

CHAPTER 116: DOOR TO DOOR SOLICITATION

Section

- 116.01 Definitions
- 116.02 Solicitor regulations
- 116.03 Registration
- 116.04 Enforcement

- 116.99 Penalty

§ 116.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply.

OWNER OR OCCUPANT. Any person who is the owner, resident, or tenant of a residence.

RESIDENCE. Every separate living unit occupied for residential purposes by one or more persons contained within any type of building or structure.

SOLICITING. Any one or more of the following activities without prior consent of the owner or occupant:

- (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, real property or personal property or services of any kind for any consideration whatsoever;
- (2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind, or character; or
- (3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers, and every other type or kind of publication.

SOLICITOR. A person engaged in the act of soliciting, including: hawkers, peddlers, itinerant merchants and transient vendors of merchandise. Except that minors under the age of 18 who participate in solicitation activities for fundraising purposes only and persons exercising their first amendment rights, including the free exercise of religion, the freedom of speech or press, the right of assembly and not engaged soliciting shall not be deemed to be solicitors.

(Ord. 15-0377, passed 4-14-2015)

§ 116.02 SOLICITOR REGULATIONS.

(A) *Solicitors.* A solicitor who solicits, or assists in solicitation, in an area of unincorporated Lake County must conform to the following regulations:

(1) Register with the Lake County Clerk, at no charge to the registrant.

(2) Only solicit between the hours of 11:00 a.m. and 7:00 p.m.

(3) It shall be the duty of every solicitor entering upon any residential property to be observant for the presence of a "No Solicitors" or "No soliciting" sign. If such a sign is present the solicitor shall immediately and peacefully depart from the residence.

(4) Any solicitor who has gained entry onto any residential property shall immediately and peacefully depart from the premises when requested to do so by the owner or occupant.

(5) It shall be unlawful for any person to go upon any premises and ring the doorbell upon or near any door of a residence located thereon or rap or knock upon any door, or create any sound in any other manner to attract the attention of the owner or occupant of such residence for the purpose of securing an audience with the owner or occupant thereof and engage in soliciting contrary to the notice exhibited.

(B) *Notice.* Every owner or occupant who desires no solicitors at his or her residence shall provide notice of such by:

(1) Exhibiting or posting upon or near the front entrance door to the residence a card, decal or sticker containing the following language or language similar to the following:

NO SOLICITORS or NO SOLICITING

(2) Such card so exhibited shall constitute sufficient notice to any solicitor that solicitation of the owner or occupant of the premises is prohibited.

(3) Lack of notice shall not prohibit an owner or occupant from verbally requesting that a solicitor leave his or her premises.

(Ord. 15-0377, passed 4-14-2015) Penalty, see § 116.99

§ 116.03 REGISTRATION.

(A) It shall be unlawful for any person or business to engage in, or assist in, business as a solicitor for the purpose of soliciting orders, sales, subscriptions, or business of any kind, without first registering with the Lake County Clerk's Office and obtaining a certificate of registration. A copy of the certificate of registration shall be delivered by the solicitor to the Lake County Sheriff's Office.

(B) The solicitor shall provide his or her complete name, address and date of birth along with a recent picture identification, his or her signature, the name of his or her employer, the nature of his or her product or services in which he or she is soliciting, the names of the manufacturers of such products or of the organization which he or she is representing and the proposed method of operation, i.e. door-to-door sales.

(C) Solicitor registrations are not transferable from person to person or from business or employer to business or employer. If this information required to be provided for registration changes, the solicitor shall relinquish his or her current registration and obtain a new certificate of registration.

(D) No person shall make any false statement upon an application for a certificate of registration. Providing false information will be cause for immediate revocation of the certificate of registration.

(E) Each person shall, at all times while engaged in, or assisting in, the business of soliciting in unincorporated Lake County carry upon his or her person the certificate of registration or a legible photocopy thereof issued pursuant to this chapter. This certificate shall be exhibited by the solicitor whenever he or she is requested to do so by a Lake County Sheriff's deputy or by any person being solicited.

(F) Any registration pursuant to this chapter may be revoked by the Lake County Sheriff upon conviction of or plea of guilty to any violation by the solicitor of this chapter, or any other similar ordinance, or any state statute.

(G) Registration shall expire on December 31st of each year and must be renewed by the solicitor.

(Ord. 15-0377, passed 4-14-2015) Penalty, see § 116.99

§ 116.04 ENFORCEMENT.

Violations of this chapter shall be enforced by the Lake County Sheriff or his or her designee(s) and, at his or her discretion, may proceed either through a notice to appear before the 19th Judicial Circuit Court or through administrative adjudication pursuant to the Lake County Administrative Adjudication Ordinance.

(Ord. 15-0377, passed 4-14-2015)

§ 116.99 PENALTY.

(A) Any person who violates or assists in the violation of any provision of this chapter shall be deemed to have committed an ordinance violation and shall be fined as set forth below. Each 24 hour period in which, or during which, a violation occurs shall constitute a separate offense.

(B) *Lake County Sheriff's Office Citation filed in Circuit Court.* If the ordinance violation is cited for enforcement before the 19th Judicial Circuit, the fine amount shall be as follows:

(1) The first violation of this chapter shall be punishable by a fine of no less than \$250.

(2) A second violation of this chapter by the same person, within a 12 month period shall be punishable by a fine of no less than \$500.

(3) A third or subsequent violation of this chapter by the same person, within a 12 month period shall be punishable by a fine of no less than \$750.

(C) *Lake County Administrative Adjudication Citation of Violation.* If the ordinance violation is cited for enforcement through the Lake County Administrative Adjudication Process, the minimum fine amount shall be \$115 for each violation.

(Ord. 15-0377, passed 4-14-2015)