

VILLAGE OF PLEASANT PLAINS

SOLICITOR/PEDDLER APPLICATION INSTRUCTIONS

Solicitors/Peddlers must provide one of the following forms of identification:

- **A Valid Driver's License**
- **State I.D. Card**
- **Birth Certificate**

Solicitors/Peddlers must file a permit application prior to soliciting or peddling. Completed applications **must be** turned in to the Village of Pleasant Plains Clerk's Office. The Pleasant Plains Police Department will process the application and notify you of the results. **DO NOT** solicit/peddle until you have received confirmation of approval from us.

Fees for Soliciting or Peddling is \$10.00 per day per person or \$50.00 a year per person.

Solicitors must agree to abide by all restrictions set forth in Chapter 7 of the Pleasant Plains Village Code, regulating solicitors/peddlers.

Violations of this Ordinance may result in a fine not less than Seventy-Five Dollars (\$100.00) nor more than Seven-Hundred Fifty Dollars (\$750.00) for any one (1) offense.

SOLICITORS/PEDDLERS PERMIT APPLICATION

Pursuant to Chapter 7 of the Pleasant Plains Municipal Code

***** PERMIT APPLICATIONS REQUIRE 3-5 DAYS FOR PROCESSING *****

Date of Application: _____

Applicant's Name _____

Applicant's Telephone Number _____

Applicant's Home Address _____

Driver's License # _____

SS # _____

Date of Birth _____ Height _____ Weight _____

Hair Color _____ Eye Color _____ Sex _____

Marital Status _____ Name of Spouse (if applicable) _____

Employed by or Representing (*List person, company or entity*) _____

Length of Employment or Service _____ Name of Applicant's Supervisor _____

Employer's Address _____ Employer's Telephone _____

Name and address of employer during the past three years if other than present employer:

Previously Employed By (*list person, company, or entity*) _____

Previous Employer's Address _____

Previous Employer's Telephone _____

State the nature or character of the goods, merchandise, or services to be offered by the applicant or his/her employer; or, the type of organization for which a contribution of money or pledge of financial support is being requested:

Requested length of time for permit: From: _____ To: _____

Has the applicant ever received a solicitor's permit from this Village or any other jurisdiction? Yes _____ No _____

List the last three municipalities where you have carried on business immediately preceding the date of this application, and the address from which such business was conducted in those municipalities:

Have any such permits ever been revoked, and if so, why?

Vehicle Used for Solicitation:

License Plate _____ Make _____ Model _____ Color _____ Year _____

Initial The Following;

[] I acknowledge that soliciting may not occur on any day prior to 10:00 A.M. or after 5:00 P.M. and that my permit must be carried when soliciting in the Village and displayed upon request of any police officer or any person solicited.

[] I acknowledge that it is unlawful for any person to go in or upon, or remain in or upon, any private residence, apartment, or premises in the Village, without first having been invited to do so by the owner or occupant. I understand that it is a violation of Pleasant Plains Village Code to enter or remain upon any premise for the purpose of soliciting if such premises are posted with a "No Trespassing" or "No Solicitors" or similar notice.

[] I hereby swear or affirm that I will not engage in fraud, misrepresentation, false statements, or violate any Village ordinances or laws of the State of Illinois in the course of my solicitation activity.

[] I hereby swear or affirm the information recorded on this permit application is true, correct, and complete to the best of my knowledge. I understand that failure to fully or accurately complete this form will cause my application to be denied.

[] I hereby swear or affirm that I have not been convicted of a Felony Under the Laws of This State or Misconduct Which Constitutes a Class A Misdemeanor Involving Dishonesty or False Statement Under Illinois Law or Similar Violation in any Other State Within five (5) years.

Under Penalty of Perjury, I The undersigned certify that the information given on this application is true and accurate. Any statements found to be false will result in the loss of the right to solicit in the Village of Pleasant Plains.

I hereby consent to a background investigation. I also certify that I am not delinquent in paying any tax, fine, or other obligation owed to the Village of Pleasant Plains.

