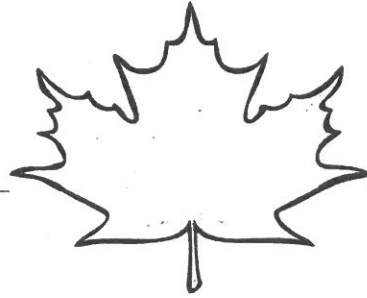


City of Maple Heights

Solicitor's License

Issued to below party who has fulfilled the requirements of
Section 862 of the City of Maple Heights Codified Ordinances.



Solicitor's Name

Company Name

This License is valid from 9 A.M. to 7 P.M. weekdays, Saturdays
and Sundays, and non-state national holidays.

Issued Date:

Expiration Date:

Fee Paid:

Todd T. Hansen, Chief of Police

Permit must be carried at all times while working in the City.

CHAPTER 862 **Peddlers and Solicitors**

***EDITOR'S NOTE:** This chapter, previously a codification of Ordinance 1958-170, passed October 15, 1958, and Ordinance 1986-116, passed January 7, 1987, was repealed in its entirety and reenacted by Ordinance 2000-083, passed December 20, 2000.*

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CROSS REFERENCES

Charitable solicitations - see Ohio R.C. Ch. 1716

Frozen desserts - see Ohio R.C. 3717.51 et seq.

Sale of goods and services within right of way of interstate and other state highways - see Ohio R.C. 5515.07

Trespassing - see GEN. OFF. [642.12](#)

Biliposting and advertising on public and private property - see GEN. OFF. [642.28](#)

Distribution of handbills - see GEN. OFF. [642.29](#)

Soliciting funds - see GEN. OFF. [648.14](#)

Littering - see GEN. OFF. [660.03](#)

862.01 DEFINITIONS.

As used in this chapter:

(a) "Peddler" means any person who carries with him or her, 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 at residences, without the invitation or previous consent of the owner or occupant of such premises.

(b) "Solicitor" means any person who obtains or seeks to obtain funds for any cause whatsoever by means of canvassing residences without the invitation or previous consent of the owner or occupant of such premises.

(c) Neither "peddler" nor "solicitor", as defined above, applies to political or religious solicitation or canvassing, nor does it apply to non-profit solicitation conducted by minors in connection with fundraising.

(Ord. 2000-083. Passed 12-20-00.)

862.02 LICENSE REQUIRED.

No person, firm or corporation shall engage in the business or activity of peddler or solicitor in the City without first obtaining a license as provided in this chapter.

(Ord. 2000-083. Passed 12-20-00.)

862.03 LICENSE APPLICATION AND REQUIREMENTS.

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

- (1) The name of the applicant and the applicant's physical description.
- (2) The home address of the applicant, social security number or driver's license number and the tax identification number of the employer.
- (3) The name and address of the person by whom the applicant is employed or for whom the applicant is soliciting.
- (4) The length of the applicant's service with such employer or person for whom he or she is soliciting.
- (5) All places of residence of the applicant and all employment during the preceding year.
- (6) The nature and the character of the goods to be sold or services to be furnished by the applicant or the purpose for which the funds are being collected.

The City income tax form must also be filled out and filed with the registration.

(b) The applicant shall furnish a recent photograph. Such application shall be made at least ten days before the license is issued.

(c) If the Chief of Police determines after an investigation that 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, the Chief of Police shall issue a license to the applicant.

(Ord. 2000-083. Passed 12-20-00.)

862.04 LICENSE FEE AND TERM.

For the license to be issued under the provisions of this chapter, each applicant shall pay to the City fifty dollars (\$50.00). A license issued hereunder shall be for a period of one year or less, which period shall end on December 31 of the calendar year in which such license is acquired, regardless of the date such license is issued.

(Ord. 2000-083. Passed 12-20-00; Ord. 2014-15. Passed 2-19-14.)

862.05 CARRYING AND EXHIBITING LICENSE.

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.

(Ord. 2000-083. Passed 12-20-00.)

862.06 REVOCATION OF LICENSE.

Any license issued under the provisions of this chapter may be revoked at any time by the Chief of Police if the licensee is guilty of any fraud, misrepresentation or unlawful act in connection with his or her business, or is otherwise found to be a person not fit to be engaged in such business, or if the licensee violates any of the provisions of this chapter.

(Ord. 2000-083. Passed 12-20-00.)

862.07 RENEWAL OF LICENSE.

The Chief of Police may renew a license previously issued hereunder without fulfillment of some or all of the license application requirements set forth in Section [862.03](#) hereof.

(Ord. 2000-083. Passed 12-20-00.)

862.08 HOURS OF SOLICITATION REGULATED.

No solicitation shall be conducted before 9:00 a.m. or after 7:00 p.m. on weekdays, Saturdays and Sundays, or at any time on a State or national holiday.

(Ord. 2000-083. Passed 12-20-00.)

862.09 NOTICE PROHIBITING SOLICITATION.

Notice by the owner or occupant of any residence or place of business of the determination to refuse to receive any uninvited solicitors shall be given by displaying a weatherproof card, decal or sign, not less than two inches by three inches in size, not more than one square foot in total surface area, upon or near the main entrance door to the residence or place of business indicating such determination by the owner or occupant, containing the words "No Solicitors Invited," or words of similar import, with letters at least one-third of an inch in height. Any sign that complies with the requirements of this section shall be exempt from any additional or different

requirements contained in the provisions of these Codified Ordinances, including, but not limited to, the Planning and Zoning Code.

(Ord. 2000-083. Passed 12-20-00.)

862.10 SOLICITATION VIOLATION NOTICE.

It is hereby declared unlawful and shall constitute a trespass for any person to go upon any premises and ring the doorbell upon or near any door, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence for the purpose of solicitation in defiance of the notice exhibited at the residence or place of business in accordance with the provisions of Section [862.09](#), unless the solicitor has been previously invited upon the premises by the owner, lessee or an adult occupant thereof.

(Ord. 2000-083. Passed 12-20-00.)

862.11 LEGAL ACTION.

Notwithstanding any penalty provided for under the terms of this chapter, the Director of Law or any resident of the City, or any other person, firm, corporation, partnership or other entity, may commence a civil action in any court of competent jurisdiction against any person, firm, corporation, partnership or other entity who or which violates the provisions of this chapter. Such relief shall include any preliminary or permanent injunction to abate such nuisance and all other relief as the court may deem appropriate, including, but not limited to, reasonable attorneys' fees, expenses and court costs.

(Ord. 2000-083. Passed 12-20-00.)

862.99 PENALTY.

Any person, firm, partnership, association or corporation violating any provision of this chapter shall be guilty of a misdemeanor of the third degree for a first offense and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both. For any subsequent offense, such person or other entity shall be guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both.

(Ord. 2000-083. Passed 12-20-00.)