

ORDINANCE NO. 83-8

ORDINANCE REGULATING PEDDLERS, CANVASSERS AND SOLICITORS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS:

SECTION 1: The word "peddler" as used in this section shall mean any person, whether a resident of this Village or not, traveling from place to place, from house to house or from street to street, for the purpose of selling or soliciting for sale, goods, wares, merchandise or services; and shall also mean and include any person transacting a temporary business within the Village at an established place of business. The word "peddler" shall include the terms "solicitor", "transient or itinerant merchant or vendor" or "transient or itinerant photographer" and shall include solicitors for charitable causes.

SECTION 2: The provisions of this section shall not apply to solicitations, sales or distributions made by charitable, educational or religious organizations which have their principal place of activity in the Village but shall apply to such organizations from without the Village.

SECTION 3: Refusing to Leave. Any peddler who enters upon premises owned, leased, or rented by another and refuses to leave such premises after having been notified by the owner or occupant of such premises, or his agent, to leave the same and not return to such premises, shall be deemed guilty of a misdemeanor.

SECTION 4: Entrance to Premises Restricted. It shall be unlawful for any peddler to enter upon any private premises when the same are posted with a sign stating "No Peddlers Allowed" or "No Solicitations Allowed" or other words to such effect.

SECTION 5: Misrepresentation. It shall be unlawful for any peddler to make false or fraudulent statements concerning the quality or nature of his goods, wares, merchandise or services for the purpose of inducing another to purchase the same.

SECTION 6: Hours of Operation. It shall be unlawful for any peddler to engage

in the business of peddling within the Village between the hours of one-half (1/2) hour before sunset and 9:00 A.M. the following morning, or at any time on Sundays, except by specific appointment with or invitation from the prospective customer.

SECTION 7: It shall be unlawful for any person not a legal resident of the Village of Chapin to engage in business as a peddler within the Village without first obtaining a permit so to do.

SECTION 8: Application. The application for a permit required by the provisions of this section shall:

(a) Contain a statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any state or federal law or municipal ordinance or code; the nature of the offense; the punishment or penalty assessed therefor; if previously convicted; and the place of conviction.

(b) Whether the applicant, upon any sale or order, shall demand, accept or receive payment, or deposit, of money in advance of final delivery.

(c) The period of time the applicant wishes to engage in business within the Village.

(d) The local and permanent address of the applicant.

(e) The local and permanent address and the name of the person, if any, that the applicant represents.

(f) The kind of goods, wares, merchandise or services the applicant wishes to engage in such business within the Village.

(g) The last five (5) cities or towns wherein the applicant has worked before coming to the Village.

SECTION 9: Identification. At the time of filing his application for a permit required by this Ordinance, the applicant shall present identification to the Village Clerk.

SECTION 10: False Information. It shall be unlawful for any person to give any false or misleading information in connection with his application for a permit required by this Ordinance.

SECTION 11: Fingerprints, Photographs. At the time of making application for a permit required by this Ordinance, the applicant may be required to submit to fingerprinting and photographing.

SECTION 12: Fee. Before any permit shall be issued under the provisions of this Ordinance, the applicant therefor shall pay a fee, based upon the duration he desires to engage in business in the Village, as follows:

Per Day	\$5.00
Per Week	10.00
Per Month	25.00
Per 3 Months	50.00
Per 6 Months	75.00
Per 12 Months	100.00

SECTION 13: Bond Required. The application for a permit required by the provisions of this Ordinance shall be accompanied by a bond in the penal sum of One Thousand Dollars (\$1,000.00) signed by the applicant and signed, as surety, by some surety company authorized to do business in this State or other surety acceptable to the Village Board, conditioned for the final delivery of goods, wares, merchandise or services in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any and all purchasers or customers for any and all defects in material or workmanship that may exist in this section sold by the principal of such bond, at the time of delivery, and that may be discovered by such purchaser or customer within thirty (30) days after delivery, and which bond shall be for the use and benefit of all persons that may make any purchase or give any order to the principal on such bond, or to an agent or employee of such principal. Provided, however, that in the case of a solicitor not selling goods or services of substantial value, this requirement may be waived by the Board upon application.

SECTION 14: Service of Process. Before any permit shall be issued under this Ordinance, there shall also be filed with the Village Clerk an instrument in writing, signed by the applicant under oath, nominating and appointing the Village Clerk his true and lawful agent, with full power and authority to acknowledge service of notice of process for and on behalf of such applicant, and service of summons in any action brought upon the applicant's bond shall be deemed made when served on the Village Clerk.

SECTION 15: Issuance. No permit shall be issued under the provisions of this

Ordinance until the applicant shall have complied with all the provisions and requirements hereof.

SECTION 16: Limitation. No peddler's permit shall be issued to a corporation, partnership or other impersonal legal entity, but each individual person engaging in the business of peddling within the Village shall be required to have a permit whether acting for himself or as an agent or representative of another.

SECTION 17: Display. Every peddler having a permit issued under the provisions of this Ordinance and doing business within the Village shall display his permit upon the request of any person, and failure so to do shall be deemed a misdemeanor.

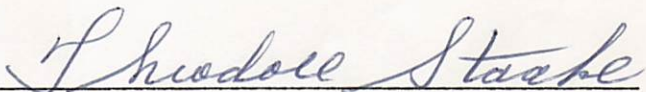
SECTION 18: Duration. Every permit issued under the provisions of this Ordinance shall be valid for the period of time stated therein, but in no event shall any such permit be issued for a period of time in excess of twelve (12) months.

SECTION 19: Revocation. Any permit issued under the provisions of this Ordinance may be revoked for the violation by the permittee of any applicable provision of this Ordinance, state law or Village Ordinance. Upon such revocation, such permit shall be immediately surrendered to the Village Clerk, and failure to do so shall be a misdemeanor.

SECTION 20: Forms. The Village Clerk shall provide forms for the application and issuance of permits hereunder.

SECTION 21: That all Ordinances heretofore passed by the President and Board of Trustees of the Village of Chapin, County of Morgan and State of Illinois which are in conflict with this Ordinance are hereby repealed.

PASSED this 1st day of June, 1983.



Village President

ATTEST:

Village Clerk

John Williams

(SEAL)





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