



Registration No. _____
Date Issued: _____
Expiration Date: _____
Approved By: _____
License Fee Paid: \$ _____

REGISTRATION OF PEDDLERS AND SOLICITORS

Codified Ordinance A-2317, Section 721

APPLICATION:

Name of Organization/Company: _____

Name of Applicant: _____

Social Security Number _____ Federal I.D. Number: _____

Representative/Contact Person: _____

Title: _____ Length of applicant's service: _____

Address of Organization/Company: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax Number: _____

Email Address: _____ Website: _____

Organization is: ☐ For Profit ☐ Not-For-Profit (Attach a copy of Tax Exempt Certificate)

Tax Exempt Number: _____

Nature and Character of Goods to be sold or Services to be provided:

Purpose for funds being solicited:

BACKGROUND HISTORY:

If an individual, please provide address(es) for the preceding twelve (12) months:

_____	_____
_____	_____

If an individual, place(s) of employment for the preceding twelve (12) months:

Company: _____	Address: _____
Position: _____	

Company: _____	Address: _____
Position: _____	

Names of Municipalities previously serviced/solicited:

City: _____	State: _____
City: _____	State: _____
City: _____	State: _____
City: _____	State: _____

REQUIREMENTS:

1. Applicants who are individuals shall furnish a recent color passport photo size photograph.
2. Applications shall be made at least fourteen (14) calendar days before the desired commencement date.
3. A registration certificate shall be valid for no more than a one-year period. The registration certificate shall state the expiration date.
4. The license fee shall be \$25.00. All annual licenses issued under the provisions of this Ordinance shall expire on December 31 in the year when issued. Other licenses shall expire on the date specified in the license.

A copy of Ord. A-2317, Section 721 may be obtained from the Office of the City Manager or Council Clerk or is available online www.sidneyoh.com.

APPROVAL:

Signature of Applicant _____	City Approval: _____
Title: _____	Title: _____
Date: _____	Date: _____
☐ APPROVED ☐ DENIED	

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

ORDINANCE NO. A-2847**AN ORDINANCE AMENDING SECTION 721.03
OF THE CODIFIED ORDINANCES REGARDING
LICENSE APPLICATION AND REQUIREMENTS
FOR PEDDLERS, VENDORS, SOLICITORS
AND CANVASSERS**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SIDNEY, OHIO:**

SECTION 1. That existing Section 721.03 of the Codified Ordinances,
currently reading as follows:

721.03 LICENSE APPLICATION AND REQUIREMENTS.

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

- (1) The name of the applicant;
- (2) If the applicant is an individual, a valid photograph identification card;
- (3) The name and address of the person by whom the applicant is employed, or for whom he is peddling, soliciting or vending, if any, and the length of the applicant's service with such employer or person;
- (4) If the applicant is an individual, all places of residence of the applicant and all employment during the preceding year;
- (5) The nature and character of the goods, wares or merchandise to be sold or services to be furnished by the applicant, or the purpose for which funds are being peddled, solicited or vended;

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. A-2847

Passed _____, _____

(6) The names of other municipalities in which the applicant has recently conducted peddling, solicitation or vending activities.

(b) Applications shall be made at least 48 hours before the license is issued.

(c) If the City Manager determines, after an investigation, that the information furnished under the requirements of division (a) above is correct; that the applicant proposes to engage in lawful commercial or professional enterprise, and that neither the applicant nor the enterprise upon which the applicant proposes to engage constitutes a clear and present danger to the residents of the municipality, he shall issue a license to the applicant.

(d) The license fee shall be twenty-five dollars (\$25.00) per calendar 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.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

is hereby amended to read as follows:

721.03 LICENSE APPLICATION AND REQUIREMENTS.

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

- (1) The name of the applicant;
- (2) If the applicant is an individual, a recent color passport size photograph;
- (3) The name and address of the person by whom the applicant is employed, or for whom he is peddling, soliciting or vending, if any, and the length of the applicant's service with such employer or person;
- (4) If the applicant is an individual, all places of residence of the applicant and all employment during the preceding year;
- (5) The nature and character of the goods, wares or merchandise to be sold or services to be furnished by the applicant, or the purpose for which funds are being peddled, solicited or vended;

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. 2847

Passed _____, _____

(6) The names of other municipalities in which the applicant has recently conducted peddling, solicitation or vending activities.

