

**AN ORDINANCE AMENDING  
CHAPTER 50 – PEDDLERS AND SOLICITORS**

**Ordinance No. 080816**

THE VILLAGE OF ASHTON

COUNTY OF LEE

STATE OF ILLINOIS

Dated this 10th day of October, 2016

VILLAGE OF ASHTON, STATE OF ILLINOIS

---

ORDINANCE NUMBER 101016

AN ORDINANCE AMENDING CHAPTER 50 – PEDDLERS AND SOLICITORS

---

ADOPTED BY THE VILLAGE BOARD  
OF THE VILLAGE OF ASHTON, ILLINOIS

DATED THIS 10th Day of October, 2016

---

Published in pamphlet form by authority of the Village Board of the Village of Ashton, Lee County,  
Illinois, this \_\_\_\_ day of October, 2016

---

STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF LEE            )

**CERTIFICATE**

I, Meghan Clark, certify that I am duly elected and acting Municipal Clerk of the Village of Ashton, Lee County, Illinois.

I further certify that on October 10th, 2016 the Corporate Authorities of such municipality passed and approved an Ordinance entitled. AN ORDINANCE AMENDING CHAPTER 50 – PEDDLERS AND SOLICITORS.

The pamphlet form of the Ordinance, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted on the municipal building, commencing on October 10, 2016, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Ashton, Illinois this 10 day of October, 2016.

  
\_\_\_\_\_  
MEGHAN CLARK, Municipal Clerk

**ORDINANCE NO. 101016**

**AN ORDINANCE AMENDING CHAPTER 50 – PEDDLERS AND SOLICITORS**

**WHEREAS**, the Village Board of Trustees of the Village of Ashton, Lee County, Illinois, has determined that it is in the best interest of the Village to amend Chapter 50 – Peddlers and Solicitors in the Village of Ashton Code of Ordinances:

**NOW THEREFORE**, be it ordained by the Village of Ashton as follows:

**ARTICLE II: SOLICITATION**

**DIVISION 2. PERMIT**

**Sec. 50-51. Required; application; standard for issuance.**

(a) It shall be unlawful for any person to engage in solicitation in the village without first obtaining a written permit therefore from the village clerk or the clerk's representative. For the purposes of obtaining such a permit, a written application shall be made, in a form prescribed by the village clerk, setting forth the following:

1. The full name, mailing address and telephone number of the individual person who will be engaged in the proposed solicitation.
2. A description of the person who will be engaged in the proposed solicitation.
3. A Picture, of at least two inches by two inches of the individual person, taken within sixty (60) days immediately prior to the date of application, which picture shall show the front view of the head and shoulders of the applicant in a clear and distinguishable manner, shall be attached to the application.
4. The full name, mailing address and telephone number of the person or organization sponsoring, promoting or conducting the proposed solicitation.
5. The full name and, mailing address and telephone number of the person who will have supervision of and responsibility for the proposed solicitation.
6. The nature of the business or activities conducted by the person or organization on whose behalf the proposed solicitation will be conducted.
7. A description of the proposed solicitation, indicating the type of communications to be involved.

8. The date and hour at which the solicitation is proposed to begin, and the expected duration of the proposed solicitation.

9. The purpose of the activities of the solicitation.

10. A statement of whether or not the individual person or organization who will be engaged in the proposed activities has ever been convicted of any one or more of the following:

- a. A violation of any law or ordinance concerning canvassing or soliciting;
- b. A felony; or
- c. Any crime involving moral turpitude.

11. The full name, mailing address and telephone number of at least one reputable person, to be used as a reference, not related to or affiliated with or employed by the individual person or organization, who will be engaged in the proposed solicitation.

(b) The written application shall be filed no later than 12:00 noon, local time, three (3) business days immediately preceding the day on which the proposed solicitation is expected to commence.

(c) No person shall be denied a permit to engage in solicitation, unless:

1. A statement contained in the application is incorrect, provided that the applicant has been given an opportunity to correct or amend the application.

