

VILLAGE OF WYANET
ILLINOIS
ORDINANCE NO. O-1-18-1-9
SOLITATION ORDINANCE

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF WYANET, BUREAU COUNTY, ILLINOIS:

PERMIT REQUIRED:

A) It shall be unlawful for any person to enter upon any privately – owned premise or business without permission or invitation of the owner or occupant of such premise or business for the purpose of soliciting orders for immediate or future delivery of goods, wares, merchandise, or service, including the taking of subscription for magazines and the procuring of applications and contracts without first receiving a permit issued by the village.

B) It shall be unlawful to conduct any business as listed in division (A) before the hour of 9:00 a.m. nor after Sunset.

APPLICATION:

Applicants for permit under this ordinance must file with the Village Clerk a sworn application in writing (in duplicate) on a form to be furnished by the Village Clerk, which shall give the following information:

- A. Name and description of the applicant;
- B. Address (legal and local) ;
- C. A brief description of the nature of the business and the goods to be sold;
- D. If employed, the name and address of the employer, together with credentials establishing that the applicant is employed by the named employer;

- E. The length of time for which the right to do business is desired;
- F. If a vehicle is to be used, a description of the same, together with license number or other means of identification;
- G. A statement as to whether or not the applicant has been convicted of any felony crime, or business offense, and if so, the nature of the offense and the punishment or penalty assessed therefore.
- H. There shall be two separate applications available, one which shall be for a period of six months and specified as a Class A permit, and the other for a period of one month and specified as a Class B permit.

INVESTIGATION AND ISSUANCE:

- A. Upon receipt of such application, the original shall be referred to the Chief of Police, who shall cause an investigation of the applicant's background to be made to determine whether the applicant has ever been convicted of any felony or business offense.
- B. The Chief of Police shall return the said application with the results of this investigation endorsed thereon to the Village Clerk.
- C. Upon the return of the application with the results of the Chief of Police's investigation endorsed there on, the Village Clerk shall execute a permit addressed to the applicant for the carrying on of the business applied for and shall, upon payment of the prescribed permit fee, deliver to the applicant his permit. Such permit shall contain the signature and seal of the issuing officer and shall show the name and address of said permittee, and the kind of goods to be sold there under, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in such activity. The Clerk shall keep a permanent record of all permits issued. In no event shall the time period between receipt of a properly completed application form with application fee and the date of issuance of a permit exceed fourteen (14) days.

FEES:

Each applicant shall pay a permit fee of \$20.00 for a Class A permit and \$15.00 for a Class B permit at the time of filing of said application.

TRANSFER:

No permit issued under the provisions of this ordinance shall be used at any time by any person other than the one to whom it was issued.

EXHIBITION OF PERMIT:

Persons authorized to work for permit-holders are required to exhibit their permit at the request of any citizen.

RECORDS:

The Chief of Police shall report to the Village Clerk all convictions for violation of this ordinance, and the Village Clerk shall maintain a record for each permit issued and record the reports of violation therein.

REVOCAION OF PERMIT:

A. Permits issued under the provisions of this ordinance may be revoked by the Chief of Police of the Village after notice and hearing, for any of the following causes:

- (1) Fraud, misrepresentation, or false statement contained in the application for permit;
- (2) Fraud, misrepresentation, or false statement made in the course of carrying on his business as person authorized to work for the permit-holder or solicitor;
- (3) Any violation of this ordinance;
- (4) Conviction of any crime or misdemeanor involving moral turpitude;
- (5) Conducting the business of soliciting in an unlawful manner or in such a manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

B. Notice of the hearing for revocation of a permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permittee at his last known address at least five days prior to the date set for hearing.

APPEAL:

Any person aggrieved by the action of the Chief of Police or the Village Clerk in the revocation of a permit as provided herein shall have the right of appeal to the Village Board. Such appeal shall be taken by filing with the Village Board, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Village Board shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in Section B of "Revocation of Permit" of this ordinance for notice of hearing on revocation. The decision and order of the Village Board on such appeal shall be final and conclusive.

EXCEPTIONS OR EXEMPTION FOR PERMITS:

Recognized charitable organizations, churches, schools, civic organizations and similar neighborhood associations performing fund raising activities for their organizations are exempt from the requirements of this chapter.

PENALTY:

A violation of this chapter shall subject the violator to issuance of a citation in the amount of \$100.00 dollars for each such citation. A citation remaining unpaid to the Village after fifteen (15) days shall subject the violator to a civil penalty which may be recovered by the Village in a civil action. A violation which is a continuing violation shall subject the violator to a separate citation for each day the violation continues.

SEPARABILITY:

It is the intention of the Village Board that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Village Board that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

ORDINANCE REPEALED:


All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. Upon becoming in full force and effect this ordinance shall replace any previous ordinances including O-5-87-6-9 and O-2-95-5-16.

EFFECTIVE DATE:

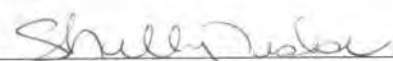
This ordinance shall be in full force and effect from and after its passage and publication according to law.

Presented, passed and approved on a roll call vote this 12th day of December, 2017.

	AYE	NAY	ABSENT
Board of Trustees:			
Dave Bickett	X		X
Jim Etheridge			X
Joe Law			
Cory Peterson	X		
Jeramie Spears	X		

APPROVED:
By: 
Bruce Hand, Village President

ATTEST:

By: 
Shelly Teske, Village Clerk

VILLAGE OF WYANET
P.O. Box 373 - 116 N. Locust St.
Wyanet, Il. 61379
815-699-2631

SOLICITATION PERMIT

_____ having submitted an
(name of business)

application for soliciting permit to the Village President and Clerk of the Village, is hereby authorized to solicit his/her business in the Village of Wyanet from 9:00 a.m. until Sunset.

The permit for the above business is for the purpose of _____

Name of Solicitor

Village President

(Village Seal)

Clerk

Class A - \$20.00 (good for 6 months) \$ _____

Class B - \$15.00 (good for 1 month) \$ _____

* Businesses only \$ NC

* Non-For-Profit Organizations or just to talk \$ NC

* Cannot go after Sunset

SOLICITATION APPLICATION

Class _____ Permit

Applicant's Name: _____ D.O.B. _____

Height: _____ Weight: _____ Hair Color: _____

Eye Color: _____ Other Distinguishing Features: _____

Applicant's Address: _____

Description of Business to be sold: _____

Employer (if applicable): _____

Employer's Address: _____

Employer's Phone #: _____

(attach proof of employment, if applicable)

Length of time for which permit will be needed: _____

All vehicles to be used in sale of goods:

Make: _____ Model: _____ Color: _____

Serial No: _____ License Plate No.: _____

Have you ever been convicted of a felony: _____

If so, give nature of offense and punishment or penalty assessed: _____

Dated: _____ Signature of Applicant _____