



City of Lowell - Law Department

375 Merrimack Street, 3rd Floor • Lowell MA 01852-5909
Tel: 978.674.4050 • Fax: 978.453.1510 • www.lowellma.gov

Corey F. Williams
City Solicitor

Michael Broderick
John J. McKenna
First Assistant City Solicitors

Garrett Beaulieu
Christopher Blake
Timothy A. French
Olivia C. Hart-Paulson
Thomas G. Wood
Assistant City Solicitors

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager

FROM: Corey F. Williams, City Solicitor

DATE: May 13, 2025

SUBJECT: MOTION RESPONSE: 04/29/2025 – C. Robinson – Req. City Mgr. have the proper department provide a detailed report on the process to obtain a Hawkers & Peddlers license

Outdoor salespeople, also known as “hawkers” or “peddlers” are mobile vendors that sell anything from noisemakers and holiday hats to food and ice cream cones. In Massachusetts, hawkers/peddlers must be licensed by the Commonwealth of Massachusetts’ Division of Standards (“DOS”). Licenses are valid for 1 year and are for individuals only, not for groups or businesses.

For the DOS to grant a license, the applicant must follow three steps. First, the applicant must start an online application on the Mass.gov website.¹ Second, the applicant must provide the DOS with a certificate signed by Chief of Police from the city or town in which the applicant resides. The certificate, which is attached to this motion response, requires the Chief to attest that “the applicant is of good repute as to morals and integrity.” If the local Chief of Police knows of facts suggesting that the applicant lacks “good repute as to morals and integrity” (for example, a criminal conviction), then the Chief is afforded broad discretion to decline to sign the required

¹ The Division of Standards’ online application is available at <https://www.mass.gov/how-to/hawker-and-peddler-application>.

certificate. In the City of Lowell specifically, the certificate must be signed by Greg Hudon, the Superintendent of Police. Any requests for hawkers/peddler certificates can be made through the Lowell Police Department's Licensing Division (978-937-3200 ext. 3). Third, the applicant must pay a \$62 nonrefundable fee to the DOS.

Depending on the type of goods being sold, an applicant may need to satisfy additional state and local requirements. For example, food sales require a health certificate from the local Board of Health where you intend to sell your goods. An applicant seeking to sell food must also obtain a Sales Tax Registration Number from the Commonwealth's Department of Revenue located at the Saltonstall Building, 100 Cambridge Street., Boston, MA. If the applicant wishes to sell fish or shellfish, they must also obtain a Retail Detailers Permit as required by M.G.L. c. 130 from the Commonwealth's Division of Marine Fisheries in the Saltonstall Building, Room 1901, 100 Cambridge Street, Boston, MA.

The City of Lowell, in Chapter 167 of its Code of Ordinances, sets forth additional licensing requirements and restrictions for hawkers/peddlers, depending on the goods sold. For example, a hawker/peddler who wants to sell fruits, vegetables, and fish in Lowell must *also* obtain a separate license from the Lowell License Commission. A copy of the application form is attached to this Motion Response. Any Lowell License Commission-specific questions can be addressed by the Commission's Executive Secretary, John Pyers, located in the Law Department on the 3rd Floor of City Hall.



COMMONWEALTH OF MASSACHUSETTS

Office of Consumer Affairs and Business Regulation

DIVISION OF STANDARDS

One Federal St., Suite 0730 · Boston, MA 02110

(617) 727-3480 · Fax (617) 727-5705

www.mass.gov/standards

YVONNE HAO
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

DAVID P. RODRIGUES
COMMISSIONER
DIVISION OF STANDARDS

MAURA HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

CERTIFICATE OF CHARACTER

Massachusetts Hawker/Peddler License Application

The issuance of a Hawker/Peddler License in the Commonwealth of Massachusetts requires that each applicant, at the time of their application, submit a certification, signed by the chief of police of the municipality where the applicant resides "which shall state that to the best of his knowledge and belief the applicant therein named is of good repute as to morals and integrity."

See: M.G.L. c. 101 § 22.

Please note that any alteration or amendment of this certification may result in the application being rejected as deficient.

I, _____ the undersigned Chief of Police of the
Name of Chief of Police

City/Town of _____ hereby certify
City or town and state where applicant resides

that to the best of my knowledge and belief _____
Name of applicant

is of "good repute as to morals and integrity" as evidenced by: _____

Note: *evidence may include but is not limited to: criminal offender record information (if permitted), personal knowledge, internal record and contact checks, court information, or any other information used by law enforcement to make such a determination. Additional documentation or qualification of this certification submitted by the below-signed Chief of Police will be accepted by the Division and placed on file.*

Signature of Chief of Police: _____

Date: _____

TO THE LICENSE COMMISSION:

The undersigned respectfully makes application for the following type of license:

Hawker & Peddler - fish

Name

(signature on line above)

Address

Tel.

