide a more practical permitting structure, appropriately regulate food vending operations, and promote public safety by requiring food trucks and food carts to undergo an annual inspection by the City Fire Inspector.

Section 2. City Code Chapter 403 Amended

Chapter 403 of the Code of the City of Port Jervis, entitled "Peddling and Soliciting," is hereby amended as set forth below. Additions to the City Code are shown in **bold, underlined text**, and deletions are shown in ~~red, strikethrough text~~. Any provision of Chapter 403 not expressly amended by this Local Law shall remain unchanged and in full force and effect.

Chapter 403-2. "Definitions."

Chapter 403-2 of the City Code is amended by adding the following definitions in alphabetical order:

COMPANY

Any corporation, limited liability company, partnership, association or other business entity that employs, retains or authorizes one or more individual peddlers or solicitors to engage in door-to-door peddling activities within the City.

FOOD TRUCK OR FOOD CART

Any movable restaurant, truck, van, cart, bicycle or other movable unit in, on or from which food or beverage for human consumption is sold or offered for sale at retail or given away at temporary or permanent locations. Such vehicle may be self-propelled or towed by another vehicle. Vehicles for the delivery of previously ordered food or beverage, such as pizza, bread and milk, are excluded from the foregoing definition.

Chapter 403-4. "Exemptions"

No permit under this chapter shall be required:

A. For any person or organization that is participating in an event approved by the Common Council of the City of Port Jervis**.** ~~where the vendor has paid a fee and is located in a stationary booth at said event.~~

B. For the delivery of goods or services ordered by telephone, mail or other method initiated by the person receiving the goods or services.

C. By any business, service or activity licensed under any other law, regulation or ordinance of the City of Port Jervis.

D. By political parties and candidates for public office.

Chapter 403-6. "Contents of application."

Section 403-6A of the Code of the City of Port Jervis is hereby amended as followed and by adding new Subsections (16) and (17):

(15) Performance regulations:

(a) All applicants proposing to sell food items shall be required to obtain a food handler's license from the Orange County Health Department **and be inspected by the Port Jervis Fire Inspector on an annual basis.**

(b) Locations shall be restricted to the following municipal locations:

[1] Riverside Park in between signs posted by the City of Port Jervis;
[2] West End Beach in between signs posted by the City of Port Jervis; and
[3] Park Avenue Observatory in the parking area, although a designated peddler cannot utilize more than two designated parking spaces at any time.
[4] City approved events

(16) An application for a seasonal company peddler's permit shall state the name and principal business address of the company and shall identify each individual who will engage in door-to-door peddling activities under the company permit. Each such individual shall provide the information required by Subsections A(1), (2) and (5) of this section, including the required photograph and signed background-check waiver. No individual may engage in door-to-door peddling activities under a company permit unless that individual has been identified in the application or subsequently approved by the City Clerk and the applicable per-peddler fee has been paid.

(17) An application for a seasonal food truck or food cart permit shall identify the food truck or food cart, its owner and operator, the proposed locations of operation, and any vehicle registration or other identifying information, if applicable. The application shall include proof of a current annual inspection and approval by the City Fire Inspector.

Chapter 403-7, "Action on permit applications; permit limitations."

A. The City Clerk shall issue the permit.

B. Permits under this chapter shall be issued ~~to peddlers~~ for the following periods **and**

activities only:

(1) ~~Any time during the year for door-to-door peddling activities.~~ **Seasonal company peddler's permit: issued to a company for door-to-door peddling activities at any time during the year. A separate authorization shall be issued for each individual peddler approved to operate under the company permit.**

(2) Seasonal food truck or food cart permit: issued for food truck or food cart activities at any time during the year.

(~~2~~**3**) City fire parade permit: issued prior to the City of Port Jervis Annual Fireman's Day Parade for the period of that one day of the parade only.

C. No permit under this chapter shall be required for those items listed in § 403-4, Exemptions.

D. A permit issued pursuant to this chapter may be revoked if, following its issuance, the Police Department determines that the applicant was convicted of any crime not reported in the application or is otherwise not a person of good moral character and reputation. A permit may also be revoked for any violation of this chapter committed after its issuance.

Chapter 403-8, "Fees."

A. The following fees shall be paid to the City Clerk with an application for a permit:

(1) ~~Seasonal peddler's permit: $1,500~~**. Seasonal company peddler's permit: $1,500 per company, plus $100 for each individual peddler approved to conduct door-to-door peddling activities under the company permit.**

(2) Seasonal food truck or food cart permit: $250 per food truck or food cart.

~~(2)~~ **(3)** City fire parade permit: $100.

Chapter 403-9, "Additional requirements and prohibited conduct."

Section 403-9 of the Code of the City of Port Jervis is hereby amended by adding a new Subsection D as follows:

D. Each food truck or food cart operating under a permit issued pursuant to this chapter shall be inspected and approved by the City Fire Inspector before the permit is issued and at least annually thereafter. No food truck or food cart may operate within the City unless its fire inspection and approval are current. The permit holder shall maintain compliance with all applicable fire and life-safety requirements and shall make proof of the current inspection available upon request by any authorized City official.

Chapter 403-10, "Exhibition of license."

Section 403-10 shall be replaced in its entirety with the following:

Every individual peddler or solicitor conducting door-to-door activities under a seasonal company peddler's permit shall carry the individual authorization issued by the City Clerk

while engaged in such activities within the corporate limits of the City and shall produce such authorization at the request of any City official or any person with whom the individual seeks to conduct business. Each seasonal food truck or food cart permit shall be conspicuously displayed on the permitted food truck or food cart while it is operating within the City.

Chapter 403-14, "Enforcement; penalties for offenses."

Section 403-14 shall be amended as follows:

A. The Police Department of the City of Port Jervis, and/or the enforcement officials as may be designated, is charged with enforcing the provisions of this chapter and shall have the power, right and authority to issue an appearance ticket, as the same is defined in Article 150 of the Criminal Procedure Law of the State of New York, for the violation of any section of this chapter.

B. Any person who violates any provision of this chapter shall be guilty of a violation. Each violation shall be punishable by a fine not to exceed **$500** ~~$250~~ or by imprisonment for a period not to exceed 15 days, or both.

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.