

CHAPTER 828: PEDDLERS AND SOLICITORS

Section

- 828.01 Definitions
- 828.02 Permitted hours for solicitations
- 828.03 Calling at premises displaying no solicitation signs
- 828.04 Traversing private property
- 828.05 Resident prohibition by notice
- 828.99 Penalty

Cross-reference:

Distribution of handbills, see Chapter 812

Statutory reference:

Charitable solicitations, see Ohio R.C. Chapter 1716

Frozen desserts, see Ohio R.C. 3717.51 et seq.

Home solicitation sales, see Ohio R.C. 1345.21 et seq.

Sales of goods and services within right-of-way of state highways, see Ohio R.C. 5515.07

§ 828.01 DEFINITIONS.

As used in this chapter.

“Peddler.” Any person traveling either by foot, automobile, truck or another type of conveyance from place to place, door to door or street to street, taking or attempting to take orders for profit by the sale of goods, wares, and merchandise or personal property of any nature whatsoever for immediate or future delivery or for services to be furnished or performed immediately or in the future.

“Solicitor.” Any person who obtains or seeks to obtain funds for any cause whatsoever by traveling door to door either by foot, automobile, truck or any other type of conveyance upon the private residences, including any house, apartment or other dwelling, within the city.

(Ord. 134-06, passed 9-18-2006)

§ 828.02 PERMITTED HOURS FOR SOLICITATIONS.

(A) No person shall go upon any residential premises and ring the doorbell, or rap or knock on the door, or create any sound in a manner calculated to attract the attention of the occupant of the residence for the purpose of engaging or attempting to engage in a home solicitation transaction between the hours of 8:00 p.m. and 10:00 a.m.

(B) Division (A) hereof shall not apply to a visit to the premises as a result of a request or appointment made by the occupant.

(Ord. 106-05, passed 8-22-2005; Ord. 134-06, passed 9-18-2006)

§ 828.03 CALLING AT PREMISES DISPLAYING NO SOLICITATION SIGNS.

(A) Notwithstanding any other provision of this Code of Ordinances, no person engaged in peddling or soliciting shall call on any residence in the city which displays a “No Solicitation” sign, or a sign substantially equivalent thereto, giving notice that the residents thereof desire not to be solicited. Furthermore, no person engaged in peddling or soliciting shall call on any residence in the city which is part of a homeowners’ association if the homeowners’ association has posted a “No Solicitation” sign, or a sign substantially equivalent thereto at all entrances, giving notice that the residents thereof desire not to be solicited.

(B) All “No Solicitations” signs, or signs substantially equivalent thereto, erected in the city, shall conform to the requirements of Chapter 1328 with respect to the regulation of signs in the city.

(Ord. 5-93, passed 1-4-1993; Ord. 101-05, passed 7-26-2005; Ord. 106-05, passed 8-22-2005; Ord. 134-06, passed 9-18-2006; Ord. 134-08, passed 10-20-2008)

§ 828.04 TRAVERSING PRIVATE PROPERTY.

Peddlers and solicitors shall use only residential sidewalks and driveways for ingress to and egress from residences of the city, unless otherwise permitted by a resident of the property involved in the sale and transactions.

(Ord. 136-94, passed 11-7-1994; Ord. 101-05, passed 7-26-2005; Ord. 106-05, passed 8-22-2005; Ord. 134-06, passed 9-18-2006)

§ 828.05 RESIDENT PROHIBITION BY NOTICE.

(A) The Director of Public Safety shall establish a Peddlers/Solicitors Do Not Call Registry.

(B) Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the city may require the city to place and maintain his or her residence, house, apartment or other dwelling on the Peddlers/Solicitors Do Not Call Registry by submitting a request on forms(s) supplied by the Director of Public Safety, which shall contain the following information:

(1) The signature of the person completing the form(s), unless submission is done electronically with a secure password on the city's website;

(2) The complete address of the residence, house, apartment or other dwelling to be placed on the registry;

(3) The date the form was completed; and

(4) A statement that no peddlers or solicitors shall call at this address or words of similar import on the form.

(C) Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the city may require the city to remove his or her residence, house, apartment, or other dwelling from the Peddlers/Solicitors Do Not Call Registry by submitting a Notice of Removal on forms(s) supplied by the Director of Public Safety, which shall contain the following information:

(1) The signature of the person completing the form(s), unless the submission is done electronically with a secure password on the city website;

(2) The complete address of the residence, house, apartment or other dwelling to be removed from the registry;

(3) The date the form was completed; and

(4) A statement that the residence, house, apartment or other dwelling be removed from the Peddlers/Solicitors Do Not Call Registry.

(D) The decision whether to place a residence, house, apartment or other dwelling on the Peddlers/Solicitors Do Not Call Registry shall be solely that of the lawful possessor and occupant thereof, and no official agent or employee of the city shall interfere with said decision.

(E) A residence, house, apartment or other dwelling, after being lawfully placed on the Peddlers/Solicitors Do Not Call Registry shall remain on said registry until the earliest of any of the following:

(1) The city receives notice of removal pursuant to division (C) of this section; or

(2) The city receives notice that the person who submitted the form pursuant to division (B) of this section is not or is no longer a lawful possessor and occupant of the premises.

(F) A copy of the Peddlers/Solicitors Do Not Call Registry and a copy of the Solicitors Do Not Call Registry shall be made available for public inspection at all times on the internet website of the city and during normal business hours at the office of the Director of Public Safety.

(G) Notwithstanding any other provision of this chapter, no peddler/solicitor, while peddling and soliciting, shall call upon, knock at the door or ring the doorbell of any residence, house, apartment or other dwelling in the city which is at that time on the Peddlers/Solicitors Do Not Call Registry established and maintained pursuant to this chapter, or upon which there is posted at the entrance a notice which reads "No Peddlers of Solicitors Allowed", or words of similar import, which clearly prohibit peddlers and solicitors on the premises, unless such peddler has previously been invited upon the premises by the lawful possessor and occupant thereof.

(Ord. 134-06, passed 9-18-2006; Ord. 33-2018, passed 10-15-2018)

§ 828.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a first degree misdemeanor.

(Ord. 101-05, passed 7-26-2005; Ord. 106-05, passed 8-22-2005; Ord. 134-06, passed 9-18-2006)