(b) Applications shall be made at least fourteen calendar (14) days before the desired commencement date of the license.

(c) If the City Manager determines, after an investigation, that the information furnished under the requirements of division (a) above is correct; that the applicant proposes to engage in lawful commercial or professional enterprise, and that neither the applicant nor the enterprise upon which the applicant proposes to engage constitutes a clear and present danger to the residents of the municipality, he shall issue a license to the applicant.

(d) The license fee shall be twenty-five dollars (\$25.00) per calendar 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.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this legislation were adopted in an open meeting of this Council; and, that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Revised Code Section 121.22.

SECTION 3. That this Ordinance is hereby declared to be in full force and effect from and after the earliest period allowed by law.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

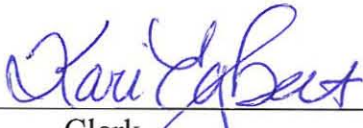
Ordinance No. A-2847

Passed _____, _____

Passed this 8th day of February, 2016.

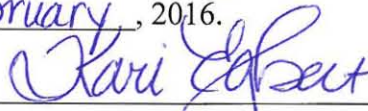
Mayor

Attest:



Clerk

I, Kari Egbert, Clerk of the City of Sidney, do hereby certify that the foregoing Ordinance A-2847, was duly published in the Sidney Daily News, a newspaper of general circulation in said City on the 10th day of February, 2016.



Clerk

Sidney Code of Ordinances

CHAPTER 721

Peddlers, Vendors, Solicitors and Canvassers

721.01 Definitions.

721.02 License or registration required; exceptions.

721.03 License application and requirements.

721.04 Registration for charitable purpose.

721.05 Decision final.

721.06 Carrying and exhibiting license or registration; non-transferability; written receipt required.

721.07 Permissible hours.

721.08 Notice prohibiting peddlers, vendors, solicitors or canvassers.

721.09 Fraud prohibited; revocation of license or registration certificate.

721.99 Penalty.

CROSS REFERENCES

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

721.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) “Canvassing”, “canvassers” and “canvass” means the house- to-house distribution of ideas, pamphlets, literature, or the collection of signatures or support for any purpose or cause. This definition includes actions which are conducted through in person, face-to-face contact, as well as such actions which involve the distributing of pamphlets, literature and other forms of written communication by merely leaving the same at a place of residence. This definition includes requesting contributions when such requests are made in conjunction with the house-to-house distribution of ideas, pamphlets, literature or the collection of signatures or support for any purpose or cause. This definition does not include solicitation, peddling or vending as those terms are hereinafter defined.

(b) “Charitable” means and includes the words “patriotic”, “philanthropic”, “social service”, “welfare”, “eleemosynary”, “benevolent”, “educational”, “civic”, “fraternal”, “veteran's medical”, “social research, either actual or purported” or any agency created for the purpose of supporting health research or health measures, either actual or purported.

(c) “Contribution” means the gift, sale for less than market value or purpose for more than market value of alms, food, clothing, money or property, including donations under the guise of a loan of money or property or the rental thereof for any charitable, religious or political use or purpose.

(d) “Peddler”, “peddle” and “peddling” means any person who carries with such person, for the purpose of sale at retail and immediate or future delivery, goods, wares, food or merchandise, or any person who, in person or as agent, solicits, sells or otherwise obtains orders or commitments for sale, repair or exchange of goods, wares, food, merchandise or services.

(e) “Person” includes natural beings as well as any firm, partnership, corporation, company, association, church, religious sect, religious denomination; society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof.

