

772.05 RESTRICTIONS; HOURS; CONDUCT.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

772.05 RESTRICTIONS; HOURS; CONDUCT.

CHAPTER 772 Peddlers, Solicitors and Canvassers

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.)

772.05 RESTRICTIONS; HOURS; CONDUCT.

Every person to whom a license to peddle or solicit is issued and every canvasser under the terms of this Chapter shall be governed by the following rules and regulations:

(a) Canvassers subject to the provisions of this chapter may canvass only between the hours of 9:00 a.m. and 9:00 p.m. Monday through Saturday, and between the hours of 12:00 p.m. and 5:00 p.m. on Sunday; no such person shall canvass on any legal state or federal holiday.

(b) Solicitors or peddlers subject to the provisions of this chapter may solicit or peddle only between the hours of 9:00 a.m. and 7:00 p.m., Monday through Saturday respectively; no such person shall peddle or solicit on Sunday or any legal state or federal holiday.

(c) No peddler, solicitor or canvasser shall enter or attempt to enter a residence, house, apartment or other dwelling in the City without an express invitation from an adult occupant of the residence, house, apartment or other dwelling.

(d) No peddler or solicitor shall engage in any peddling or solicitation other than that specified in the license application.

(e) No peddler, solicitor or canvasser shall by any device make unlawful noises, nor shall any peddler, solicitor or canvasser remain at the residence, house, apartment or other dwelling in the City without the consent of an adult occupant of the residence, house, apartment or other dwelling in the City.

(f) No peddler or solicitor shall peddle or solicit at any residence on the "Do Not Knock Registry". (Ord. 60-14. Passed 12-9-14.)

772.06 RESIDENT PROHIBITION BY NOTICE.

Notwithstanding any other provision of this Chapter, no peddler, solicitor, or canvasser, while peddling, soliciting or canvassing, shall call upon, knock at the door or ring the doorbell of any residence, house, apartment or other dwelling in the City upon which there is posted at the entrance a notice which reads "No Peddlers, Solicitors or Canvassers Allowed", or words of similar import, which clearly prohibit peddlers, solicitors and canvassers on the premises, unless such peddler, solicitor or canvasser has previously been invited upon the premises by the owner, lessee or an adult occupant thereof.

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

772.07 EXCESS NOISE.

No peddler shall use any whistle, bell, horn or other mechanical device for the purpose of advertising his goods, wares and merchandise or services, or of attracting customers, and he shall not call his goods, wares, foods, merchandise or services in a loud voice for such purposes. (Ord. 60-14. Passed 12-9-14.)

772.08 "DO NOT KNOCK REGISTRY".

(a) The Office of the Mayor shall separately establish and maintain a Peddlers and Solicitors' "Do Not Knock Registry".

(b) Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the City may require the City to place and maintain his or her residence, house, apartment or other dwelling in the City's Peddlers and Solicitors' "Do Not Knock Registry" by submitting a request to be placed thereon on a form supplied by the Office of the Mayor. This form shall be made available at City Hall and on the City's website. The completed form may be turned in at any of the above-referenced locations or online and must contain the following information:

(1) The name of the person completing the form(s);

(2) The complete address of the residence, house, apartment or other dwelling to be placed on the registry;

(3) The date the form was completed; and

(4) A statement that no peddlers and solicitors shall knock, ring the doorbell or otherwise call at this address, or words of similar import, on the applicable form.

(c) Any person in lawful possession and occupancy of any residence, house, apartment, or other dwelling in the City may require the City to remove his or her residence, house, apartment or other dwelling from the list set forth in division (b), above, by submitting a separate "Notice of Removal" from said registry on a form supplied by the Office of the Mayor, which shall contain the following information:

(1) The name of the person completing the form(s);

(2) The complete address of the residence, house, apartment or other dwelling to be removed from the registry;

(3) The date the form was completed;

(4) A statement that the residence, home, apartment or other dwelling be removed from the City's Peddlers and Solicitors' "Do Not Knock Registry", or words of similar import, on the applicable form; and

(5) Such other information that verifies the identity of the person completing the form(s) as a lawful possessor and occupant as may be required by the Office of the Mayor

(d) The decision whether to place a residence, house, apartment or other dwelling on the City's Peddlers and Solicitors' "Do Not Knock Registry" shall be solely that of the lawful possessor and occupant thereof, and no official, employee or other agent of the City shall interfere with said decision.

(e) A residence, house, apartment, or other dwelling, after being lawfully placed on the City's Peddlers and Solicitors' "Do Not Knock Registry" shall remain on such Registry until the earliest of any of the following:

(1) The City receives a Notice of Removal pursuant to division (c) above;

(2) The City receives notice that the person who submitted the form pursuant to division (b) above is not or is no longer a lawful possessor or occupant of the premises; or

(3) The expiration of five calendar years, expiring on December 31 of the fifth full calendar year from the date of the form submitted pursuant to division (b) above.

(f) A copy of the City's Peddlers and Solicitors' "Do Not Knock Registry" shall be made available for public inspection at all times on the internet website of the City.

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

772.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor on the first offense and shall be guilty of a fourth degree misdemeanor for the second or subsequent offenses.

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

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- ording the following fee schedule:
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