2. The Application has not been completed in full as indicated herein, provided that the applicant has been given an opportunity to correct or amend the application.

3. The person who will be engaged in the solicitation has been convicted of:

- a. A violation of any law or ordinance concerning canvassing or soliciting;
- b. A felony; or
- c. Any crime involving moral turpitude.

(d) The application for a permit to engage in solicitation shall be a matter of public record and shall be available for inspection by members of the public during business days.

#### **Sec. 50-52. Fee**

The Village shall collect a fee for the issuance of a permit.

The Application for a permit to engage in solicitation shall be accompanied by the requisite fee, to be paid to the Village.

The fee for a Solicitation permit shall be \$25.00 per day of solicitation, up to a maximum of \$200.00 annually and shall be subject to modification by the President and Trustees of the Village upon duly passed resolution. Once a Solicitor has paid \$200.00 in one calendar year for appropriate permits, the Village shall not charge them for further permits, but any such solicitor shall abide by and comply with all other terms for issuance of a permit.

### **Sec. 50-53. Identification Badge.**

Upon approval of the application for a permit to engage in solicitation, the village clerk or the clerk's representative shall issue the applicant therefore a badge, which shall be worn in a plainly visible fashion by the applicant at all times during the solicitation and shall be shown upon request by any resident or other occupant of the house or residential dwelling being solicited.

The issued badge shall contain the following information:

1. The full name, mailing address and telephone number of the person engaged in solicitation.
2. The full name and mailing address of the person or organization on whose behalf the solicitation is being conducted.
3. The dates and hours for which the permit is valid.

### **Sec. 50-54. Revocation.**

A permit to engage in solicitation shall be revoked if:

1. The person engaged in the solicitation engages in any conduct prohibited by this article.
2. The village clerk becomes aware of facts which would have served as a basis for denying a permit.

### **Sec. 50-55. Constitutional Guarantees.**

No provision of this Chapter shall be construed so as to deprive any person of a freedom of speech as guaranteed by the Constitution of the State of Illinois or of the United States or as any infringement upon business engaged in interstate commerce.

### **Sec. 50-56. Exemptions.**

(a) *Prior invitation.* Any person who, for the purpose of selling or taking orders for the sale of merchandise or services, has been previously invited by the occupant of a residence to call thereon.

(b) *Farmers.* Any person whose principal occupation is that of a farmer, who sells the produce of his own farm, vineyard, orchard or garden, provided he does not obstruct streets, sidewalks or other public places or solicit in any public park.

(c) *Newspaper vendors.* Any person who, on behalf of the publisher of any newspaper of general circulation within the village, solicits to sell such newspapers.

(d) *Nonprofit organizations.* Any person selling, peddling, soliciting or taking orders for any goods or services not prohibited by law on behalf of a charitable, religious or other nonprofit organization sponsored by or participated in by a local chapter of such organization; or by a national organization not represented locally but which has filed a statement of registration with

the village clerk specifying the name of the nonprofit organization, its permanent address, the names of its principal officers, and the names of those persons who are authorized to sell, peddle or solicit or take orders for goods and services within the village.

**BE IT FURTHER ORDAINED**, by the President and the Village Board of Village of Ashton, Illinois.

SECTION ONE

That the provisions and sections of this Ordinance shall be deemed to be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION TWO

That all ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION THREE

That all ordinances not in conflict herewith, including the remaining portions of Chapter 50 – Peddlers and Solicitors remain in full force and effect.

SECTION FOUR

That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION FIVE

That this Ordinance shall be in full force and effect from and after its passage and approval, upon publication as required by law.

Passed on the 8<sup>th</sup> Day of August, 2016

<u>5</u>	Ayes
<u>1</u>	Nays
<u>0</u>	Absent

Approved:



DONALD ROSS, President  
Village of Ashton

Attested:



MEGHAN CLARK  
Village Clerk of the Village of Ashton