(f) “Political” and “political organization” shall not mean or include the term “charitable”, but otherwise shall be given their commonly accepted definitions. It is not necessary that a person be a candidate for an office or in support of another person as a candidate to be included within the definition of “political” or “political organization”.

(g) “Religious” and “religion” shall not mean and include the term “charitable”. Such terms shall be given their commonly accepted definitions.

(h) “Solicit” and “solicitation” means the method by which a peddler or vendor conveys his or her wares, goods, merchandise or services.

(i) “Vend” or “vendor” means or applies to a person who transfers property or services by door-to-door sale.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.02 LICENSE OR REGISTRATION REQUIRED; EXCEPTIONS.

(a) No person shall peddle, vend, solicit or request contributions other than in conjunction with canvassing, in this City without first obtaining a license as provided in Section 721.03.

(b) Subject to divisions (c) and (d) below, all persons acting for or hired by another as a peddler, solicitor or vendor in the City shall obtain a license as provided in Section 721.03 prior to acting as a peddler, solicitor or vendor.

(c) No license shall be required of any person who, without compensation, acts as a peddler, solicitor or vendor on behalf of and for any recognized charitable not-for-profit organization. However, subject to division (d) below, no individual shall act as a peddler, solicitor or vendor on behalf of a charitable not-for-profit organization without first having registered with the City Manager or designee, pursuant to Section 721.04.

(d) No license or registration shall be required of any person for the following:

(1) Peddling or soliciting only the purchase of or subscription for newspapers having their principal sale or distribution in this municipality;

(2) Peddling or soliciting only for wholesale delivery to merchants, manufacturers or other business or manufacturing establishments;

(3) Peddling or soliciting at the invitation or request of the person contacted;

- (4) Peddling or soliciting conducted only among the members of the entity or organization conducting the peddling or soliciting;
 - (5) Peddling or soliciting in the form of collections or contributions at the regular assemblies, meeting or services of any recognized charitable not-for-profit organization;
 - (6) Engaging in canvassing or canvassing-related activity.
- (Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.03 LICENSE APPLICATION AND REQUIREMENTS.

- (a) Applications for licenses for peddlers, solicitors or vendors, shall be filed with the City Manager or designee, on a form to be furnished by the City Manager, which shall require, at least, the following information:
- (1) The name of the applicant;
 - (2) If the applicant is an individual, a valid photograph identification card;
 - (3) The name and address of the person by whom the applicant is employed, or for whom he is peddling, soliciting or vending, if any, and the length of the applicant's service with such employer or person;
 - (4) If the applicant is an individual, all places of residence of the applicant and all employment during the preceding year;
 - (5) The nature and character of the goods, wares or merchandise to be sold or services to be furnished by the applicant, or the purpose for which funds are being peddled, solicited or vended;
 - (6) The names of other municipalities in which the applicant has recently conducted peddling, solicitation or vending activities.
- (b) Applications shall be made at least 48 hours before the license is issued.
- (c) If the City Manager determines, after an investigation, that the information furnished under the requirements of division (a) above is correct; that the applicant proposes to engage in lawful commercial or professional enterprise, and that neither the applicant nor the enterprise upon which the applicant proposes to engage constitutes a clear and present danger to the residents of the municipality, he shall issue a license to the applicant.
- (d) The license fee shall be twenty-five dollars (\$25.00) per calendar 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.
- (Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.04 REGISTRATION FOR CHARITABLE PURPOSE.

