

772.01 DEFINITIONS.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

772.01 DEFINITIONS.

CHAPTER 772 Peddlers, Solicitors and Canvassers

CHAPTER 772

Peddlers, Solicitors and Canvassers

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CROSS REFERENCES

Power to regulate - see Ohio R.C. 715.61 et seq.

Charitable solicitations - see Ohio R.C. Ch. 1716

Littering - see GEN. OFF. 521.08

Trespass - see GEN. OFF. 541.05

Frozen desserts - see BUS. REG. Ch. 724

Peddling in parks prohibited - see S.U. & P.S. 961.07(c)

772.01 DEFINITIONS.

As used in this Chapter:

(a) "Peddler" or "Solicitor" means any person traveling either by foot, automobile, truck, or any other type of conveyance from place to place, door to door or from street to street, taking or attempting to take orders for profit by the sale of goods, wares, and merchandise or personal property of any nature whatsoever for immediate or future delivery or for services to be furnished or performed in the future;

(b) "Canvasser" means any person traveling either by foot, automobile, truck, or any other type of conveyance from place to place, door to door or from street to street who obtains or seeks to obtain or influences the opinions of the residents of the City, upon the private residences including any house, apartment or other dwelling in the City, who also may or may not obtain or seek to obtain funds for any cause whatsoever. (Ord. 60-14. Passed 12-9-14.)

772.02 LICENSE OR NOTIFICATION REQUIRED.

No peddler or solicitor shall peddle or solicit within the City, unless he or she is the holder of a valid license issued pursuant to Section 772.03, bearing the original signature of the Mayor. (Ord. 60-14. Passed 12-9-14.)

772.03 APPLICATION; FEE; LICENSE; NOTIFICATION.

(a) Any person wanting a license shall obtain an application for the same from the Office of the Mayor, and shall submit the completed application, along with the appropriate fee, to such office, on a form supplied by the Office of the Mayor which shall contain the following information:

- (1) Name and address of the applicant;
- (2) Name and address of the organization represented;
- (3) Names, addresses and social security numbers of all individual peddlers or solicitors;
- (4) A description of the proposed peddling or soliciting activities; and
- (5) Dates, times and particular locations where the peddling or solicitation is to be performed.

Such application shall also be accompanied by a copy of the Internal Revenue Service Federal Income Tax Exemption Letter and State of Ohio Letter of Registration under Ohio R.C. Chapter 1716 in effect at the time of application hereunder, if the applicant and/or organization represented has been issued either or both of said Letters.

(b) A separate license shall be required for each individual salesperson or peddler even though there may be a single employer.

(c) All license applications shall be referred to the Division of Police who shall, within three (3) days after receipt of the completed application, provide a recommendation to the Mayor upon the issuance of a license.

(d) Within five (5) days after receipt of the application, the Mayor shall issue licenses to the solicitors or peddlers unless he finds that:

(1) The applicant has provided false, misleading or deceptive information in his application; and/or

(2) The applicant or any solicitor or peddler named on the license application has been convicted of a felony violation or misdemeanor violation involving fraud or moral turpitude within the past five years.

(e) Each applicant shall pay a fee according the following fee schedule:

- (1) For one day: \$5.00
- (2) For one week: \$10.00
- (3) Street peddlers as defined at Section 772.04: \$25.00/month

Fees shall be paid at the time the application is submitted.

(f) Applicants who are agents for charitable, religious or educational organizations that meet the definition thereof as contained in the Ohio R.C. 2915.07(H), (I), or (J), or have duly registered with the State of Ohio under the provisions of Ohio R.C. Chapter 1716, shall be required to obtain a single license for the organization, but shall be exempt from the payment of any fee as required hereunder.

(g) Once issued, a license may be used only in conformity with the laws of the City and the State of Ohio; may not be assigned or transferred; must be carried by the licensee at all times; and may be revoked or suspended by the Mayor, upon investigation, for any of the following causes:

(1) The licensee or person preparing the application on behalf of the licensee provided false, misleading or deceptive information in the license application.

(2) The licensee is convicted of a felony or of a misdemeanor involving fraud or moral turpitude.

(3) The licensee violates any provision of this chapter or peddles or solicits in an unlawful manner.

(4) The licensee has made himself obnoxious to the public by the use of indecent, profane, or insulting language, or the unsanitary condition of his person or clothing.

(h) Upon issuance of the permit, the peddler and/or solicitor shall be issued a current copy of the City's Peddler and Solicitors "Do Not Knock Registry" as established by Section 772.08 below, together with a copy of Section 772.06 "Resident prohibition by notice." Failure to be in actual possession of said registry while peddling or soliciting in the City of Sheffield Lake shall constitute a violation of this section.

(i) Any canvasser is encouraged to notify the Mayor before obtaining or seeking to obtain or influencing the opinions of the residents of the City. Any canvasser is urged to provide the Mayor in writing with his or her name and address, the name and address of organization represented and the dates, times and particular locations where canvassing is to be performed. No fee shall be charged for the notification of any canvasser.

(Ord. 60-14. Passed 12-9-14.)

772.04 STREET PEDDLING; ADULT ATTENDANT REQUIRED.

No person shall vend or peddle from a vehicle in public streets and public places in the City without a license issued under this chapter, and in pursuit of such business or activity when children under age eighteen (18) collect, congregate, assemble or gather about such vehicle for the purpose of making purchases therefrom or in response to such person's actions, such person so vending or peddling shall be required to be accompanied by an adult attendant whose sole duty and occupation shall be to protect and safeguard such children from injury or hazards of vehicular traffic using such streets and public places. The attendant shall maintain a constant lookout for approaching vehicles and shall warn and guard children from injury therefrom. (Ord. 60-14. Passed 12-9-14.)

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