

RESOLUTION 1992-35

RESOLUTION OF REGISTRATION AND REGULATION  
OF TRANSIENT VENDORS

WHEREAS, the access to private homes in the township by transient vendors and persons posing as transient vendors is a potential danger to the public safety and welfare; and,

WHEREAS, that danger can be reduced by the registration and regulation of transient vendors by the township government;

NOW THEREFORE, Be It Resolved by the Board of Trustees of Sycamore Township, State of Ohio:

Section I.

That the Board of Trustees of Sycamore Township hereby resolves that the registration and regulation of transient vendors in the unincorporated areas of the township are required as follows:

A) DEFINITION. For the purpose of this resolution the term "transient vendor" shall mean any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the township, sells, offers for sale, or solicits orders for future delivery of goods where payment is required prior to the delivery of goods, except that the term "transient vendor" shall not include a business or organization exempted from taxation under Section 5709.04 of the Ohio Revised Code, or an auction or an auctioneer company licensed under Chapter 4707 of the Ohio Revised Code.

B) TRANSIENT VENDOR PERMIT. No transient vendor shall sell, offer for sale, or solicit orders for future delivery of goods in the unincorporated territory of the township without first obtaining a transient vendor permit.

C) APPLICATION. Applicants for a transient vendor permit must file with the township administrator a sworn application in writing on a form to be furnished by the township administrator which shall provide the following information:

- 1) Name and description of applicant;
- 2) Permanent home address and full local address of the applicant;
- 3) A brief description of the nature of the business and the goods to be sold;
- 4) If employed, the name and address of the employer, together with credentials establishing the exact relationship;
- 5) The place where the goods proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where the goods or products are located at the time the application is filed, and the proposed method of delivery;
- 6) A statement as to whether or not in the preceding three years the applicant has been convicted of a felony or of a misdemeanor which involves a theft or drug offense as defined in the Ohio Revised Code.

When the applicant has provided all the information required by the application and paid the permit fee, and if the applicant has not been

convicted in the preceding three years of a felony or a misdemeanor which involves a theft or drug offense as defined in the Ohio Revised Code, the township administrator, within 72 hours, shall issue a permit to the applicant.

D) FEE AND PERMIT PERIOD. The fee for a transient vendor permit shall be \$75.00. A permit shall be valid for a period of ninety days after the date of registration.

E) EXHIBITION. A transient vendor is required to have his transient vendor permit on his person at all times while conducting business in the township and exhibit his permit upon the request of any citizen.

F) REVOCATION OF LICENSE.

- 1) A transient vendor permit may be revoked by the township administrator for any of the following causes:
  - a) Fraud, misrepresentation, or false statement contained in the application for the permit;
  - b) Fraud, misrepresentation, or false statement made in the course of carrying on his business within the township;
  - c) Any violation of this resolution;
  - d) Conviction of a felony or of a misdemeanor which involves a theft or drug offense as defined in the Ohio Revised Code;
  - e) Conducting oneself, while conducting business in the township, in an unlawful manner or in a manner as to constitute a breach of the peace, or to constitute a menace to the health, safety, or general welfare of the public.

2) The township administrator may revoke a permit by so advising a transient vendor in person or by written notice of such revocation being mailed to the transient vendor at the local address specified in his application for a permit. In such circumstance the transient vendor shall, upon written request, made within 24 hours of receiving notice of revocation, have a hearing by the township on the issue of said revocation prior to it being effective.

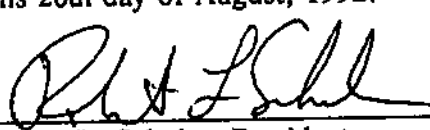
E) CHARITABLE SOLICITOR REGISTRATION. Any person who represents a business or organization exempted from taxation under Section 5709.04 of the Ohio Revised Code shall notify the township administrator of his presence before selling, offering for sale, or soliciting orders for future delivery of goods in the unincorporated areas of the township.


F) PENALTY. Whoever violates any section of this resolution is guilty of a minor misdemeanor and shall be fined not more than \$100.00 for each offense. Each day's violation shall constitute a separate offense.

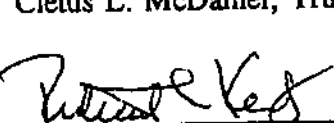
Section I.

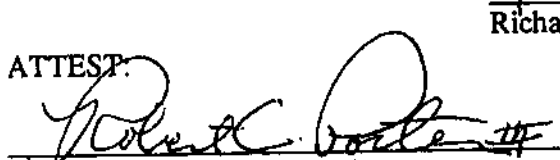
That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

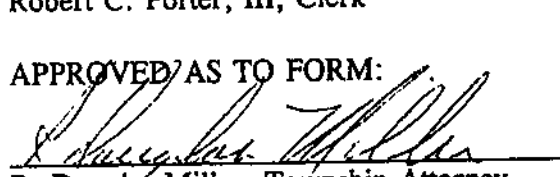
PASSED unanimously this 20th day of August, 1992.

  
Robert L. Schuler, President

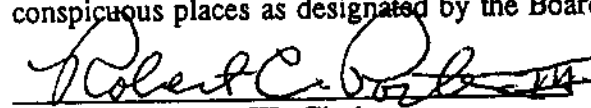
  
Cletus L. McDaniel, Trustee

  
Richard C. Kent, Trustee

ATTEST:  
  
Robert C. Porter, III, Clerk

APPROVED/AS TO FORM:  
  
R. Douglas Miller, Township Attorney

I hereby certify that the within Resolution has been published by posting in five conspicuous places as designated by the Board of Trustees of Sycamore Township.

  
Robert C. Porter, III, Clerk