Signature of Applicant

Date permit application received: _____ Time of Day: _____

Name of person receiving application: _____

Form of personal identification displayed by applicant:

[] Illinois State Identification Card # _____

[] Illinois Driver's License # _____

[] Other _____

Evidence of authorization to solicit or peddle for the organization:

[] Employee ID # _____

[] Other _____

[] Solicitor Application Permit Form fully completed (no empty spaces or unanswered questions)

Verification Process:

[] Company / Organizational affiliation verified

☐ Checked for complaints filed with the State Attorney General's Office

[] Checked for prior violations of the Village's ordinances by the Company / Organization

[] Checked for prior violations of the Village's ordinances by the Applicant

[] Better Business Bureau rating or complaint history information

Verification Process Comments / Findings (Verification documentation may be attached as needed)

[] Permit Approved Permit No. _____

[] Permit Denied

[] Applicant Notified by _____

Authorizing Signatures: _____
Chief of Police *Village Clerk*

PERSONS TO BE ENGAGED IN SOLICITATION/PEDDLER ACTIVITIES

Name: _____ Date of Birth: _____
Last First MI

Address: _____
City State Zip Code

Driver's License No. _____ State Issued: _____

☐ Copy of Identification Included

Name: _____ Date of Birth: _____
Last First MI

Address: _____
City State Zip Code

Driver's License No. _____ State Issued: _____

☐ Copy of Identification Included

Name: _____ Date of Birth: _____
Last First MI

Address: _____
City State Zip Code

Driver's License No. _____ State Issued: _____

☐ Copy of Identification Included

Name: _____ Date of Birth: _____
Last First MI

Address: _____
City State Zip Code

Driver's License No. _____ State Issued: _____

☐ Copy of Identification Included

CHAPTER 7

BUSINESS CODE

ARTICLE I - SOLICITORS

7-1-1 **DEFINITIONS.** For the purpose of this Chapter, the following words as used herein shall be construed to have the meanings herein ascribed thereto, to-wit:

“REGISTERED SOLICITOR” shall mean and include any person who has obtained a valid **Certificate of Registration** as hereinafter provided, and which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

“RESIDENCE” shall mean and include every separate living unit occupied for residential purposes by **one (1)** or more persons, contained within any type of building or structure.

“SOLICITING” shall mean and include any **one (1)** or more of the following activities:

- (A) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatsoever, for any kind of consideration whatsoever or;
- (B) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character or;
- (C) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication or;
- (D) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization, corporation or project.

7-1-2 **CERTIFICATE OF REGISTRATION.** Every person desiring to engage in soliciting as herein defined from persons within this Municipality is hereby required to make written application for a Certificate of Registration as hereinafter provided. All resident charitable, non-profit organizations in this Municipality which have been in existence for **six (6) months or longer** shall be exempt from the provisions of this Article.

7-1-3 **APPLICATION FOR CERTIFICATE OF REGISTRATION.** Applications for a Certificate of Registration shall be made upon a form provided by the Chief of Police of this Municipality and filed with such Chief. The applicant shall truthfully state in full the information requested on the application, to-wit:

- (A) Name and address of present place of residence and length of residence at such address; also, business address if other than residence address; also, Social Security Number.

- (B) Address of place of residence during the past **three (3) years** if other than present address.
- (C) Age of applicant and marital status; and if married, the name of spouse.
- (D) Physical description of the applicant.
- (E) Name and address of the person, firm or corporation or association with whom the applicant is employed or represents; and the length of time of such employment or representation.
- (F) Name and address of employer during the past **three (3) years** if other than the present employer.
- (G) Description sufficient for identification of the subject matter of the soliciting in which the applicant will engage.
- (H) Period of time for which the Certificate is applied.
- (I) The date or approximate date of the latest previous application for a Certificate under this Chapter, if any.
- (J) Has a Certificate of Registration issued to the applicant under this Chapter ever been revoked?
- (K) Has the applicant ever been convicted of a violation of any of the provisions of this Code or the regulations of any other Illinois municipality regulating soliciting?
- (L) Has the applicant ever been convicted of the commission of a felony under the laws of the State of Illinois or any other State or Federal law of the United States?
- (M) The last **three (3) municipalities** where the applicant carried on business immediately preceding the date of application in this Municipality and the address from which such business was conducted in those municipalities.
- (N) Also, such additional information as the Chief of Police may deem necessary to process the application.

All statements made by the applicant upon the application or in connection therewith shall be under oath.

The Chief of Police shall cause to be kept in his office an accurate record of every application received and acted upon, together with all other information and data pertaining thereto and all Certificates of Registration issued under the provisions of this Chapter and of the denial of applications.

Applications for Certificates issued shall be numbered in consecutive order as filed, and every Certificate issued and any renewal thereof shall be identified with the duplicate number of the application upon which it was issued.

No Certificate of Registration shall be issued to any person who has been convicted of the commission of a felony under the laws of the State of Illinois or any other State or Federal law of the United States within **five (5) years** of the date of the application; nor to any person who has been convicted of a violation of any of the provisions of this Chapter, nor to any person whose Certificate of Registration issued hereunder has previously been revoked as herein provided.

