

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF ROCKPORT
APPLICATION FOR LICENSE

No. _____

(GENERAL)

DATE _____

TO THE LICENSING AUTHORITY:

The undersigned hereby applies for a License in accordance with the provisions of the statutes relating thereto

Full name of person, firm or corporation making application)

To Hawkers' & Peddlers' License

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

At _____

GIVE LOCATION
BY STREET AND
NUMBER

in said Town of Rockport

In accordance with the rules and regulations made under authority of said Statues.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all taxes required under law.

*Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

**Social Security #(Voluntary)
or Federal Identification Number

Telephone

* This license will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing of delinquency **will be subject to license suspension or revocation.** This request is made under the authority of Mass. G.L. c. 62C s. 49A.

Please submit payment to: Board of Selectmen, 34 Broadway, Rockport, MA 01966

Received _____ 20 _____

Signature of Applicant

A.M. _____

Hour

P.M. _____

Address

APPROVED _____ 20 _____

LICENSE GRANTED _____ 20 _____

At a REGULAR MEETING of the Selectmen of the Town of Rockport, held on June 19, 1975, at the Rockport Town Offices, Broadway, Rockport, Massachusetts, upon motion duly made and seconded, it was unanimously

VOTED: to adopt the following rules and regulations, under General Laws, Chapter 101, regulating and governing Hawkers and Pedlers and Transient Vendors in the Town of Rockport:

1. Applications for licenses or permits shall be submitted in writing to the Selectmen, and delivered or mailed to the Board of Selectmen, Town Office Building, Broadway, Rockport, Massachusetts 01966, and shall be on a form approved by the Selectmen. (A copy of the approved form is attached hereto and incorporated herein by reference.)

2. All of the information requested in the approved form shall be supplied.

3. No Hawker or Pedler shall stop for more than 15 minutes at any one time or place, and hawkers and pedlers shall only stop at those places where such stopping is permitted.

During the months of May, June, July, August and September it shall be unlawful for a hawker, pedler or transient vendor to display or sell goods, wares or merchandise in the General and Semi-Residential Zones of the Town of Rockport, as such zones are defined in the Town of Rockport Zoning By-Law.

It shall be unlawful for a hawker or pedler or transient vendor to display or sell goods or wares or merchandise in any Residential District in the Town of Rockport, as such Districts are defined in the Town of Rockport Zoning By-Law, at any time of the year.

4. No hawker or pedler shall display or sell goods or wares or merchandise in any park, beach, cemetery, school or public building yard or area, and, in addition, shall not display or sell goods or wares or merchandise on any land, within the Town of Rockport, privately owned, without the written permission of the owner. Written permission of the owner can not waive or modify the other restrictions and limitations set forth herein.

5. No hawker or pedler or transient vendor shall use bells or other sound signaling devices to attract attention or customers.

6. No hawker or pedler or transient vendor shall display or sell goods or wares or merchandise without the licenses and permits required under General Laws, Chapter 101. In addition, all hawkers and pedlers shall observe and comply with the requirements and provisions of Section 2.4.1 and Section 2.4.2 of the Town Government and Miscellaneous By-Laws of the Town of Rockport.

7. Hawkers and pedlers shall be responsible for collecting and disposing of all litter and waste materials caused by or resulting from the sale or display of goods, wares or merchandise. Hawkers and pedlers shall observe the requirements of Section 2.1.2. of the said By-Laws of the Town.

8. Any license or permit issued by the Selectmen may be revoked if any of the within rules and regulations are not observed by a hawker, pedler or transient vendor.

Board of Selectmen of the
Town of Rockport

Nicola A. Baratta

Ann L. Fiske

Richard A. Mansueti

Donald H. Berton

Franklin W. Zarr III

**CRIMINAL OFFENDER RECORD INFORMATION (CORI)
ACKNOWLEDGEMENT FORM**

TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR EMPLOYMENT, VOLUNTEER,
SUBCONTRACTOR, LICENSING, AND HOUSING PURPOSES.

Town of Rockport _____ is registered under the provisions of M.G.L. c. 6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to Town of Rockport to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing Town of Rockport written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY:

the Town of Rockport _____ may conduct subsequent CORI checks within one year of the date this Form was signed by me provided, however, that Town of Rockport must first provide me with written notice of this check.

By signing below, I provide my consent to a CORI check and acknowledge that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

SIGNATURE

DATE

**TOWN OF ROCKPORT
CORI POLICY**

I. **PURPOSE**

This Policy outlines the requirements for the criminal history screening of prospective and current employees, subcontractors, volunteers and interns and professional licensing applicants.

II. **APPLICATION**

State law and regulations govern the use of Criminal Offender Record Information (CORI) and other criminal history checks by a municipality. When such checks are conducted, such as in connection with an application for employment, volunteer work or licensing purposes, the following practices and procedures will be followed. Violations of CORI laws and regulations are actionable in accordance with state law, and may also result in disciplinary action against an employee found to have violated said laws and regulations, up to and including termination from employment.

