

§ 112.01 DEFINITIONS.

For purposes of this chapter the following words and phrases shall have the following meanings ascribed to them respectively.

SOLICITOR. Any person who engages in solicitation as defined in this chapter. The term solicitor includes, but is not limited to, hawkers, peddlers, salespersons, itinerant merchants, transient vendors of service, transient photograph or magazine solicitors.

TO SOLICIT or SOLICITATION. The practice of going into and upon private or public property to call at dwellings or other establishments, by solicitors, peddlers, hawkers, itinerant merchants, transient vendors of service, transient photograph or magazine solicitors, or any other person calling upon said properties with the intention of influencing the occupant of said place or dwelling to purchase any article, or with the intention of influencing the occupant to take or not to take action for any commercial purposes, without prior appointment or permission from the occupant of the dwelling, or without having been requested or invited so to do by the occupant of the place or dwelling.

(Ord. 2015-8, passed 8-10-15)

Statutory reference:

Power of municipality to regulate transient dealers, R.C. 715.64

PROHIBITED ACTS

§ 112.15 COMPLIANCE WITH HEALTH REGULATIONS, INSPECTIONS REQUIRED.

(A) No peddler, hawker, or solicitor shall vend or offer for sale any goods, wares, merchandise, produce or supplies, which are subject to inspection or regulation of any village, city, state or federal health authorities, unless such regulations or inspections have been fully met and complied with.

(B) Each sale, attempted sale or solicitation made by any person without complying with this chapter's provisions shall constitute a separate offense.

('69 Code, § 112.02) (Ord. C-69, passed 12-10-56) Penalty, see § 112.99

§ 112.16 COMMERCIAL SOLICITATION.

Solicitation is only permitted in the village if the solicitor complies with the following provisions:

(A) *Preregistration.*

(1) No person may solicit in the village without first registering with the Village Police Department. All solicitors must provide the following information on a form provided by the Department to enable it to identify and contact the solicitor and, if applicable, the person, company, or entity the solicitor represents:

(a) For each solicitor, the solicitor's name, address, and phone number, and presentation of a valid U.S. state-issued driver's license or identification.

(b) If applicable, the name, address, and phone number of the person, company, or entity the solicitor represents.

(c) The time period during which the solicitor will be soliciting in the village. Solicitation activities are limited to the period identified in the registration. Any extension of time must be communicated to the Police Department in writing before further solicitation is permitted.

(d) Whether the solicitor has been convicted in any jurisdiction for a felony, crime involving moral turpitude, or an offense requiring the solicitor to register as a sexual offender.

(2) By providing such information to the village, the solicitor grants the village with authority to take reasonable steps to verify the accuracy of the information. Such information shall also be provided by the solicitor upon request of an owner or occupant during the course of solicitation.

(B) *Permission from the property owner or occupant.* No solicitor may enter upon property unless the solicitor has permission from the owner or occupant. Permission is not granted if any of the following conditions are present:

(1) The owner or occupant has signed up on the Police Department's Do Not Solicit List.

(2) A sign is posted anywhere on the property that indicates solicitation is not permitted or welcome, including but not limited to signs stating words to the effect of "No Solicitors" or "No Solicitation."

(3) The owner or occupant has communicated to the solicitor that the owner or occupant does not want to speak to the solicitor or want the solicitor on the premises.

(C) *Do Not Solicit List.* The Police Department shall maintain a "Do Not Solicit List" containing the names of owners, occupants, or residents that choose to not welcome solicitors on their property. The list shall only identify the physical address of the property. The Do Not Solicit List shall be provided at no charge to any person or company requesting a copy of the list.

(Ord. 2015-8, passed 8-10-15) Penalty, see § 112.99

§ 112.17 REVOCATION.

Permission to solicit in the village under this chapter may be revoked by the Village Manager for the following reasons:

(A) Failure of the solicitor to follow the Village Code or other local, state, or federal laws.

(B) Fraud, misrepresentation, or false statements provided to the village or to persons to which solicitation is directed.

(C) Conviction of the solicitor of any felony, crime involving moral turpitude, or any offense requiring the solicitor to register as a sexual offender.

(D) Conduct constituting a breach of peace, or to be a menace to the health, safety or general welfare of the village or its residents, or conduct that is excessively aggressive or hostile to the occupant or any other person.

(E) Trespass, or the registrant's refusal to promptly leave the property of a person when so requested.

(Ord. 2015-8, passed 8-10-15)

§ 112.99 PENALTY.

Any person, firm, or corporation in violation of this chapter shall be guilty of a minor misdemeanor for the first offense, and of a misdemeanor of the 4th degree for each subsequent offense. Employers, firms, and corporations shall be vicariously liable for the acts of their employees or agents acting on their behalf.

(Ord. 2015-8, passed 8-10-15)