

ORDINANCE NO. 284

AN ORDINANCE PROVIDING
FOR THE REGULATION OF
PEDDLING AND SOLICITING
IN THE VILLAGE OF OTTOVILLE
AND REPEALS ORDINANCE #3

BE IT ORDAINED by the Council of the Village of
Ottoville, a majority of its members concurring:

Section 1. Definitions.

(a) "Peddler" means any person who carried with him for the purpose of sale at retail and immediate or future delivery, goods, wares, food or merchandise, or any person who in person as principal or agent canvasses, sells or otherwise obtains orders or commitments for sale, repair, or exchange of goods, wares, food or merchandise or services.

(b) "Solicitor" means any person who obtains or seeks to obtain funds for any cause whatsoever by means of canvassing from place to place.

(c) "Nuisance" means conduct by any peddler or solicitor which is likely to irritate, mislead, endanger or harass a member or members of the public within the Village of Ottoville, Ohio.

The masculine gender as used herein shall include all genders.

Section 2. License Required.

No person, salesman, firm or corporation shall engage in the business or activity of peddler or solicitor in this Municipality without first obtaining a license as provided in this chapter, except Charitable Organizations as defined in Section 501(c)(3) of the Internal Revenue Code.

Section 3. License Application and Requirements.

(a) Applications for licenses for peddlers or solicitors shall be filed with the Mayor on a form to be furnished by the Mayor, which may require, at least, the following information:

1. The name of the applicant and his physical description including his birth date, height, weight, color of eyes and hair. The same information shall be required of each employee, salesman, peddler or solicitor of applicant operating in Ottoville during the license period. Each

employee, salesman, peddler or solicitor shall be treated as a separate applicant.

2. The home address of the applicant and his social security number.

3. The name and address of the person by whom the applicant is employed or for whom he is soliciting.

4. The length of the applicant's service with such employer or person for whom he is soliciting.

5. All places of residence of the applicant and all employment during the preceding year.

6. The nature and character of the goods to be sold or services to be furnished by the applicant or the purpose for which funds are being solicited.

7. The names of other municipalities in which the applicant has recently conducted activities for which a license is herein required.

8. That the applicant or his employer has complied with the requirements of Ohio R. C. Chapter 1716 pertaining to charitable solicitations, if applicable.

9. Whether applicant has ever been convicted of any crime, and, if so, the nature thereof and the penalty therefrom.

10. Each applicant, employee, peddler, or solicitor shall furnish a description of any vehicle used in connection with his proposed activity in the Village, the license plate number, date and number of his operator's license, and where the vehicle will be located.

11. Each adult applicant may be required to submit to fingerprinting for identification and investigatory purposes.

(b) Each applicant shall furnish a recent photograph of himself not more than one year old or allow the Village to take a polaroid picture of him for a fee of two dollars and fifty cents (\$2.50) in addition to the license fee. Such application shall be made at least twenty-four hours before the license is issued.

(c) If the Chief of Police determines after an investigation, that the information furnished under the requirements of subsection (a) hereof is correct, the applicant proposes to engage in lawful commercial or professional enterprise and neither the applicant nor the enterprise upon which the applicant proposes to engage constitutes a nuisance to the residents of the Municipality, the mayor shall issue a license to the applicant.

Section 4. License Fees and Term.

The license fee charged by the Mayor for the license required by this chapter shall be five dollars (\$5.00) per

day; ten dollars (\$10.00) per week; twenty-five dollars (\$25.00) per month; and fifty dollars (\$50.00) per year. All annual licenses issued under the provisions of this chapter shall expire on December 31 in the year when issued. Other licenses shall expire on the date specified in the license. The annual rate for license fee shall be prorated by the quarter year.

Section 5. The hours that a licensee shall be authorized to solicit shall be from 10:00 A.M. to 4:00 P.M., Monday through Friday.

Section 6. Penalty.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). Each day on which sales are conducted in violation of this chapter shall constitute a separate offense.

Section 7. Effective Date.

This ordinance shall be effective from and after the earliest date allowed by law.

Dated Passed: December 1, 1997 APPROVED:

Judy M. Tannenbach
Mayor

Attest:

Virginia M. Kemmet
Clerk-Treasurer