III. **POLICY**

A. **Access to CORI**

All CORI obtained from the Massachusetts Department of Criminal Justice Information System (DCJIS) shall remain **CONFIDENTIAL**, and CORI may only be disclosed to those individuals who have a "need to know," the information in order to fulfill their duties. This may include hiring managers, staff submitting the CORI requests, and staff charged with processing applications. However, every effort will be made to limit the number of individuals authorized to access or receive CORI. The Town must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

Pursuant to state regulations, all CORI certifications must be renewed annually, and any persons authorized to access CORI are required to be retrained annually.

B. **Training**

All personnel authorized to review or access CORI, which includes all personnel authorized to conduct criminal history background checks, shall review and be thoroughly familiar with the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

C. **Conducting CORI Screening**

CORI checks will only be conducted as authorized by the DCJIS and G.L. c. 6, § 172, and only after a CORI Acknowledgment Form has been completed by the individual to be checked.

If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours' notice that a new CORI check will be conducted.

In accordance with state regulations, prior to running a CORI check, the applicant's identity will be verified with government-issued photographic identification (such as a driver's license or passport). If the individual has not been issued such a form of identification, then the applicant's information will be verified with a government-issued non-photographic identification, such as a birth certificate or social security card, or other identification authorized by DCJIS. The Town shall maintain a copy of this identification, together with the CORI Acknowledgment Form, on file for at least one year from the date the Form was signed by the applicant.

In no instance will the applicant be asked or required to provide a copy of his/her own CORI.

D. Use of Criminal History in Employment Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position and meet all other requirements for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this Policy and any applicable law or regulations.

E. Use of a Credit Reporting Agency to Conduct CORI Checks

If a Credit Reporting Agency (CRA) is used to conduct CORI checks on applicants, the Town will comply with the state regulations particular to use of a CRA.

F. Verifying Subject's Identify Once CORI Record is Received

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

G. Inquiring About Criminal History

In connection with any decision regarding employment, volunteer opportunities or licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history, and **PRIOR** to making any adverse decision based upon the applicant's criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

H. Determining Suitability

If a determination is made, based on the information as provided in Section F of this Policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this Policy and any applicable law or regulation. Factors to be considered in determining suitability may include, but not be limited to, the following:

- (1) Relevance of the offense(s) noted on the record to the position or license sought;
- (2) The nature of the work to be performed (where applicable);
- (3) Time since the conviction;
- (4) Age of the candidate at the time of the offense;
- (5) Seriousness and specific circumstances of the offense;
- (6) The number of offenses;
- (7) Whether the applicant has pending charges;
- (8) Any relevant evidence of rehabilitation or lack thereof; and
- (9) Any other relevant information, including information submitted by the candidate or requested by the organization.

Whenever possible, the applicant is to be notified of the decision and the basis for it in a timely manner.

I. Adverse Decisions Based on CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified promptly. The subject shall be provided with copies of: 1) the organization's CORI Policy; 2) the criminal history at issue, indicating the source(s) of said criminal history; and 3) DCJIS' *Information Concerning the Process for Correcting a Criminal Record*, or other similar information published by DCJIS relating to the process for correcting CORI.

The subject will then be provided with a reasonable opportunity to dispute the accuracy of the CORI record and/or submit additional information. In most instances, that reasonable opportunity shall be seven (7) calendar days from date of notification from the Town of the potential of an adverse decision, unless there are extenuating circumstances. Upon the timely receipt of additional documentation/information from the applicant and/or the DCJIS, the Town shall review the information. If the CORI record does not exactly match the identification information provided by the applicant, the Town will make a determination based upon a comparison of the CORI record and documentation provided by the applicant. The Town shall document all steps it takes in this regard.

In the case of license applications, the Town will additionally provide the applicant with information regarding any applicable appeal process, including the opportunity to dispute the accuracy of the CORI at issue.

J. Maintenance of CORI

All CORI information, including CORI Acknowledgment Forms and copies of government-issued identification, will be maintained in a secure fashion. This means that hard copies will be stored in a separate, locked, location; electronically-stored CORI will be password protected and encrypted. No CORI shall be stored using public cloud storage methods. CORI shall be destroyed within seven years from: the date of hire, or date of entrance into volunteer service (employment); date of licensing decision (licensing); last date of residency or date of housing decision (housing), whichever is later. Destruction shall occur by shredding or other similar means (hard copies), prior to disposal. Electronically-stored CORI shall be deleted from all hard drives on which they are stored and from any system used to back up the information. Appropriate measures shall be taken to "clean," any computer used to store CORI, prior to disposal or repurposing of such a computer.

K. Secondary Dissemination Logs

All CORI information obtained from the DCJIS is **CONFIDENTIAL** and can only be disseminated as authorized by law and regulation. A central "secondary dissemination log," shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject. That log must contain the following information: 1) the applicant/subject's name; 2) the applicant/subject's date of birth; 3) the date and time of dissemination; 4) the name of the person to whom the CORI was disseminated, including the name of the organization for whom the person works (if applicable); and 5) the specific reason for the dissemination. These logs must be maintained for at least one year from the date of dissemination; they may be maintained electronically or on paper in the same secure manner as other CORI information; and are subject to audit by DCJIS.

Rockport Board of Selectmen
Adopted: June 24, 2014