

VILLAGE OF SWANSEA, ILLINOIS

ORDINANCE NO. 1971

AN ORDINANCE AMENDING CHAPTER 111: PEDDLERS AND SOLICITORS REGARDING THE HOURS FOR SOLICIATION WITHIN THE VILLAGE OF SWANSEA

ADOPTED BY THE BOARD OF THE TRUSTEES
OF THE
VILLAGE OF SWANSEA

THIS 21st DAY OF October 2024.

Published in pamphlet form by authority of the Board of Trustees of the Village of Swansea, St. Clair County, Illinois, this 5th Day of November, 2024.

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VILLAGE OF SWANSEA

ORDINANCE NO. 1971

**AN ORDINANCE AMENDING CHAPTER 111: PEDDLERS AND SOLICITORS
REGARDING THE HOURS FOR SOLICITATION WITHIN THE VILLAGE OF
SWANSEA**

WHEREAS, the Village of Swansea seeks to ensure that the rights of its residents to privacy and peace within their homes are respected; and

WHEREAS, the Village of Swansea has determined that it is necessary to amend the hours during which solicitation activities may occur to better balance the interests of solicitors and residents; and

WHEREAS, the Village desires to amend its current Ordinance regarding solicitation to limit activities to more reasonable hours; and

WHEREAS, the Village Board of Trustees find that amending the solicitation hours serves the public interest by reducing unwanted disruptions to residents while allowing for appropriate opportunities for solicitation.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF SWANSEA, ILLINOIS:

SECTION 1: The Board of Trustees of the Village of Swansea hereby adopts the recitals in the preamble of this Ordinance as its findings of facts.

SECTION 2: Chapter 111 is hereby amended a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

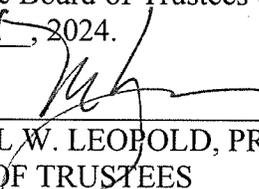
SECTION 4: This ordinance shall be in full force and effect, following its passage, approval and publication in pamphlet form as provided by law.

Passed this 21st day of October, 2024 by the Board of Trustees of the Village of Swansea, St. Clair County, Illinois

Tyler M. Thompson By: Stephanie Ruffitt
TYLER THOMPSON, VILLAGE CLERK Deputy Clerk

LANTER aye LEWIS aye MCDONALD aye THOUVENOT aye
NEUMEYER aye PARKER aye

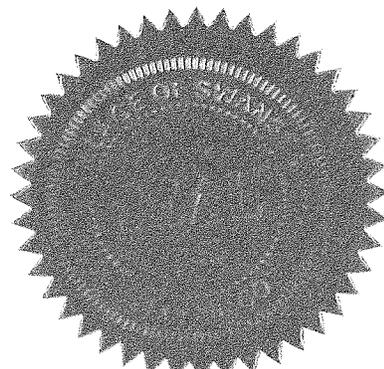
Approved by the President of the Board of Trustees of the Village of Swansea, St. Clair County, Illinois, this 21st day of October, 2024.



MICHAEL W. LEOPOLD, PRESIDENT
BOARD OF TRUSTEES

Attest:

Tyler M. Thompson By: Stephanie Ruffitt
TYLER THOMPSON, VILLAGE CLERK Deputy Clerk



STATE OF ILLINOIS}

COUNTY OF ST. CLAIR}

CERTIFICATION

I, Tyler M. Thompson, do hereby certify that I am the duly appointed Clerk in and for the Village of Swansea, Illinois.

