

CHAPTER 723
Canvassers and Solicitors

723.01	Definitions.	723.06	Registry of residences.
723.02	Certificate of registration and identification card required; tax form.	723.07	Notice prohibiting canvassing or solicitation.
723.03	Application for certificate of registration.	723.08	Trespassing in violation of posted notice or registration.
723.04	Issuance of certificate; duration.	723.09	Other restrictions.
723.05	Display of registration certificate and identification card; return.	723.10	Revocation of certificate.
		723.11	Penalty.

723.01 DEFINITIONS.

As used in this chapter certain terms are defined as follows:

- (a) "Canvassing" or "soliciting", unless expressly provided for otherwise, means traveling from residence to residence within the City without having a previous appointment for the purpose of exposing or offering for inspection or sale, goods, wares, merchandise, foodstuffs or any other property, tangible or intangible, of any nature whatsoever; or services; or for the purpose of taking or attempting to take orders for the purchase of goods, wares, merchandise, foodstuffs or other property, tangible or intangible, of any nature whatsoever, for future delivery, or services to be furnished or performed in the future. "Canvassing" or "soliciting" also means the soliciting of funds or other property for charitable or other purposes anywhere within the City.
 - (b) Notwithstanding the foregoing, the following individuals are exempt from the provisions of this ordinance and are excluded from the above definition:
 - (1) Newspaper carriers along their regular delivery routes.
 - (2) An individual acting on behalf of a local organization which would meet the qualifications for tax exemption as a religious, charitable or benevolent institution under the current federal Internal Revenue Service law or rules or an amendments thereto in the future. "Local" means having its principal place of business or having an active chapter, affiliate, branch or other division of larger organization in the Chardon Local School District.
 - (c) "Canvasser" or "solicitor" means any person who engages in canvassing or soliciting.
- (Ord. 1700. Passed 10-10-96.)

723.02 CERTIFICATE OF REGISTRATION AND IDENTIFICATION CARD REQUIRED;
TAX FORM.

(a) No person (except those exempt under § 732.01(b)) shall canvass or solicit in the City without first registering with the City Manager or the Manager's designate. While engaged in said activities, the canvasser or solicitor shall hold a current, valid, non-revoked registration and identification card issued by the City, be in possession of the registration and present the registration and identification card and wear the identification card conspicuously at all times while canvassing or soliciting.

(b) Each applicant for a certificate of registration shall, not less than five nor more than 15 days prior to the commencement of canvassing or soliciting, furnish the City Manager with the following information on forms provided by the City:

- (1) Name, age and physical description of applicant;
 - (2) Complete permanent and local addresses of applicant, Social Security number and the tax identification number of the applicant's employer;
 - (3) Name and address of the person, firm, corporation organization or association for whom the applicant will canvass or solicit and all other persons, firms, corporations, organizations, or associations for whom the applicant has canvassed or solicited during the past three years;
 - (4) A description of the nature of the business and the goods, services or wares sold, sufficient to identify the subject matter of the canvassing or soliciting in which the applicant shall engage;
 - (5) Other municipalities in which the applicant has canvassed or solicited during the past twelve months;
 - (6) Whether the applicant has complied with the requirements of R.C. Chapter 1716 pertaining to charitable solicitations (if applicable).
 - (7) Whether the applicant has ever had a similar license or permit denied or revoked including the time and place of such denial or revocation;
 - (8) Whether the applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude, sex offense, drug offense or assault and the date, place and description of each conviction;
 - (9) The proposed dates and times of the canvassing or solicitations;
 - (10) The make, model, year, color and license plate number of the automobile(s) used by the applicant while canvassing or soliciting within the City; and the number of applicant's driver's license and state of issuance;
 - (11) Two photographs of the applicant of appropriate size (approximately 2" x 2"), one of which shall be attached at all times to the certificate and the other for the records of the Chardon Police Department; and
 - (12) Submission to fingerprinting, if requested by the Chardon Police Department, for good cause shown for local police files and for the purpose of determining the criminal record, if any, of the applicant.
 - (13) A City Income Tax Registration Form shall also be completed upon request.
- (Ord. 1700. Passed 10-10-96.)

723.03 APPLICATION FOR CERTIFICATE OF REGISTRATION.

Applications for certificate of registration shall be obtained from the office of the City Manager. (Ord. 1700. Passed 10-10-96.)

