

Village of Ina

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Ordinance NO. 15-03

AN ORDINANCE GOVERNING AND REGULATING THE ACTIVITIES OF  
SOLICITORS

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WHEREAS, the President and Board of Trustees of the Village of Ina, Illinois, have determined it is necessary to govern and regulate the activities of solicitors;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF INA, ILLINOIS, AS FOLLOWS:

- I. **DEFINITIONS.** For the purpose of this ordinance, the following words as used herein shall be construed to have the meaning herein ascribed thereto, to-wit:
  - A. "Registered Solicitor" shall mean and include any person who has obtained a valid **Certificate of Registration** as hereafter provided, and which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.
  - B. "Residence" shall mean and included every separate living unit occupied for residential purposes by one (1) or more persons, contained within any typed of building or structure.
  - C. "Soliciting" shall mean and include one (1) or more of the following activities:
    1. 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;
    2. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication or;

3. 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.
4. Seeking to demonstrate or offer any type of trial of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatsoever, as a result of any action of a solicitor.

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

III. **APPLICATION FOR CERTIFICATE.** Application for Certificate of Registration shall be made upon a form provided by the Chief of Police of this Village and filed with such Chief. 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; 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 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 Ordinance, if any.
- J. Has a Certificate of registration issued to the applicant under Ordinance ever been revoked?
- K. Has the applicant ever been convicted of a violation of any of the provision of this Code or the regulation 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 the Village 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 provision of this Ordinance 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 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 provision of this Ordinance, nor to any person whose Certificate of Registration n issued hereunder has previously been revoked as herein provided.

IV. **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 Ordinance. Endorsement shall be made by the Chief of Police upon the application of the denial of the application. When the applicant is found to 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 the Ordinance, 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 Ordinance. 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 fourth in the application. Immediately upon the giving of such notice, the Certificate of Registration shall be null and void.

The Certificate of Registration shall state the expiration date thereof.

V. **POLICY ON SOLICITING.** It is declared to be the policy of this Village that the occupant or occupants of the residences in this Village shall make the determination of whether solicitors shall be shall not be invited to their respective residences.

VI. **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 the 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 card/paper, at least three inches by five inches (3" x 5") in size shall be exhibited upon or near the main entrance door to the residence indication the determination by the occupant and the containing the applicable words, as follows:

**"ONLY REGISTERED SOLICITORS INVITED"**

OR

**"NO SOLICITORS INVITED"**

C. The letters shall be at least one-third (1/3) inch in height.

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

VII. **COMPLIANCE BY SOLICITORS.** It is the duty of every solicitor upon going onto any premises in the Village upon which a residence as herein defined is located to first examine the notice provided in Section VI 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.

- VIII. **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 the 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 provision of Section VI.
- IX. **TIME LIMIT ON SOLICITING.** It is hereby declared to be unlawful and shall constitute a nuisance for any person, whether registered under this Ordinance 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 am or after 5:00 pm on any day of the week, including Saturday, or at any time on a Sunday or on a State or National holiday.
- X. **SOLICITATIONS ON THE PUBLIC HIGHWAYS AND STREETS.** Soliciting on highways and streets will not be allowing in the Village.
- XI. **FEES.** Upon making an application for a Certificate, the applicant shall pay a license fee, which shall be as follows:
- a. Daily License: \$25.00 per person per day.
  - b. Annual License: \$1,000 per person per year.
- XII. **Penalty.** Whosoever violates or fails to comply with any of the provision of this ordinance shall be guilty of an offense and fined not less than one hundred dollars(\$100.00) nor more than seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed for each day during or on which a violation occurs or continues.

This Ordinance shall be in full force and effect upon and after its passage, approval and publication as required by law.

PASSED by the Board of Trustees of the Village of Ina, Illinois on this 6th day of APRIL, 2015.

APPROVED by the President of the Board of Trustees of the Village of Ina, Illinois this 6th day of April, 2015.

APPROVED: andy Hutchens  
President

ATTEST: Mary Beth Bowen  
Clerk