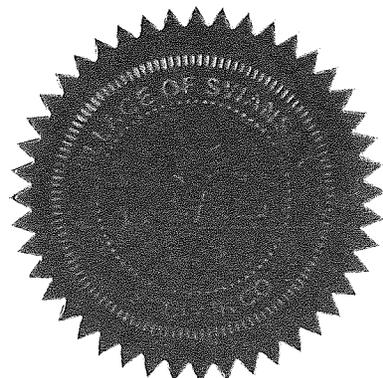
I further certify that on October 21st, 2024 the Corporate Authorities of the Village of Swansea passed and approved Ordinance No. 1971 entitled:

AN ORDINANCE AMENDING CHAPTER 111: PEDDLERS AND SOLICITORS REGARDING THE HOURS FOR SOLICIATION WITHIN THE VILLAGE OF SWANSEA

The pamphlet form of Ordinance No. 1971, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted in the municipal building, commencing on November 5th, 2024 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at SWANSEA, Illinois, this 5th day of November, 2024.

Tyler M. Thompson By: Stephanie Ruffell
Tyler M. Thompson, Village Clerk Deputy Clerk
Village of Swansea, Illinois



STATE OF ILLINOIS }
COUNTY OF ST. CLAIR }

AFFIDAVIT

I, Stefanie Proffitt, an employee of the Village of Swansea, St. Clair County, Illinois, do solemnly affirm that:

AN ORDINANCE AMENDING CHAPTER 111: PEDDLERS AND SOLICITORS REGARDING THE HOURS FOR SOLICIATION WITHIN THE VILLAGE OF SWANSEA

was posted at the Swansea Government Center, 1444 Boul Avenue, Swansea, Illinois, commencing on

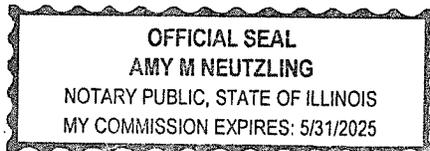
November 5th, 2024, at 10:30 o'clock AM.

Stefanie Proffitt
Written Signature

Subscribed and sworn before me on this 5th day of November 2024.

Amy Neutzling
Notary Public

(Notary Seal)



CHAPTER 111: PEDDLERS AND SOLICITORS

Section

- 111.01 Purpose; policy
- 111.02 Definitions
- 111.03 Permit required
- 111.04 Application for permits; qualifications
- 111.05 Exemptions
- 111.06 Issuance of permit
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- 111.11 Denial of permit
- 111.12 Revocation of permit
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- 111.14 Solicitation on streets by charitable organizations
- 111.15 (Reserved)
- 111.16 Maintenance of registry
- 111.17 Maintenance of no contact list

- 111.99 Penalty

§ 111.01 PURPOSE; POLICY.

(A) General statement of purpose. Residents of the village have an inalienable interest in their personal safety, well-being and privacy in their residences, as well as their ability to provide or receive information regarding matters of personal belief, political or charitable activities and goods and services lawfully in commerce. The village has a substantial interest in protecting the well-being, tranquility, personal safety and privacy of its citizens, which includes the ability to protect citizens from unwanted intrusions upon residential or

commercial property. The village also has a substantial interest in protecting citizens from fraud or otherwise unfair consumer sales practices as well as criminal activity.

(B) General statement of policy. There must be a balance between these substantial interests of the village and its citizens, and the effect of the regulations in this chapter on the rights of those who are regulated. Based on the collective experiences of village officials derived from regulating business activity, protecting persons and property from criminal conduct, responding to the inquiries of citizens regarding door-to-door and on street solicitation and canvassing, the experience of its law enforcement officers and those affected by door-to-door and on street solicitation and canvassing, as well as judicial decisions outlining the boundaries of constitutional protections afforded and denied persons seeking to engage in door-to-door and on street solicitation and canvassing, the village adopts this chapter to promote the village's substantial interests in:

- (1) Respecting citizens' decisions regarding privacy in their residences and businesses;
- (2) Protecting persons from criminal conduct;
- (3) Providing equal opportunity to advocate for and against religious belief, political position or charitable activities; and
- (4) Permitting truthful and non-misleading door-to-door and on street solicitation regarding lawful goods or services in intrastate or interstate commerce.

(C) Preservation, protection. The village finds that the procedures, rules and regulations set forth in this chapter are narrowly tailored to preserve and protect the village interests referred to herein while at the same time balancing the rights of those regulated.

