

Have you ever been denied a solicitor's permit or had one revoked? yes no

Will you receive payment or partial payment when you solicit? yes no

Will a written contract be involved at any time between you, the company, and the customer? yes no

Who will deliver products/services? _____

Length of time for delivery? _____

Additional Information

Have you ever been convicted of a crime, other than a minor traffic violation? yes no

If yes, please explain (give date, location, charge, etc.)

Will you operate a vehicle in the community during solicitations? yes no

Do you have a valid driver's license? yes no

Driver's License Number _____ State _____

Make & Model of Car _____ Color _____ Year _____

License Plate No. _____ State of Issue _____

Person to be contacted in case of an emergency:

Name _____ Phone _____

Address _____ Relationship: _____

I certify that the facts contained in this application for a permit are true and complete. Any misrepresentation or falsification of information, or significant omissions will be cause for rejection of my application and/or criminal prosecution.

I further understand that I am required to abide by all laws as applicable. I have received a copy of Chapter 713 of Norwalk's codified ordinances. I understand that fees for said permit are non-refundable whether the application is approved or denied.

If a permit is granted, I fully understand that the community does not in any way endorse any products/services or accept any responsibility as to any agreement made between myself, the company listed herein, and the customer.

Signature of Applicant: _____ Date: _____

Attach a notarized copy of written approval from the property owner where you will be selling your goods or services, where applicable.

This Section for City Use Only

Permit Number:

Application fee of \$18 Received by:

Background check completed

Copy of Application sent to police department

Photo ID attached

Approved by:

Denied by:

PERSONAL REFERENCES (other than immediate family members)

Name, Occupation, Address, Phone Number

1. _____

2. _____

Without reservation, I authorize the City of Norwalk and/or any party or agency contacted by the City of Norwalk the right to investigate any and all statements made in this application. This investigation may include, but not limited to, credit reports, criminal records, motor vehicle driving records, personal references and/or employment verifications. Further, I hereby release from liability and hold harmless the City of Norwalk, its' representatives, all persons and organizations/companies for furnishing such information.

Applicant _____

Date _____

CHAPTER 713
Peddlers, Canvassers and Solicitors

713.01	Definitions.
713.02	Registration required.
713.03	Registration application.
713.04	Registration fee; issuance exception.
713.05	Registration card; display.
713.06	Municipality to post signs advising required registration.
713.07	Registration index.
713.08	False application; registration revocation.
713.09	Appeal of registration revocation/denial.
713.10	Registration transferability.
713.11	Hours; business on Sunday prohibited.
713.12	Prohibited address listing.
713.99	Penalty.

CROSS REFERENCES

Power to regulate - see Ohio R. C. 715.51, 715.61
Disturbing the peace - see GEN. OFF. 509.03
Gambling - see GEN. OFF. Ch. 517
Slugs - see GEN. OFF. 545.11

713.01 DEFINITIONS.

“Solicitor, Canvasser or Peddler” means any individual, whether or not a resident of the municipality, traveling either by foot, wagon, automobile, motor vehicle or any other type of conveyance, from place to place, from house to house or from street to street, selling, taking or attempting to take orders for purchases of goods, wares and merchandise, services or tangible personal property of any nature whatsoever, whether or not for future delivery and whether or not such individual has, or exposes for sale, the subject of such sale, or whether or not he/she is collecting advance payments of such sales. This definition shall include but shall not be limited to the following:

(a) Any person who for himself/herself or for another person, firm or corporation hires, leases, uses or occupies any building, structure or place within the municipality for the exclusive purpose of selling to places within the municipality, or the taking of orders, or the making of appointments at places within the municipality by means of telephone;

(b) Any person, firm or corporation doing such business within the municipality and any individual soliciting, canvassing or peddling for or on behalf of such person, firm or corporation. This definition shall not apply to the local delivery of newspapers and solicitations for subscriptions for the same, nor to the sale or delivery of food products which are under the jurisdiction of the Huron County General Health District, nor to services offered by telephone companies, nor to the sale of services or products exclusively to commercial or industrial enterprises.

