

THE VILLAGE OF FLANAGAN  
LIVINGSTON COUNTY, ILLINOIS

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ORDINANCE NO. 2019 - 01 -

AN ORDINANCE PERTAINING TO PEDDLING AND SOLICITING  
WITHIN THE VILLAGE OF FLANAGAN, ILLINOIS

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ADOPTED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF FLANAGAN, ILLINOIS

THIS 19 DAY OF March, 2019

# VILLAGE OF FLANAGAN, ILLINOIS

## ORDINANCE 2019-\_\_\_\_

### AN ORDINANCE PERTAINING TO PEDDLING AND SOLICITING WITHIN THE VILLAGE OF FLANAGAN, ILLINOIS

#### Purpose

The purpose of this ordinance is to protect the persons, property, and privacy and wellbeing of the Village of Flanagan, Illinois residents. The regulations contained in this ordinance are intended to accomplish this purpose by ensuring that before entering upon the properties of residents or approaching them in their home, all peddles and solicitors, whether commercial or non-profit, have a permit to do so.

Definitions As used in this ordinance, the following terms have the meanings indicated:

**Peddler** - Any person, firm, association or organization who go from house to house, from place to place or from street to street conveying or exposing the goods, wares or merchandise for sale, or making sales and delivering articles to purchaser. (No permit to anyone peddling games, drugs, medicines, or articles prohibited and made unlawful for the protection of the public health and welfare)

**Solicitor** - Anyone attempting to make personal contact with any person at their residence without prior invitation or appointment with the resident for the primary purpose to sell, for present or future delivery, any goods, wares or merchandise, magazine subscriptions, or any services to be performed immediately or in the future, whether or not the person has, carries or exposes a sample of such goods, wares or merchandise and whether or not he/she is collecting advance payment for such sales and services; handing out flyers or printed matter; seeking or attempting to obtain contributions of money or any other thing of value for the benefit of any association, organization, corporation or program.

#### Permit Required

It shall be unlawful for any individual or company to engage in peddling or soliciting in the Village of Flanagan with first obtaining a permit for that purpose. The permit shall be common for both peddlers and solicitors.

#### Application procedure for Solicitor's/Peddlers Permit:

- 1) Contact the Village of Flanagan Office for a permit application form.
  - a) Application for permit must be submitted 60 days before
  - b) Applicants name and address (as well as years at that address)
  - c) Phone and cell phone numbers
  - d) E-mail address
  - e) Information as to age, gender, weight, eye and hair color, date of birth
  - f) Social Security Number
  - g) Driver's license number and state of licensure, vehicle registration and state of registration
  - h) Provide a thorough description of goods, merchandise or service to be peddled or solicited together with copies of all brochures, sales materials, applications, order forms, contracts, disclosures, business cards and any other documents to be used by peddler/solicitor while in the Village of Flanagan
  - i) If employed, owner's name (business/company) and address as well as any licenses or any pertinent tax information (Tax ID #, Insurance, etc) is needed as well as credentials establishing such relationship with said business/company, including authority by the employer authorizing the applicant to represent said employer.



- j) Starting and ending dates applicant (business/company) plans to be in the Village of Flanagan
- k) A listing of other who will be working with said applicant (names, addresses and description of vehicles)
- l) Applicant must indicate if they or anyone working with them in the Village of Flanagan have ever been convicted of a felony under state's law or the laws of the United States

#### Prohibited Activities

- 1) The Village of Flanagan Ordinance prohibits peddling or solicitation at any residence displaying a "No Solicitor or Peddler Invited" sign or similar notice. Peddler/solicitor must leave a residence as soon as they are asked to leave without question.
- 2) The Village of Flanagan prohibits soliciting/peddling prior to 9:00 AM and after 6:00 PM on any weekdays, Saturday hours 9:00 AM -12 Noon, No soliciting or peddling on Sunday or any State or National holidays is permitted.

#### DENYING A PERMIT (A background check of all applicants will be done.)

Grounds for denying a permit under this ordinance include:

- A. Failure to truthfully provide the correct information requested
- B. Failure to show proof of license registrations and identifications, tax information etc. asked for
- C. Conduct business and/or supervise solicitor/peddling activities in such a manner as to create a threat to the health, safety and welfare of any resident of the Village of Flanagan.
- D. Find that the applicant/business/company has a bad business reputation (Better Business Bureau)
- E. Fails to sign the application, or pay the required fees at the time of application

#### EXEMPTIONS –

Permits are NOT required for public entities, religious, charitable, school and/or non-profit organizations. Applications and permits are not necessary for companies privately hired by a resident or business to do work and/or furnish goods. It shall not apply to any person selling or attempting to sell at wholesale, goods, wares, products, merchandise or other personal property, to a local retailer. A permit is not needed for anyone establishing or trying to establish a regular customer delivery route for the delivery of perishable food/dairy products, newspapers, etc. In addition persons conducting garage sales, rummage sales, estate sales or flea market shall be exempt from the definition of peddlers/solicitors. When the license application is for the primary benefit of a bonafide charity or non-profit venture, the fee may be waived by the Village of Flanagan Board.

#### Fee

A \$100.00 administrative, application/processing fee is due at the time of the application. The fee is non-refundable.

Applications will only be accepted Monday through Friday from 9:00 AM-12 Noon at the Village of Flanagan Office along with a two inch photograph of the applicant, and must be turned in 60 days prior to when applicant wishes to begin

Permits are good for current calendar year (January 1 to December 31). A new application must be resubmitted each year.

Fees and any other terms of this ordinance may be amended from time to time.

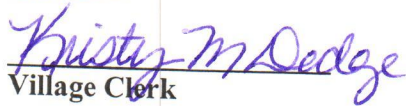
This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF March 2019.

  
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President, Village of Flanagan

YES 5  
NAYES 0  
ABSENT 1

ATTEST:

  
\_\_\_\_\_  
Village Clerk