Date Filed

Granted:

Issued:

Expiration:

Fee: \$62.00

License #:

§ 167-1. Fruit, vegetables and fish.

[Amended 8-23-1988]

A. No person who is not engaged in the pursuit of agriculture shall hawk or peddle fruit or vegetables until he has been duly licensed by and has recorded his name and residence with the License Commission of the City and has been assigned a number by the Commission, to be worn in such a manner as the Commission may prescribe. The fee for such license shall be as set in Chapter 150, Fees, and the license shall continue in force for one year from the date thereof.

B. No person shall hawk or peddle fish until he has been duly licensed by and has recorded his name and residence with the License Commission of the City and has been assigned a number by the Commission to be worn in such a manner as the Commission may prescribe. The fee for such license shall be as set in Chapter 150, Fees, and the license shall continue in force for one year from the date thereof.

§ 167-2. Craving wares; transportation of goods; marking of vehicles.

A. No person hawking, peddling or selling or exposing for sale any of the articles enumerated in MGL c. 101, § 17 shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the City.

B. No hawker or peddler shall carry or convey any of the articles enumerated in MGL c. 101, § 17 in any manner that will tend to injure the public health or disturb the public peace or comfort, nor otherwise than in vehicles and receptacles which have printed on them in letters and figures at least two inches in height the name of the person selling and the number, if any, given him by the License Commission.

§ 167-3. Selling in vicinity of Lowell High School and annex.

A. No person shall offer for sale or sell articles of confection, sandwiches, lunches or any other articles of food in the vicinity of the Lowell High School and the annex to the Lowell High School on any day from 8:00 a.m. to 2:00 p.m., when the school is in session.

B. It is the intent and purpose of this section to prohibit hawkers and peddlers, and vendors, from engaging in their business or occupation in the vicinity of the Lowell High School and the annex to the Lowell High School on the days and between the hours referred to in Subsection A.

C. This section shall not prohibit hawkers and peddlers, or vendors who are engaged in the business or occupation of selling produce, necessaries of life or other articles of food, from selling their products to householders, persons in charge of boardinghouses and to business establishments in the vicinity of the Lowell High School and the annex to the Lowell High School.

TO THE LICENSE COMMISSION:

The undersigned respectfully makes application for the following type of license:

Hawker & Peddler - fruits & vegetables

Name

(signature on line above)

Address

Tel.

Date Filed

Granted:

Issued:

Expiration:

Fee: \$62.00

License #:

§ 167-1. Fruit, vegetables and fish.

[Amended 8-23-1988]

A. No person who is not engaged in the pursuit of agriculture shall hawk or peddle fruit or vegetables until he has been duly licensed by and has recorded his name and residence with the License Commission of the City and has been assigned a number by the Commission, to be worn in such a manner as the Commission may prescribe. The fee for such license shall be as set in Chapter 150, Fees, and the license shall continue in force for one year from the date thereof.

B. No person shall hawk or peddle fish until he has been duly licensed by and has recorded his name and residence with the License Commission of the City and has been assigned a number by the Commission to be worn in such a manner as the Commission may prescribe. The fee for such license shall be as set in Chapter 150, Fees, and the license shall continue in force for one year from the date thereof.

§ 167-2. Crying wares; transportation of goods; marking of vehicles.

A. No person hawking, peddling or selling or exposing for sale any of the articles enumerated in MGL c. 101, § 17 shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the City.

B. No hawker or peddler shall carry or convey any of the articles enumerated in MGL c. 101, § 17 in any manner that will tend to injure the public health or disturb the public peace or comfort, nor otherwise than in vehicles and receptacles which have printed on them in letters and figures at least two inches in height the name of the person selling and the number, if any, given him by the License Commission.

§ 167-3. Selling in vicinity of Lowell High School and annex.

A. No person shall offer for sale or sell articles of confection, sandwiches, lunches or any other articles of food in the vicinity of the Lowell High School and the annex to the Lowell High School on any day from 8:00 a.m. to 2:00 p.m., when the school is in session.

B. It is the intent and purpose of this section to prohibit hawkers and peddlers, and vendors, from engaging in their business or occupation in the vicinity of the Lowell High School and the annex to the Lowell High School on the days and between the hours referred to in Subsection A.

C. This section shall not prohibit hawkers and peddlers, or vendors who are engaged in the business or occupation of selling produce, necessities of life or other articles of food, from selling their products to householders, persons in charge of boardinghouses and to business establishments in the vicinity of the Lowell High School and the annex to the Lowell High School.