723.04 ISSUANCE OF CERTIFICATE; DURATION.

(a) *Issuance of Certificate.*

- (1) Not more than five days after completion of the application form provided in § 723.03, the City Manager or the Manager's designate shall issue a certificate of registration to each applicant upon payment of a fee of \$50.00, unless it is determined by the City Manager or the Manager's designate that:
 - A. The applicant has misrepresented his or her identity or intention or made a false, misleading or deceptive statement in completing the application for certificate of registration under § 723.03 or in providing the information required under § 723.02.
 - B. The applicant has been convicted of a felony or a misdemeanor involving moral turpitude, force or violence, sex offense or a drug offense within the period of five years preceding the date of application.
 - C. The applicant or the entity which the applicant represents is not current in payments or other obligations required by Chapter 151 of the Codified Ordinances, Income Tax.
- (2) No fee shall be required for those persons excluded herein under § 723.01(b), or those persons acting on behalf of a charitable, religious or educational organization as defined in R.C. § 2915.01(H),(I) or (J).

(b) *No assignment or transfer.* The certificate of registration issued hereunder shall not be transferred, assigned or used by any person other than the person to whom it is issued.

(c) *Duration.* The certificate of registration issued hereunder shall be valid for a period of one year.

(Ord. 1700. Passed 10-10-96.)

723.05 DISPLAY OF REGISTRATION CERTIFICATE AND IDENTIFICATION CARD; RETURN.

Each registrant shall carry the registration certificate and identification card at all times while canvassing or soliciting in the City and shall exhibit it to any resident or municipal official upon request. When the registration period expires, the certificate of registration and identification card shall be returned to the City Manager.

(Ord. 1700. Passed 10-10-96.)

723.06 REGISTRY OF RESIDENCES.

(a) The City Manager or the Manager's designate shall maintain a registry of residences listing the street addresses of residents who do not allow uninvited solicitation for business purposes by canvassers and solicitors. Any City resident who requests that his or her address be included in the registry shall do so by completing a form provided by the City Manager stating the name and address of residents and the intention to not allow uninvited solicitation for business purposes by canvassers or solicitors.

(b) A copy of the registry shall be provided annually to each registrant with the certificate of registration and as part of the annual fee. The registrant shall be responsible for obtaining periodic registry supplements from the City Manager.
(Ord. 1700. Passed 10-10-96.)

723.07 NOTICE PROHIBITING CANVASSING OR SOLICITATION.

Notice by the owner(s) or occupant(s) of any residence of the intention to refuse to receive any uninvited canvassers or solicitors shall be given by displaying notice at or near the entrance to the residence which reads "No Canvassers, Solicitors or Peddlers Allowed", "No Solicitors Invited", "No Soliciting", or other words which indicate the intention of the owner(s) or occupant(s) to prohibit canvassers and solicitors on the premises.
(Ord. 1700. Passed 10-10-96.)

723.08 TRESPASSING IN VIOLATION OF POSTED NOTICE OR REGISTRATION.

(a) No canvasser or solicitor shall knock at the door ring the bell of any house, apartment, condominium or other dwelling unit in the City upon which is displayed near the entrance a notice prohibiting canvassing and soliciting, unless such canvasser or solicitor is, or has been, invited on the premises of the owner or occupant.

(b) No canvasser or solicitor shall knock on the door, ring the bell or otherwise call upon any home, apartment, condominium or other dwelling unit in the City, if the owner(s) or occupant(s) of said residence have registered with the City Manager requesting that no canvassers or solicitors enter upon the premises, unless such canvasser or solicitor is, or has been invited on the premises of the owner(s) or occupant(s).
(Ord. 1700. Passed 10-10-96.)

723.09 OTHER RESTRICTIONS.

Every canvasser or solicitor who is issued a certificate of registration shall be governed by the following rules and regulations:

(a) No person shall canvass or solicit except between the hours of 9:00 a.m. and 9:00 p.m. Monday through Saturday. In addition, no person shall canvass or solicit on Sunday or on any legal holiday as defined in R.C. § 1.14.

- (b) No canvasser or solicitor shall enter or attempt to enter a house, apartment, condominium or other dwelling unit of any resident of the City without an express invitation from the occupant.
- (c) No canvasser or solicitor shall engage in or transact any type of business activity or solicitation other than specified in the certificate of registration.

(Ord. 1700. Passed 10-10-96.)

723.10 REVOCATION OF CERTIFICATE.

A certificate of registration issued under this chapter shall be revoked by the City Manager or the Manager's designate for any of the following causes:

- (a) The registrant provided false, misleading or deceptive information in completing the application set forth in § 723.03, or has violated any provision of this chapter.
- (b) The registrant or the entity the registrant represents fails to make all current payments and comply with other obligations of Chapter 151, Codified Ordinances, Income Tax.

Written notice shall be given to the registrant in person or by certified mail immediately upon such revocation.

(Ord. 1700. Passed 10-10-96.)

723.11 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree.
(Ord. 1700. Passed 10-10-96.)

