

**VILLAGE OF MILLINGTON
ORDINANCE NO. 93**

AN ORDINANCE TO REPEAL CHAPTER 11 OF THE CODE OF ORDINANCES AND REPLACE IT WITH NEW PROVISIONS REGULATING PEDDLERS AND SOLICITORS.

THE VILLAGE OF MILLINGTON ORDAINS:

Section 1. The Village hereby amends Chapter 11 of the Code of Ordinances to read as follows:

CHAPTER 11 PEDDLERS AND SOLICITORS

Sec. 11-1. Definitions.

Person. An individual, organization, group, association, partnership, corporation, trust, business entity or any combination of the above.

Commercial solicitation. Direct and personal communication in the course of a trade or business reasonably intended to result in a sale.

Sale. An activity creating an obligation to transfer property or services for a valuable consideration.

Solicitor..

- (1) A person who engages in commercial solicitation when traveling either by foot, automobile, motor truck, or other means of conveyance from place to place, from house to house or from street to street.
- (2) The word solicitor shall include but not be limited to the words canvassers, peddler, and hawker.

Sec. 11-2. License required.

No person shall be a solicitor and/or solicit in the Village without first obtaining a license therefor. An application for a license shall be made to the Village Clerk. In the event that the application is made by an organization, group, association, partnership, corporation, trust, business entity or any combination of the above, an application must be made for each agent or employee who will be engaging in the act of soliciting.

Sec. 11-3. Exceptions to license.

The following activities are exempt from this chapter:

- (6) The length of time the applicant intends to solicit.
- (7) The place where the wares, merchandise, services, items of personal property or real property are located, manufactured or produced and the proposed method of delivery.
- (8) One photograph of the applicant, it being from the applicant's driver's license or identification card.
- (9) The applicant's social security number.
- (10) A statement as to whether or not the applicant has been convicted of any felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. This statement shall be accompanied by a release allowing the Village, including the Village police department to conduct a criminal background check.

Sec. 11-5. Administrative fee and/or license fee.

An applicant shall pay a reasonable administrative processing fee and/or license fee set by resolution of the Village Council when submitting his or her license application.

Sec. 11-6. Issuance, possession, and presentation of license.

Upon approval of the license application, the Village Clerk shall issue a license and license identification card including the name, address, and photo of the licensed person. The licensed person shall visibly display on their person at all times the license identification card when conducting activities permitted by the license.

Sec. 11-7. License revocation.

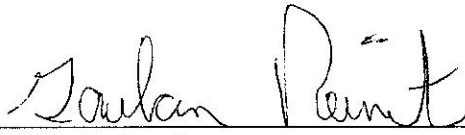
The Village may suspend or revoke a license for violation of this article after reasonable notice and opportunity to be heard. The Village may suspend on an emergency basis, without hearing, any license issued to the solicitor when it specifies in the notice of emergency suspension, the reasons and grounds indicating the violation of this article which constitutes the emergency. The notice shall set forth that within 48 hours, at a designated time and place, a hearing shall be held on whether the license shall be permanently suspended or revoked.

At a regular meeting of the Village Council held on the 11th day of July, 2016, Maxfield moved for adoption of the foregoing ordinance and Bassett supported the motion.

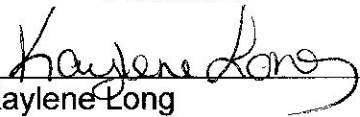
Voting for: Bassett, Cobb, Fackler, Maxfield, Reinert, Springsteen

Voting against: None

The President declared the ordinance adopted.



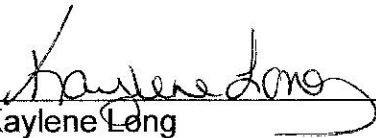
Gailan Reinert
President



Kaylene Long
Village Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. 93 which was enacted by the Millington Village Council at a regular meeting held on the 11th day of July, 2016.



Kaylene Long
Village Clerk