- (a) Applications for registration certificates shall be filed with the City Manager or designee, on a form to be furnished by the City Manager or designee. Each application shall contain:
- (1) The name, address and the telephone number of the person completing the application;

- (2) The name of an officer or official of the organization;
 - (3) The nature of the charitable purpose to which the contributions, donations or sale proceeds will be applied; and
 - (4) Such other information as the City Manager may require.
- (b) An organization which desires to place a number of peddlers, solicitors or vendors in the City simultaneously may make a group application to cover all of them; however, separate registration certificates shall be issued to each or, in lieu of separate registration certificates, separate information cards shall be issued to each peddler or solicitor by the organization. Such information cards shall include, at a minimum:
- (1) The name of the organization;
 - (2) A description of the purpose of the peddling, solicitation or vending;
 - (3) The period for which the registration certificate was issued;
 - (4) The name of the peddler, solicitor, or vendor;
 - (5) The signatures of the peddler, solicitor, or vendor and an officer or official of the organization.
- (c) A registration certificate shall be valid for no more than a one-year period. The registration certificate shall state the expiration date.
- (d) No fee shall be required for a registration certificate.
- (e) No registration certificate shall be required for anyone engaging in canvassing.
- (Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.05 DECISION FINAL.

The decision of the City Manager to issue or deny a license or registration certificate hereunder shall be final.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.06 CARRYING AND EXHIBITING LICENSE OR REGISTRATION; NON- TRANSFERABILITY; WRITTEN RECEIPT REQUIRED.

- (a) The license or registration certificate issued under the provisions of this chapter shall at all times be conspicuously attached and exhibited on the outer clothing of the peddler, solicitor or vendor.
- (b) Licenses or registration certificates issued under the provisions of this chapter are non-transferable and shall not be used by any person other than the person identified on the license or registration certificate.
- (c) Upon request, all peddlers, solicitors or vendors shall provide a written receipt showing the name of the peddler, solicitor or vendor, the amount of the contribution or purchase and the date.

Upon request, all persons acting as peddlers, solicitors or vendors on behalf of any charitable not-for-profit organization shall provide a statement attesting to the organization's exempt status under Section 501 of the Federal Internal Revenue Code.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.07 PERMISSIBLE HOURS.

(a) All peddling, soliciting, vending and requests for contributions other than in conjunction with canvassing activities permitted under this chapter may be made only between the hours of 9:00 a.m. and 8:00 p.m., except that this subsection does not apply to invitees or national charitable organizations licensed to do business in the State of Ohio with recognized periods for campaign, and to which a certificate of registration to peddle, solicit or vend has been issued by the City Manager.

(b) All canvassing permitted under this chapter may be conducted only between the hours of 9:00 a.m. and 9:00 p.m.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.08 NOTICE PROHIBITING PEDDLERS, VENDORS, SOLICITORS OR CANVASSERS.

(a) The owners or occupants of any residence or place of business may evidence a determination to refuse to receive any uninvited peddlers, solicitors, vendors and canvassers by displaying a card, decal or sign not less than three inches by four inches in size, nor more than one square foot in total surface area upon or near the main entrance door to the residence or place of business, containing the words "No Peddlers or Solicitors" or words of similar import that otherwise clearly purports to prohibit uninvited peddlers, solicitors, vendors, canvassers or persons requesting contributions.

(b) No person shall go upon any premises and ring the door bell, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence or place of business for the purpose of securing an audience with the occupants thereof and engage in peddling, solicitation, vending or requesting contributions, in defiance of a notice displayed pursuant to division (a) above.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.09 FRAUD PROHIBITED; REVOCATION OF LICENSE OR REGISTRATION CERTIFICATE.

(a) No person shall directly or indirectly make or perpetrate any misstatement, deception or fraud in connection with any solicitation, vending or peddling for any purpose in the city or in any application or report filed under this chapter.

(b) No person, having entered into an agreement to conduct any peddling, vending or soliciting on behalf of any person or organization, shall fail to remit or pay to the party entitled thereto the proceeds of such peddling, vending or soliciting in accordance with the terms of the agreement.

(c) The City Manager may revoke, at any time, any license or registration certificate issued under

the provisions of this chapter for violation of any provision of this chapter.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)

721.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a misdemeanor of the fourth degree. Each day on which such activities are conducted in violation of this chapter shall constitute a separate offense.

(Ord. A-2317. Passed 10-14-02; Ord. A-2732. Passed 8-13-12.)