

Village of Mendon - Ordinance No. 03.17.18
An Ordinance Regulating Door to Door Solicitors, Peddlers or Canvassers
within the Village of Mendon Illinois

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Mendon, State of Illinois that this ordinance is declared to be a measure necessary to regulate door to door activity within the Village of Mendon for preservation of the public peace, health, safety and general welfare. The reason for said ordinance is the protection of the residents of the Village and the enforcement of ordinances within the Village.

Section 1

Definitions As used in this ordinance the following words have the meaning indicated:

"Solicitor" any person who engages in one or more of the following activities within the Village of Mendon

- (1) seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, or services of any kind;
- (2) seeking to obtain perspective customers for application or purchases of insurance, financial services, or utility services of any type, kind, or character;
- (3) seeking to obtain subscription to books, magazines, periodicals, newspapers, and every other type or kind of publication; or
- (4) seeking to obtain gifts or contributions of money, clothing or any other valuable thing.

"Peddler" any person selling or attempting to sell any goods, wares, merchandise, foodstuffs, or services of any kind and nature, being carried on or transported for immediate delivery or performance from house to house, building to building, or upon any street, highway or sidewalk within the Village of Mendon.

"Canvasser" is a person *who attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident*, for the primary purpose of

- (1) attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause, or
- (2) distributing a handbill or flyer advertising a non-commercial event or service.

Section 2

Permit Required. It shall be unlawful for any person (solicitor, peddler, or canvasser), firm or corporation to engage in business in the Village as a door to door solicitor, peddler, or canvasser to go upon any residential property until such person, firm or corporation has obtained a permit as provided in this ordinance.

Applications for such permit shall be made to the clerk or their designee and applied for on the official application form as provided by the Village of Mendon. Any additional information that the Village Clerk or their designee may deem necessary in addition to the application may be required for processing of application.

A copy of the application form is attached to and made a part of this ordinance. Upon receipt of an application and the fee that has been established, the Village Clerk or their designee shall forward the collected fee to the Village Treasurer, and the application to the local police officers. The officers shall make an investigation into the applicant's business reputation, responsibility, and moral character for the protection of the public welfare and safety. The application will be approved or denied within 30 days of receipt of application.

Section 3

Permit - Non-Transferable: Permits issued under the provisions of this ordinance shall not be in any manner assignable or transferable, or shall authorize any other business than is therein mentioned or any other person than is therein named to do business.

Section 4

Issuance of Permit; Revocation. A door to door, peddler, solicitor or canvasser's permit shall be issued by the Village Clerk or designee and shall specify by name the person or firm to which and the business for which it is granted. Every door to door sales person, peddler, solicitor, or canvasser, while engaged in business shall carry his permit and an issued identification card. The identification card shall contain information that the Village determines is appropriate. All persons shall exhibit same whenever requested by any citizen or Village Officer. Solicitors may only solicit at the front door (main entrance) of a residence. Solicitors **are prohibited from knocking on a door that has a "No Solicitors, No Peddlers, No Canvassers notice posted.** If at any time, it shall be made to appear to the satisfaction of the Village Clerk or their designee that any permitted person has violated any of the provisions of this ordinance, the Village Clerk or their designee shall revoke the permit, and the permitted person shall cease to have any authority there under.

Section 5

Term of Permit. All permits shall be operative for a period of five days (5) from the date of issue.

Section 6

Permit Fee. The fee for a permit required by this ordinance shall be established by the Village of Mendon and shall be paid in the form of cash, bank draft or money order. The fee established is **\$50.00 per five days per person soliciting.** The permit shall be evidence of payment of the fee. **Separate permit fees shall be paid by each solicitor.**

Section 7

Hours of Solicitation. The hours of business for any door to door sales person, peddler, solicitor or canvasser operating their business in the Village of Mendon **shall be between 10:00 a.m. and 7:00 p.m. Monday through Saturdays. No person will be allowed to peddle/solicit on Sundays and Holidays and will leave the premises immediately upon being asked to leave.**

Section 8

Penalty. Any person peddling or soliciting without having a valid permit then in effect or any person failing or refusing to exhibit the permit on demand, or any person **who violates any other provision of this ordinance, shall immediately have their permit revoked and shall be fined not less than One Hundred and Fifty Dollars (\$150.00) nor more than Four Hundred Dollars (\$400.00) for each offense. Each day of violation of the Ordinance shall be considered a separate offense. In addition, the Village may seek injunctive relief or other relief as the law may afford.**

Section 9

Exemption from application and permit requirements. The following shall be exempt from the application and permit process ordinarily required.

- (1) Prior Invitation. Any person who, for the purpose of seeing or taking orders for the sale of merchandise or services, has been previously invited by the occupant of a residence to call thereon.**
- (2) Farmer's Market. Any person whose principal occupation is that of a farmer who sells products of their own farm, vineyard, orchard or garden at a local farmers' market.**
- (3) Not-for-Profit Entities. Any government entity, not-for-profit corporation or organization, religious organization, or school-related activity.**

Section 10

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 11

This ordinance shall be published in pamphlet form according to the law and available in the Village Office.

Section 12

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed in due form on a roll call vote by the Board of Trustees of the Village Of Mendon at a duly held meeting on the 14th day of September, 2017.

Passed:

Approved:

Published in pamphlet form

Attest:_____
Village Clerk

Village Mayor