

**VILLAGE OF LODA
IROQUOIS COUNTY, ILLINOIS**

ORDINANCE 2018-08

**AN ORDINANCE AMENDING TITLE 3 OF THE VILLAGE CODE OF
THE VILLAGE OF LODA AND PRIOR ORDINANCE 2014-07
PERTAINING TO SOLICITORS AND BEING ENUMERATED AS
CHAPTER 8 OF SAID TITLE 3 OF SAID CODE**

BE IT ORDAINED, by the President and Board of Trustees of the Village of Loda, Iroquois County, Illinois;

That prior Ordinance 2014-07 Amending Title 3 of the Village Code of the Village of Loda, be and is hereby amended to read in word and figures as follows;

SECTION ONE

SECTION 1. DEFINITIONS

- 1.1.0 Charitable
 - 1.1.1 501(c)(3) Organizations-Boy & Girl Scouts, Youth athletics clubs, etc.
 - 1.1.2 School Clubs – public or private schools

- 1.2.0 Solicitation
 - 1.2.1 Requesting directly or indirectly: Money, credit, funds, contributions, personal property or anything of value
 - 1.2.2 Taking or attempting to take orders for the sale of goods, wares, merchandise or services
 - 1.2.3 Providing a description of future delivery or for services to be performed in the future, either in person or by distributing fliers and leaflets
 - 1.2.4 Selling and making immediate delivery any goods, wares, merchandise or services

- 1.3.0 Non-Commercial Solicitation
 - 1.3.1 Purpose of solicitation is political, religious or charitable

- 1.4.0 Commercial Solicitation
 - 1.4.1 All solicitation that is for profit or not qualified as political, religious, or church

- 1.5.0 Solicitation is Not
 - 1.5.1 Communications that is political, religious, or charitable in nature – AND – does not involve solicitation of money, funds, contributions, or anything of value
 - 1.5.2 Delivery of items ordered by residents or business (newspapers, groceries, etc.)

SECTION 2. PERMITS COMMERCIAL & NON-COMMERCIAL

- 2.1.0 Commercial permit (Applications available at the town hall)
- 2.1.1 All persons soliciting and employer must obtain a permit
- 2.1.2 The completed application must be returned to the village clerk, along with appropriate fees, no less than 30 days prior to proposed solicitation
- 2.1.3 Solicitation permit will be valid for 90 days unless granted a year round permit that must be approved by the Village of Loda board of trustees at their regular monthly meeting. Annual permits shall be limited to non-commercial only
- 2.1.4 All commercial solicitors must provide a current business certificate for the State of Illinois and must report all sales tax received within Village limits to State of Illinois
- 2.1.5 All commercial solicitors must provide proof of insurance
- 2.1.6 A permit can be denied/revoked for misrepresentation on application, conviction for violent crimes, sexual assault, possession of drugs and/or sale of, theft, fraud, or burglary
- 2.1.7 No permit will be issued to an applicant (company) for 1 year following a revocation of any solicitor permit issued to the same company

SECTION 3. NON-COMMERCIAL PERMIT (Applications available at town hall)

- 3.1.0 Organizations and legal entities may be granted permits, however all individual solicitor's must be listed on the application and qualified under the terms of this ordinance
- 3.1.1 Individual solicitors must carry identification and/or authorization to act on behalf of the origination
- 3.1.2 If a 501(c)(3) origination, the origination must provide a letter of determination approving tax exempt status, updated annually
- 3.1.3 If public or private school, they must provide a letter from school administrator verifying school affiliation, updated annually
- 3.1.4 Must apply for permit at least 30 days prior to proposed solicitation
- 3.1.5 Permits valid for 90 days
- 3.1.6 Children under age of 12 must be accompanied by an adult

SECTION 4. REGULATIONS

- 4.1.0 Establishes a "Do Not Knock" Registry
- 4.1.1 New entries will be updated the 1st of the following month
- 4.1.2 Resident's entries must be renewed annually
- 4.1.3 Solicitors are required to obtain an updated list on the 1st of each month
- 4.1.4 All solicitors must abide by the Do Not Knock Registry
- 4.2.0 No one without a required permit (commercial & non-commercial) may solicit or make contact

- 4.2.1 At any address listed on the Do Not Knock Registry
- 4.2.2 At any residence or business with a “No Solicitation” or similar sign
- 4.2.3 From 9:00 p.m. until 8:00 a.m.
- 4.2.4 At certain locations: bus stop, public transportation vehicles or facilities,
public parking lots or parking structures, outdoor dining areas
- 4.2.5 Includes solicitation in person or with flier or leaflet

- 4.3.0 Abusive Solicitation Prohibited
- 4.3.1 Coming within 3 feet of, or touching, person solicited
- 4.3.2 Blocking or impeding the passage of person solicited
- 4.3.3 Continuing solicitation after person solicited has objected to solicitation
- 4.3.4 Following person solicited after person has objected to solicitation
- 4.3.5 Threatening or using offensive words

SECTION 5. SIGN UP FOR “DO NOT KNOCK/NO SOLICITATION PERMITTED” REGISTRY

5.1.0 Sign up for the “Do Not Knock/No Solicitation Permitted” List by mailing a letter to the Village of Loda Village Clerk stating that you wish to be put on the “Do Not Knock/No Solicitation” Registry

5.1.1 Request must include name and physical address, no post office boxes

SECTION 6. FEES

6.1.0 Charitable as defined in section 1, will be charged no fee

6.1.1 Commercial as defined in section 2, will be charged a fee of \$100

SECTION 7. VIOLATIONS

7.1.0 All violations will be forwarded to the Village Attorney’s Office

7.1.1 Fine’s not to be less than \$100 plus cost, not to exceed \$500 plus costs and suspension of current solicitation permit and/or being barred from obtaining a future solicitation permit in the Village of Loda and shall be subject to court injunctive relief.

SECTION TWO

To the extent that this Ordinance conflicts with other provisions of the Ordinances of the Village of Loda, such Ordinances are hereby amended but otherwise to remain in full force and affect.

SECTION THREE

This Ordinance shall be effective as of its passage, approval and publication as provided by law.

PASSED AND ADOPTED by the President and Board of Trustees of the Village of Loda, Iroquois County, Illinois on the 8 day of August 2018.

APPROVED: Carol Arseneau
Carol Arseneau, Village Board President

[SEAL]

ATTEST:

Regina Ptacek
Regina Ptacek, Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF IROQUOIS) SS

VILLAGE OF LODA

PROOF OF POSTING

I, Regina Ptacek, Clerk of the Village of Loda, Iroquois County, Illinois, DO HEREBY CERTIFY that a copy of the attached **Ordinance Amending Title 3 of the Village Code of the Village of Loda and Prior Ordinance 2014-07 Pertaining to Solicitors and Being Enumerated as Chapter 8 of said Title 3 of Said Code**, was posted by me on the 8 day of August 2018, at each of the following places in the Village of Loda, Illinois, to-wit:

1. Village of Loda
2. Federated Bank
3. Loda Post office

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Loda, this 8 day of August 2018.

Regina Ptacek, Village Clerk