§ 111.02 DEFINITIONS.

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

CANVASSER. Any person, firm, corporation or entity including agents and employees of any firm, corporation or entity whether a resident of the village or not, who engages in canvassing.

CANVASSING. Includes the act of any person, whether a resident of the village or not, traveling by foot, vehicle or other type of conveyance to go from place to place, from house to house or street to street by:

- (1) Conducting a poll, survey or petition drive;
- (2) Sharing, communicating or otherwise conveying ideas, views or beliefs; or
- (3) Disseminating oral or written information to a person willing to directly receive such information, for the political, religious, charitable purposes or otherwise.

CHARITABLE. Patriotic, philanthropic, social service, health, welfare, benevolent, educational, civic, cultural or fraternal.

COMMERCIAL BUILDING. Any place of business within the village or any structure used by any firm, corporation or entity for the purpose of sale of any items on a commercial basis.

HANDBILLS. Include any commercial or non-commercial handbill, pamphlet, circular, newspaper, paper, newsletter, booklet, poster, leaflet, brochure or other printed or written materials that have been cast, deposited, placed, scattered or thrown onto the property of a business or residence in the absence of a subscription agreement.

HEARING OFFICER. The person designated or responsible for hearing and deciding any appeal relating to or regarding the denial or revocation of a solicitors permit and issuing a decision as required by this chapter. Shall be the same person designated in the Motor Vehicle Code as the Hearing Officer for the village, and shall have the duties described herein.

PANHANDLER. A person who panhandles.

PANHANDLING. Any solicitation made in person upon any street, public place or park in the village in which a person requests an immediate donation of money, goods or any other form of gratuity from another person. When the person being solicited receives an item of little or no monetary value in exchange for a donation under circumstances where a reasonable person would understand that the transaction is in substance a donation, it is a donation for the purpose of this section.

PEDDLER. Any individual, firm, partnership, joint venture, association corporation, limited liability company, estate, trust, receiver, trustee, syndicate or other lawful entity, organization, society or association who or which engages in peddling.

PEDDLING. The selling, bartering or exchanging or the offering for sale, barter or exchange of any tangible personal property upon or along the streets, highways or public places of the village or from house to house, whether at one place thereon or from place to place, from any wagon, truck, pushcart or other vehicle or from movable receptacles of any kind, but shall not include the delivery routes where the purchaser has previously requested the seller to stop and exhibit his or her items.

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

SOLICITATION. Occurs when a solicitor travels by foot, vehicle or any other type of conveyance, from place to place, house to house or from street to street while engaging in one or more of the following activities:

- (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, personal property or services of any kind, character or description for any kind of remuneration or consideration regardless of advance payment of sought;

(2) Seeking to obtain prospective customers for application or purchase of insurance of any type;

(3) Seeking to obtain prospective customers or clients for application or purchase of stocks, bonds, mutual funds or other investments;

(4) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication;

(5) Seeking to obtain gifts or contributions of money, clothing or other property of value for the support or benefit, in whole or in part, of any charitable or non-profit association, organization, corporation or project;

(6) Delivery of handbills;

(7) Seeking to engage an individual in conversation at a residence or commercial building for the purpose of promoting or facilitating the receipt of information regarding religious belief, political position or charitable conduct;

(8) Activities falling within the definition of canvassing; and/or

(9) Activities falling within the definition of peddling.

SOLICITOR. Any individual, firm, partnership, joint venture, association corporation, limited liability company, estate, trust, receiver, trustee, syndicate or other lawful entity, organization, society or association who or which engages in solicitation.

§ 111.03 PERMIT REQUIRED.

Unless otherwise authorized, permitted or exempted, pursuant to the terms and provisions of this chapter, being in or upon a private residence or commercial property or on a public street within the village by a solicitor for the purpose of solicitation is prohibited and is punishable as set forth in this chapter.

