

TO OBTAIN A PEDDLERS/SOLICTORS LICENSE :

- _____ 1. Application must be completed.
- _____ 2. Applicant must furnish photo id.
- _____ 3. Applicant must provide a Police Record Check.
- _____ 4. Applicant must notify City at least 24 hours before soliciting/peddling.
- _____ 5. Applicant must pay a \$100.00 license fee.
- _____ 6. Applicant must provide a tax/vendors I.D. number.

License Exceptions:

1. Soliciting only the purchase of or subscriptions for newspapers having their principal sale or distribution in this city or in the County.
2. Soliciting for wholesale/equipment or articles for delivery to merchants, manufacturers or business persons at their offices, or places of business.
3. Soliciting on behalf of religious, educational, civic, charitable or political organizations. (A 24 hour notice must be given by the such groups before soliciting)

**APPLICATION FOR PEDDLER OR SOLICITOR LICENSE
CITY OF WASHINGTON
105 NORTH MAIN STREET
WASHINGTON C.H., OH 43160**

DATE _____

NAME OF APPLICANT: _____

ADDRESS: _____

FAYETTE COUNTY VENDOR'S LICENSE # _____ FEDERAL ID # _____

SOCIAL SECURITY # _____ PHONE # _____ DATE OF BIRTH: _____

SEX: _____ HEIGHT: _____ WEIGHT: _____ COLOR OF HAIR: _____ COLOR OF EYES: _____

OTHER INDIVIDUALS SELLING PRODUCT:

Name _____	Social Security # _____	Date of Birth: _____
Name _____	Social Security # _____	Date of Birth: _____
Name _____	Social Security # _____	Date of Birth: _____

MOTOR VEHICLE DESCRIPTION: (List all vehicles which will be used during periods of solicitation)

MAKE: _____ MODEL: _____ LICENSE #: _____ STATE _____

SOLICITORS ONLY: Soliciting for whom: _____

Purpose: _____

LENGTH OF EMPLOYMENT: _____

NATURE AND CHARACTER OF GOODS SOLD OR SERVICES TO BE FURNISHED BY THE APPLICANT: _____

(If the person is selling furniture or upholstered products, they must possess a current permit issued by the Ohio Dept. Of Industrial Relations, Division of Upholstered Furniture).

OTHER MUNICIPALITIES IN WHICH APPLICANT HAS BEEN LICENSED FOR SIMILAR ACTIVITIES WITHIN THE PAST SIX MONTHS:

1. _____ 2. _____ 3. _____

ANY LICENSE ISSUED UNDER THE PROVISIONS OF CHAPTER 751.10 MAY BE REVOKED AT ANY TIME, BY THE CITY MANAGER, IF THE LICENSEE IS GUILTY OF FRAUD, MISREPRESENTATION OR ANY UNLAWFUL ACT IN CONNECTION WITH HIS BUSINESS OR THE APPLICATION REQUIRED UNDER SECTION 751.03; OR IF THE LICENSEE VIOLATES ANY PROVISION OF THIS CHAPTER.

(Signature of Applicant)

DO NOT WRITE BELOW THIS SPACE

APPLICATION INVESTIGATION: COMMENTS: _____

RECOMMENDATIONS: _____

LICENSE GRANTED: _____ LICENSE DENIED: _____

(CITY MANAGER)

(DATE)

ORDINANCE NO. 11-2003

**AN ORDINANCE AMENDING CHAPTER 114 OF THE CODIFIED
ORDINANCE OF THE CITY OF WASHINGTON**

WHEREAS, the Chief of Police for the City of Washington is requesting that CHAPTER 114: PEDDLERS AND SOLICITORS codified ordinance be amended and modified, and;

WHEREAS, the Council of the City of Washington, after careful thought and consideration, believes that certain amendments and modification are appropriate and necessary to protect the citizens of the City from malicious canvassing.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
WASHINGTON, FAYETTE COUNTY, OHIO:**

SECTION I.

CHAPTER 114: PEDDLERS AND SOLICITORS

Section

- 114.01 Definitions
- 114.02 License required
- 114.03 License application and requirements
- 114.04 License fees and term
- 114.05 Appeals
- 114.06 License to be carried and exhibited at all times
- 114.08 License exceptions
- 114.09 Employee peddlers to be licensed
- 114.10 Revocation of license

- 114.99 Penalty

§ 114.01 DEFINITIONS.

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

PEDDLER. Any person who presents himself for the purpose of sale at retail and immediate or future delivery, goods, wares, food or merchandise, or any person who in person as principal or agent canvasses, sells or otherwise obtains orders or commitments for the sale, repair or exchange of goods, wares, food or merchandise, or services.

SOLICITOR. Any person who obtains or seeks to obtain funds or anything of value for any cause whatsoever by means of canvassing from place to place.
(73 Code, § 751.01).

§ 114.02 LICENSE REQUIRED.