7-1-4 **ISSUANCE AND REVOCATION OF CERTIFICATE.** The Chief of Police, after consideration of the application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such Certificate as herein required, and that the issuance of a Certificate of Registration to the applicant would not be in accord with the intent and purpose of this Code. Endorsement shall be made by the Chief of Police upon the application of the denial of the application. When the applicant is found to be fully qualified, the Certificate of Registration shall be issued forthwith.

Any Certificate of Registration issued hereunder shall be revoked by the Chief of Police if the holder of the Certificate is convicted of a violation of any provision of this Chapter, or has made a false material statement in the application or otherwise becomes disqualified for the issuance of a Certificate of Registration under the terms of this Chapter. Immediately upon such revocation, written notice thereof shall be given by the Chief of Police to the holder of the Certificate in person or by certified [return receipt requested] U. S. Mail, addressed to his or her residence address set forth in the application. Immediately upon the giving of such notice, the Certificate of Registration shall become null and void.

The Certificate of Registration shall state the expiration date thereof.

7-1-5 **POLICY ON SOLICITING.** It is declared to be the policy of this Municipality that the occupant or occupants of the residences in this Municipality shall make the determination of whether solicitors shall be or shall not be invited to their respective residences. If no determination is made as is provided in **Section 7-1-7** hereof, then in that event, registration is not required.

7-1-6 **NOTICE REGULATING SOLICITING.** Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this Article shall comply with the following directions:

(A) Notice of the determination by the occupant of giving invitation to solicitors or the refusal of invitation to solicitors to any residence shall be given in the manner provided in paragraph (B) of this Section.

(B) A weatherproof card, approximately **three inches by four inches (3" x 4")** in size shall be exhibited upon or near the main entrance door to the residence indicating the determination by the occupant and containing the applicable words, as follows:

“ONLY REGISTERED SOLICITORS INVITED”

OR

“NO SOLICITORS INVITED”

(C) The letters shall be at least **one-third inch (1/3")** in height. For the purpose of uniformity, the cards shall be provided by the Chief of Police to persons requesting the same, at the cost thereof.

(D) Such card so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

7-1-7 COMPLIANCE BY SOLICITORS. It is the duty of every solicitor upon going onto any premises in this Municipality upon which a residence as herein defined is located to first examine the notice provided for in **Section 7-1-6** if any is attached and be governed by the statement contained on the notice.

If the notice states “**ONLY REGISTERED SOLICITORS INVITED,**” then the solicitor not possessing a valid Certificate of Registration as herein provided for shall immediately and peacefully depart from the premises; and if the notice states, “**NO SOLICITORS INVITED,**” then the solicitor, whether registered or not shall immediately and peacefully depart from the premises.

Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

7-1-8 UNINVITED SOLICITING PROHIBITED. It is declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of **Section 7-1-6.**

7-1-9 TIME LIMIT ON SOLICITING. It is hereby declared to be unlawful and shall constitute a nuisance for any person, whether registered under this Chapter or not, to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, prior to **10:00 A.M. or after 5:00 P.M.** on any day of the week, including Saturday, or at any time on a Sunday or on a State or National holiday.

7-1-10 SOLICITATIONS ON PUBLIC HIGHWAYS. Charitable organizations shall be allowed to solicit upon public highways under the following terms and conditions:

(A) The charitable organization must be one that is registered with the Attorney General for the State of Illinois as a charitable organization as provided by "**An Act to Regulate Solicitation and Collection of Funds for Charitable Purposes, Providing for Violations Thereof, and Making an Appropriation Therefor,**" approved July 26, 1963, as amended.

- (B) Solicit only at intersections where all traffic from all directions is required to come to a full stop.
- (C) Be engaged in a state-wide fund-raising activity.
- (D) Be liable for any injury to any person or property during the solicitation which is causally related to an act of ordinary negligence of the soliciting agent.
- (E) Any person so engaged in such solicitation shall be at least **sixteen (16) years of age** and shall wear a high visibility vest.
- (F) Solicit only during daylight hours.
- (G) Any one charitable organization shall be limited to conducting no more than **two (2)** solicitations per calendar year.

(See 626 ILCS Sec. 5/11-1006)

7-1-11 **FEES.** Upon making an application for a Certificate, the applicant shall pay a license fee, which shall be as follows:

- (A) **Daily License:** **\$10.00 per person per day.**
- (B) **Annual License:** **\$50.00 per person per year.**

(Ord. No. 441; 10-07-91)
(See 65 ILCS Sec. 5/11-42-5)