(c) Temporary sales and services may be permitted within parking areas within any commercial district. A solicitor’s license valid for a period not to exceed seven (7) consecutive days shall only be issued three (3) times within any twelve (12) month period to any individual or organization. The application for the solicitor’s license shall be accompanied by written permission of the property owners and shall be prominently displayed at the site. The Service Director shall not issue a permit for such temporary use if he or she determines that it encroaches upon more than twenty-five percent (25%) of the required parking area.

(d) Temporary retail sales and services, such as the sales of plants, flowers, arts and crafts, farm produce, or similar items on lots other than parking lots, including any lot on which an existing business is operating or on which a business is vacated, may be permitted for any for-profit individuals or organizations in any commercial district. A solicitor’s license valid for a period not to exceed two (2) consecutive days shall only be issued three (3) separate times for any particular lot within any twelve (12) month period, and not more

than one permit may be issued at the same time for any lot. The applicant must submit a current vendor's license or transient vendor's license and a written statement from the property owner giving his or her permission for such use. This section shall not be interpreted to prohibit any such use in any case where a valid covenant or deed restriction specifically authorizes such use. In any event, the solicitor's license shall be prominently displayed at the site.

(e) Exceptions. This chapter shall not apply:

(1) Where items sold are newspapers;

(2) Where the salesman is an agent for a newspaper or an organization which would meet the qualifications for tax exemptions as a religious, charitable, or benevolent institution under Federal Internal Revenue Service law or rules;

(3) Where a sale would not result in financial gain for the salesman or his employer.

(Ord. 2003-068. Passed 11-18-03.)

713.02 REGISTRATION REQUIRED.

No person shall canvass, solicit or peddle within the municipality unless such person shall have first registered with the municipality and shall have first obtained an identification card as hereinafter provided. (Ord. 2002-48. Passed 7-30-02.)

713.03 REGISTRATION APPLICATION.

Any person desiring to register as a solicitor, canvasser or peddler within the municipality shall apply to the Safety/Service Director or his/her agent shall make written application on a form to be provided by the municipality, which form shall correctly and truthfully contain the following information:

(a) Name, age and social security number;

(b) Permanent home address and full local address;

(c) Birth date, height, weight, color of eyes, color of hair and physical description;

(d) A description of the nature of the business and the goods or services to be sold;

(e) The name, address, and telephone number of the employer, together with credentials establishing the exact relationship;

(f) The length of time for which the business is expected to be conducted;

(g) The place where the goods or the property proposed to be sold are manufactured or produced and the location of the goods or products at the time the application is filed, along with the proposed method of delivery and the anticipated date of delivery;

(h) A statement as to whether or not the applicant has been convicted of any felony or misdemeanor and, if any, the nature of the same and the penalty therefor, if any;

(i) The make, model, year and current registration of any motor vehicle used or to be used in the business;

(j) The number and state of issuance of the applicant's driver's license or state identification card, if any;

(k) The names, addresses and telephone numbers of two personal references who are acquainted with the applicant and who would be willing to submit, upon request, a statement of the character of the applicant;

(l) A description of the method of marketing of the product or service, including a description of the sales brochure, if any, utilized in such marketing;

(m) The applicant shall provide proof of their identity at the time of application. The following are acceptable proof of identity:

(1) Passport;

(2) Driver's License;

(3) State Identification Card.

(Ord. 2002-48. Passed 7-30-02.)

713.04 REGISTRATION FEE; ISSUANCE; EXCEPTION.

(a) The registration application shall be filed by the applicant, who shall attest to the truthfulness of the statements contained therein. The application shall be accompanied by a fee to be set by the Director of Safety/Service to compensate the municipality for the costs incident to the issuance of the registration.

(b) Except as provided in paragraph (c), upon receipt of the application and fee, the registration shall normally be issued by the Safety/Service Director or his designee within fourteen days from the filing of the application, during which time the municipality may verify the contents of the application. The registration shall be valid for a period of six months from and after the date of the issuance thereof. Every person desiring to exercise the occupation of a solicitor, canvasser or peddler shall register with the municipality, in addition to each firm, partnership or corporation also desiring to exercise such occupation.