No person, firm or corporation shall engage in the business or activity of peddler or solicitor in this city without first obtaining a license as provided in this chapter.
(73 Code, § 751.02) Penalty, see § 114.99

§ 114.03 LICENSE APPLICATION AND REQUIREMENTS.

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

- (1) The name of the applicant, his physical description and date of birth;
- (2) The home address of the applicant and his social security number;
- (3) The name and address of the person by whom the applicant is employed or for whom he is soliciting or peddling, along with the phone number of the company or person;
- (4) The length of the applicant's service with such employer or person for whom he is soliciting or peddling;
- (5) All places of residence of the applicant and all employment during the preceding year;
- (6) The nature and character of the goods to be sold or services to be furnished by the applicant or the purpose for which funds are being solicited;
- (7) The names of other municipalities in which the applicant has recently conducted activities for which a license is herein required;
- (8) That the applicant or his employer has complied with the requirements of R.C. Chapter 1716 pertaining to charitable solicitations, if applicable.

(B) The applicant shall furnish a recent photograph of himself taken within the preceding year which is to be approximately three-inch by three-inch square. Such application shall be made at least one day before the license is issued. The City may, if desired, provide a digital photograph to the application and/or license.

(C) If the Chief City Administrator determines after an investigation, that the information furnished under the requirements of division (A) of this section is correct, the

applicant proposes to engage in a lawful commercial or professional enterprise and neither the applicant nor the enterprise upon which the applicant proposes to engage constitutes a clear and present danger to the residents of the city, he shall issue a license to the applicant.

('73 Code, § 751.03)

§ 114.04 LICENSE FEES AND TERM.

For the license to be issued under the provisions of this chapter, each applicant shall pay to the city, \$100. All licenses issued hereunder shall be for a period of 90 days, commencing with the date of issue of the license and terminating 90 days thereafter.

('73 Code, § 751.04) (Ord. 3-83, passed 3-23-83)

§ 114.05 APPEALS.

Any applicant who has applied for a license in accordance with this chapter and to whom the Chief City Administrator has, after an investigation, denied a license may appeal to Council. Notice of such appeal shall be filed with Council within five days after the denial by the Chief City Administrator.

('73 Code, § 751.05)

§ 114.06 LICENSE TO BE CARRIED AND EXHIBITED AT ALL TIMES.

The license issued under the provisions of this chapter shall be carried by any peddler or solicitor at all times when peddling or soliciting and shall be exhibited to any person being solicited and, on request, to any police officer.

('73 Code, § 751.06)

§ 114.08 LICENSE EXCEPTIONS.

No license shall be required of a peddler or solicitor for the following:

(A) Soliciting only the purchase of or subscription for newspapers having their principal sale or distribution in this city or in the county.

(B) Soliciting only for wholesale delivery to merchants, manufacturers or other business persons at their offices, places of business or factories, the sale of equipment or articles used in the conduct of their professions, businesses or manufacturing establishments.

(C) Peddling or soliciting at the invitation or request of the potential buyer.

(D) Soliciting or peddling on behalf of and for any recognized religious, educational, civic, charitable or political organization. The religious, educational, civic, charitable or political organization who is soliciting or peddling within the boundaries of the City shall

notify the City at least twenty-four (24) hours before being their soliciting and/or peddling activities.

('73 Code, § 751.08) (Ord. 11-84, passed 4-25-84)

§ 114.09 EMPLOYEE PEDDLERS TO BE LICENSED.

No person shall be hired by another to sell goods, wares, food, merchandise or services in the city as a peddler unless such person so hired has been duly licensed as hereinbefore provided. Additionally, each person soliciting and/or peddling shall carry a copy of the license or application after its issuance. The copy of the license or application shall be available for presentation upon request by the police and/or the person being solicited.

('73 Code, § 751.09) Penalty, see § 114.99

§ 114.10 REVOCATION OF LICENSE.

Any license issued under the provisions of this chapter may be revoked at any time, by the Chief City Administrator, if the licensee is guilty of fraud, misrepresentation or any unlawful act in connection with his business or the application required under § 114.03; or if the licensee violates any provision of this chapter.

('73 Code, § 751.10)

§ 114.11 RESTRICTION TO DAYTIME HOURS.

Peddling and soliciting activities are restricted to between the hours of 8:00 a.m. until 5:30 p.m. on weekdays. On Saturdays peddling and soliciting activities are restricted to between the hours of 9:00 a.m. and 12:00 p.m. The Chief City Administrator may grant additionally activity times if in his or her judgment it is appropriate.

§ 114.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor. The maximum penalty being a fine of \$100.00. For each additional violation of any of the above provision, the violator would be guilty of a fourth degree misdemeanor. The maximum penalty being thirty day in jail and/or a \$250.00 fine. Each day on which sales are conducted in violation of this chapter shall be held to constitute a separate offense.

('73 Code, § 751.99) (Ord. 3-83, passed 3-23-83)

SECTION II.

All the provisions of this Ordinance shall be deemed separable, and the invalidity of any of the provisions hereof shall in no way affect the validity of the other provisions.