

Chapter 9 - PEDDLERS, SOLICITORS, ETC.

ARTICLE I. - IN GENERAL

Sec. 9-1. - Definitions.

Whenever the following terms are used in this chapter they shall be interpreted in accordance with the definitions hereinafter set forth, unless the context clearly requires otherwise:

Registered solicitor: Any person who has obtained a valid certificate of registration as herein provided, and which certificate is in the possession of the solicitor on his person while engaged in soliciting.

Residence: Every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

Soliciting: Any one or more of the following activities:

- (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs or services, of any kind, character or description whatever, for any kind of consideration whatever;
- (2) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication;
- (3) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization or corporation, or project, if such solicitation is not managed or conducted by a committee of residents of the Mapleton community or is not for a local cause or project.

Solicitor: Any person, male or female, over the age of ten (10) years.

Sec. 9-2. - Village policy.

It is hereby declared to be the policy of the village board that the occupant or occupants of the residences in Mapleton shall make the determination of whether solicitors shall be, or shall not be, invited to their respective residences and the board declares that only solicitors having a valid certificate of registration as herein provided should be invited and that the time of soliciting should be limited to the period between 9:00 a.m. and 5:00 p.m. on every day except Sundays and state and national holidays.

Sec. 9-3. - Entering premises without permission.

No solicitor shall enter into or go upon any residence in the village for the purpose of soliciting without having first been requested or invited to do so by the owner or occupant of the residence.

Sec. 9-4. - Leaving premises on request.

Any solicitor who has gained entrance to any residence by invitation shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Sec. 9-5. - Hours of operation.

It is hereby declared to be unlawful for any person to go upon any premises and ring the door bell 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 prior to 9:00 a.m. or after 5:00 p.m. of any day except Sundays and state and national holidays.

ARTICLE II. - CERTIFICATE OF REGISTRATION

Sec. 9-6. - Required.

No solicitor shall enter into or go upon any residence in the village for the purpose of soliciting without having first been granted a certificate of registration as provided in this article.

Sec. 9-7. - Application.

- (a) Every person desiring a solicitor's certificate of registration shall apply in writing to the village clerk upon a form provided by the clerk.
- (b) The applicant shall truthfully state in full the information requested on the application, to wit:
- (1) The name and address of his present place of residence and length of residence at such address, also business address if other than residence address, and his social security number;
 - (2) His address or place of residence during the past three (3) years if other than his present address;
 - (3) The age of the applicant and marital status; and if married, the name of his spouse;
 - (4) A physical description of the applicant;
 - (5) The name and address of the person whom the applicant is employed by or represents and the length of time of such employment or representation;
 - (6) The name and address of his employer during the past three (3) years if other than his present employer;
 - (7) A description sufficient for identification of the subject matter of the soliciting which the applicant will engage in;
 - (8) The period of time for which the certificate is applied for;
 - (9) The date, or approximate date, of the latest previous application for a certificate under this chapter;
 - (10) A statement as to whether a certificate of registration issued to the applicant under this chapter has ever been revoked;
 - (11) A statement as to whether the applicant has ever been convicted of a violation of any of the provisions of this chapter, or of a violation of any of the provisions of any ordinance of any other Illinois municipality regulating soliciting;

(12) A statement as to whether the applicant has ever been convicted of the commission of a felony under the laws of the state or any other state or federal law of the United States;

(13) Such additional information as the village clerk may deem necessary to determine whether or not the applicant is of good moral character, good faith and integrity to be trusted to engage in soliciting in the village.

(c) All statements made by the applicant upon the application or in connection therewith shall be under oath. Any person who makes a false statement upon an application for certificate of registration shall be deemed guilty of a misdemeanor.

[Sec. 9-8. - Driver's license.](#)

At the time of filing his application for a permit required by this article, the applicant shall present his driver's license, if he has one, to the village clerk, as well as another form of identification. If said applicant does not have a driver's license, he or she must provide the village clerk with two (2) forms of identification. If the clerk is not satisfied as to the legitimacy of any piece of identification, the permit shall be denied.

[Sec. 9-9. - Person ineligible.](#)

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 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; nor to any person who, in the opinion of the village clerk, is not of good moral character and lacks the good faith and integrity desirable for engaging in soliciting in the village.

[Sec. 9-10. - Issuance or denial.](#)

If the village clerk, after considering the application and all information she has obtained pertaining to the applicant and asking questions of said applicant, is of the opinion that the applicant is of good moral character and will in good faith and in a law-abiding manner engage in soliciting in the village, she shall issue a certificate of registration to the applicant. The clerk, after such consideration, shall deny the application if she is of the opinion that the applicant does not possess the required qualifications for such certificate and that the issuance of a certificate of registration to the applicant would not be in accord with the intent and purpose of this chapter. The village clerk shall arrive at such decision within one week of receiving the application. Endorsement shall be made by the clerk upon the application of the denial of the application.

[Sec. 9-11. - Expiration.](#)

A certificate of registration shall state the expiration date thereof. The expiration date shall not be later than the last day of April next following the date of the certificate.

Sec. 9-12. - Revocation.

(a) Any certificate of registration issued hereunder shall be revoked by the village clerk if the applicant shall be guilty of any act of commission or omission thereafter, which act, in the opinion of the clerk will militate against the qualifications of the applicant upon which the certificate was issued, or if the holder of the certificate is convicted of a violation of any of the provisions of this chapter, or has made a false statement in the application of a material thing.

(b) Immediately upon such revocation written notice thereof shall be given by the clerk to the holder of the certificate in person or by certified 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 and be null and void.

Sec. 9-13. - Clerk's records.

The village clerk shall cause to be kept in her office an accurate record of every application for a solicitor's certificate of registration received and acted upon, together with all other information and data pertaining thereto and of all certificates issued under the provisions of this chapter, and of the denial of applications. The applications 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.

Sec. 9-14. - Appeal from denial or revocation.

Any person to whom the village clerk has refused to issue a solicitor's certificate of registration or whose certificate has been revoked by the clerk may, within ten (10) days of receipt of notice of such action, appeal such decision to the village board by filing a statement requesting such appeal with the village clerk. Upon receipt of such a notice the clerk shall forward it to the board and the board shall set a date for a hearing, which hearing shall be held within a reasonable time after the filing of the notice. At the hearing the board shall review the clerk's actions. The appellant shall be given adequate notice of the hearing and shall be afforded due process at it.

Sec. 9-15. - Penalty for violating ordinance.

Any person, company or corporation violating any of the provisions of this ordinance, upon conviction, shall be fined not less than Fifty (\$50.00) Dollars nor more than Seven Hundred and Fifty (\$750.00) Dollars for each offense and shall be liable to a like penalty for each and every day such business shall be continued after such conviction.