

## CHAPTER 35

### SOLICITORS, CANVASSERS AND PEDDLERS

#### 35.01 DEFINITIONS

When any of the following words or terms are used in this Chapter, whether or not capitalized, they shall have the following meanings:

- (a) "*Charitable*" means any benevolent, philanthropic, patriotic or eleemosynary purpose.
- (a) "*Peddle*" means selling or offering for sale any goods, service, or merchandise from any location on the public right-of-way or from residence to residence.
- (b) "*Solicit*" means selling or offering for sale any goods, service, or merchandise from any location on the public right-of-way or from residence to residence; requesting donations for; or distributing literature on behalf of any charitable, civic, religious, labor or political organization or purpose.
- (c) "*Residence*" or "*residential*" means any premises used primarily as a dwelling unit such as a house, condominium or apartment.

#### 35.02 PROHIBITION

It shall be unlawful for any person to peddle or solicit within the City except:

- (a) Peddling is permissible on private property at all nonresidential premises.
- (b) Soliciting is permissible at all premises at which a "No Solicitors" warning is not posted provided that:
  - (1) The solicitation is for a newspaper, magazine or other literature.
  - (2) The solicitation concerns a candidate, political party, issue or referendum to be voted upon by the residents of the City or to be voted upon by any board of any unit of government whose boundaries include the City.
  - (3) The solicitation is by a charitable, civic or religious organization registered with the Attorney General of the State of Illinois or exempt from such registration under the provisions of 225 ILCS 460/3.
  - (4) Peddling and soliciting is permissible by prior written consent of a person at the premises.
- (c) Soliciting is permissible on the public right-of-way provided that the only activity consists of the distribution of literature or signing of petitions on a sidewalk to persons on a sidewalk and not to vehicular traffic.
- (d) Soliciting for donations is permissible at a highway intersection where all traffic is required to come to a full stop in compliance with the provisions of 625 ILCS 5/11-1006.

**35.03 NO SOLICITATION NOTICE**

It shall be unlawful for any person to peddle or solicit at any premises at which a notice, sign, sticker or warning furnished by the City is displayed at or near the entrance to the premises containing the words "No Solicitors".

**35.04 HOURS OF SOLICITATION**

It shall be unlawful for any person to peddle or solicit before the hour of 4:00 p.m. or after the hour of 9:00 p.m. on Monday through Friday; before the hour of 11:00 a.m. or after the hour of 6:00 p.m. on Saturday; or anytime on Sunday and state holidays.

**35.05 REGISTRATION PERMIT**

It shall be unlawful for any person to peddle or solicit without prior registration at and issuance of a registration permit by the City Clerk.

**35.06 REGISTRATION APPLICATION**

Any person desiring to obtain a registration permit must complete and sign an application provided by the City Clerk.

**35.07 APPLICATION PROCESSING**

The City Clerk shall process every completed application within 14 days and shall notify the applicant of its decision. The City Clerk shall grant all applications that comply with the provisions of this Chapter. The City Clerk may limit the number of permits granted for each specific time period with the first applicant having the priority to the time period requested. No applicant shall be granted a time period of more than 15 consecutive days in any calendar year. All permits shall grant consecutive days to solicit.

**35.08 REVOCATION OF PERMIT**

The City Clerk may revoke any permit granted when the holder thereof, or any person soliciting or peddling thereunder, violates any City ordinance, or state or federal law, while soliciting or peddling.

**35.09 APPEAL**

Any person aggrieved by any decision of the City Clerk concerning the issuance or revocation of a permit may appeal that decision by filing a written appeal with the Mayor. The appeal shall be decided by the Mayor within 5 days of the receipt of the appeal. The decision of the Mayor shall be final.