(c) The Director of Safety/Service shall not issue a registration if one or more of the conditions exist:

- (1) The application is incomplete; or
- (2) The applicant has been convicted of a felony or a misdemeanor offense involving moral turpitude within the past five (5) years; or
- (3) The application contains false information.

(Ord. 2002-48. Passed 7-30-02.)

713.05 REGISTRATION CARD; DISPLAY.

The municipality shall, upon registration, issue to the applicant a laminated photo identification card or badge in a form to be prescribed by the Safety/Service Director or his/her agent, indicating thereon the registration of the applicant and the dates during which the registration is valid. The registration card shall be worn by the applicant during the conduct of all soliciting, canvassing or peddling, upon the outer apparel of the applicant at all times and shall be displayed to anyone for examination upon his or her request.

(Ord. 2002-48. Passed 7-30-02.)

713.06 MUNICIPALITY TO POST SIGNS ADVISING REQUIRED REGISTRATION.

The municipality shall cause to be posted at the corporate limits of the municipality and upon all state highways, an appropriate sign indicating the necessity of registration by solicitors, canvassers or peddlers.

(Ord. 2002-48. Passed 7-30-02.)

713.07 REGISTRATION INDEX.

The Safety/Service Director or his/her agent shall maintain a permanent index of registration of solicitors, canvassers and peddlers, indicating thereon appropriate information as taken from the application heretofore described.

(Ord. 2002-48. Passed 7-30-02.)

713.08 FALSE APPLICATION; REGISTRATION REVOCATION.

No person shall, in his/her application for registration, set forth any false information. Upon determination by the municipality that information contained in such application was false, and in addition to any other remedies available by law, the registration shall forthwith be revoked by the municipality and, upon demand thereof by the municipality, the applicant shall tender the card to the municipality.

(Ord. 2002-48. Passed 7-30-02.)

713.09 APPEAL OF REGISTRATION REVOCATION/DENIAL.

Any person whose registration is revoked or denied may, within ten days after the receipt of a revocation notice, which shall be certified by mail to the address in the application, appeal to the Mayor by filing with the Mayor a signed, written statement briefly setting forth his/her ground of appeal. The appellant may then appear, in person or by his/her attorney, before the Mayor at a time and date to be set by the Mayor. The Mayor shall

reconsider the revocation or denial and uphold the revocation or denial or reverse the same. The decision of the Mayor shall be final.

(Ord. 2002-48. Passed 7-30-02.)

713.10 REGISTRATION TRANSFERABILITY.

No registration granted or issued under this chapter shall be assignable or transferable, nor shall any such registration authorize any person, other than the one named therein, to do business as a solicitor, canvasser or peddler, or authorize any other business than is therein mentioned or named to be done or transacted.

(Ord. 2002-48. Passed 7-30-02.)

713.11 HOURS; BUSINESS ON SUNDAY PROHIBITED.

All soliciting, canvassing or peddling done under registration issued hereunder shall be done between the hours of 9:00 a.m. and sunset on weekdays, including Saturday, and no such soliciting, canvassing or peddling shall be done on Sundays.

(Ord. 2002-48. Passed 7-30-02.)

713.12 PROHIBITED ADDRESS LISTING.

All Solicitors, Peddlers and Canvassers shall, prior to beginning to solicit, peddle or canvass, obtain from the Safety/Service Director his office's Prohibited Address' Listing and shall not solicit, peddle, sell or attempt to sell, attempt to or explain a product, attempt to or explain a service, attempt to or explain an organization or attempt to or explain a cause to or at any person located at or upon any address listed upon said Prohibited Address' Listing or in anyway enter upon those listed premises for any of the aforementioned purposes whatsoever.

(Ord. 2002-48. Passed 7-30-02.)

713.99 PENALTY.

Whoever violates any of the provisions or requirements of this chapter shall be guilty of a minor misdemeanor. Each sale or attempted sale made by any person in violation of the provisions of this chapter shall be deemed a distinct and separate offense. Upon conviction, the municipality shall revoke the registration of any person and shall demand the return of the identification card issued hereunder, and no further registration shall be issued for six months following the date of the conviction. Having previously been convicted of a violation of this chapter, each subsequent offense shall be considered a misdemeanor of the fourth degree.

(Ord. 2002-48. Passed 7-30-02.)