

TOWNSHIP OF THETFORD

ORDINANCE NO. 106 2015-06-106

SOLICITORS AND CANVASSERS

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01 TITLE

Sections 02 through 10 of this Code, inclusive, will be known and cited as the "Township of Thetford solicitors and Canvassers Regulations."

02 REGISTRATION AND PERMIT REQUIRED

No person shall solicit or canvass in The Township without first having registered for and obtained a permit pursuant to these regulations.

03 DEFINITIONS

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CANVASSER or SOLICITOR. Any individual, whether a resident of the Township or not, traveling either by foot, automobile, truck, or any other type of conveyance, from place to place, from house to house, or from residence to residence, taking or attempting to take orders for sale of goods, wares, and merchandise, or personal property of any nature whatsoever, for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries, or exposes for sale a sample of the subject of such sale, or whether he is collecting advance payments

on such sales or not; provided that such definition shall include any person who, for himself or for another person, firm, or corporation, hires, leases, uses, or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, ship, or any other place within the Township for the sole purpose of exhibiting samples and taking orders for future delivery. This definition shall not include any person soliciting for donations or contributions for the benefit of any established society, labor union, association, or corporation that is organized and operated exclusively for educational, philanthropic, benevolent, fraternal, charitable or reformatory purpose, not operated for pecuniary profits.

04 APPLICATIONS AND LICENSE FEES.

Applicants for permits under these regulations must register with the Township Clerk by filing a sworn statement attesting to the following information which must be furnished by said application:

- (A) Name and description of the applicant, including
 - (1) Permanent name and address and a local address, if not one in the same.
 - (2) A social security number and driver's license number.
 - (3) Other identification necessary to ascertain that the Township is not giving a permit to a company who hires unauthorized aliens in defiance of Federal law.
- (B) Name and identification of anyone else soliciting or canvassing within the Township.
- (C) A description of all vehicles used in connection with the applicant.
- (D) A brief description of the nature of the business and the goods to be sold.
- (E) The name address of the employer, if goods are sold, together with credentials establishing the relationship or the sponsoring organization, if soliciting for donations.
- (F) The length of time for which the applicant seeks the right to do business or to solicit donations within the Township.
- (G) The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time the application is filed, and the proposed method of delivery.
- (H) The applicant shall pay a \$25 fee for processing the application. Such fee shall be waived for not-for-profit groups and for such other groups or persons as provided for by state statute.

05 INVESTIGATION AND ISSUANCE

(A) Upon making an application for a solicitors's permit, the Township will review the application and render a decision within five business days of its receipt. If the Township has not rendered a decision by the sixth business day after receiving it, the application shall be deemed to be approved. If denied, the applicant will be given the reason(s) for denial in writing sent by first class or delivered by personal service to the local address on the application.

(B) The application will be forwarded to the Thetford Township Police Department for verification of the information supplied on the application.

(C) No permit will be issued to anyone on the application who has been convicted in the last five years of fraud or misrepresentation or of any crimes against people or who has a record of poor business responsibility.

(D) Upon receiving a positive report from the Thetford Township Police Department, the Township Clerk will issue one or more solicitor's permit to the name(s) on the application.

06 EXHIBITION OF PERMIT

(A) A badge, supplied by the Township, will be worn prominently on the outer clothing and displayed to the general public to see at all times that a solicitation is being made by the applicant or the applicant's agents under the terms of the permit.

(B) Solicitors and canvassers are required to show their permits at the request of any citizen.

07 RECORDS

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

08 REVOCATION OF LICENSE

Permits issued under the provisions of these regulations may be revoked by the Township Clerk upon finding that one or more of the following occurred:

(A) Fraud, misrepresentation, or false statement made in the course of carrying on his business as solicitor or as canvasser;

(B) Fraud, misrepresentation, or false statement contained in the application for license;

(C) Any violation of this article;

(D) Conducting the business of soliciting, or of canvassing in an unlawful 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; or

(E) Furnishing a quality of goods or workmanship which is unsatisfactory, or failing to furnish any goods or services ordered in compliance with such order.

09 APPEAL

Any person aggrieved by an action of the Township has the right to appeal to the Township Board of Trustees. If an appeal is taken, it must be taken within 14 days of the action being appealed. The hearing will take place at a Township Board meeting following submission of such appeal with the Township Clerk. The Township Clerk will post the hearing notice and send by first class mail or deliver by personal service a copy of the notice of the hearing to the appellant at the address shown on the application for permit at least five days before the meeting at which the appeal will be heard. The decision and order of the Township Board on such appeal will be heard. The decision and order of the Township Board on such appeal will be final and conclusive. The Township will send by first mail or deliver by personal service written confirmation of the decision and order within seven days of the meeting at the Township Board made the decision and order.

10 VIOLATIONS; PENALTY

Any person, club, organization, association, partnership, firm or corporation, who violates any provision of the Township of Thetford Solicitors and Canvassers Regulations shall be responsible for a municipal civil infraction and subject to a fine not to exceed \$500.00 plus cost of prosecution.