§ 111.04 APPLICATION FOR PERMITS; QUALIFICATIONS.

(A) No person shall engage in the act of solicitation, unless such person obtains a permit from the Chief of Police, or his or her designee.

(B) The application for the permit, as provided by the village, shall contain information about the solicitor, including the following:

(1) The applicant's name, telephone number and home address and length of residence at such address;

(2) Applicant's home address during the past three years if other than applicant's present home address;

- (3) Applicant's present local address if other than applicant's home address;
- (4) Applicant's business address if other than present home or local address;
- (5) Applicant's date of birth;
- (6) Applicant must provide a photo copy of applicant's driver's license or identification card issued by any state;
- (7) If employed or acting as an agent, the name, address and telephone number of the employer or principal who is being represented, as well as credentials in written form establishing the relationship and the authority of the employee or agent to act for the employer or the principal;
- (8) The name and address of the applicant's employer/principal during the past three years if other than the present employer/principal;
- (9) A description sufficient for identification of the subject matter of the solicitation which the applicant will engage in;
- (10) The date of the latest previous application for a permit under this chapter, if any;
- (11) Whether a permit issued to the applicant under this chapter has ever been revoked and, if so, when and the reason for the revocation;
- (12) Whether the applicant has ever been convicted of a violation of any other provision of the village's code of ordinances or the code of any other municipality regulating solicitation;
- (13) A statement as to whether or not the applicant has been convicted of any criminal offense under any state law or federal law of the United States whether felony or misdemeanor, other than traffic violations. As to any such offense, the applicant must provide the date and place of conviction, the nature of the offense and the punishment or penalty imposed;
- (14) The names of the last cities or villages, not exceeding three, where applicant has carried on business immediately preceding the date of application and the address(es) from which the business was conducted in those municipalities;
- (15) Two photographs of the applicant will be taken by the Village Police Department personnel at the time application is made;
- (16) Proof of possession of any license or permit which, under federal, state or local laws and regulations, the applicant is required to have in order to conduct the proposed business, or which, under any such laws or regulations, would exempt the applicant from the permit requirements of this chapter. If a charitable solicitation, applicant shall show compliance with the Solicitation for Charity Act, 225 ILCS 460/0.01 et seq.;
- (17) The application shall contain a waiver of liability, allowing the village to investigate and verify the information contained in the application; and

(18) The application shall be verified, under oath, by the applicant stating that the information contained therein is true and correct.

§ 111.05 EXEMPTIONS.

(A) The following are exempt from obtaining a solicitor's permit and from registering with the village:

(1) Persons specifically invited to a residence or a commercial building by a competent individual prior to the time of the person's arrival at the residence or commercial building;

(2) Person delivering goods to a residence or commercial building pursuant to a previously made order, or persons providing services at a residence or commercial building to a previously made request by a competent individual;

(3) Persons advocating or disseminating information for, against or in conjunction with any religious belief, or political position;

(4) Those seeking to obtain from an occupant of any residence or business, an indication of the occupant's belief in regard to any political or religious matter;

(5) Those who canvas door to door;

(6) Those who distribute handbills;

(7) A person of 16 years of age and under, who is participating in a fund raising program for, or sponsored by, a public or private elementary, high school or bonafide children's organization, including, without limitation, Boy Scouts, Girl Scouts or youth sports; and

(8) A charitable solicitor other than a charitable organization soliciting on village streets. (See § 111.14 of this chapter.) The charitable solicitor, however, shall comply with the Solicitation for Charity Act, 225 ILCS 460/0.01 et seq., if applicable.

(B) Those who are exempt from obtaining a solicitor's permit or from registering with the village, must comply with §§ 111.09 and 111.10 of this chapter.

§ 111.06 ISSUANCE OF PERMIT.

The Chief of Police, after consideration of the application and all information obtained relative thereto, shall issue the permit if the applicant possesses the qualifications for such permit as herein required and the issuance of a permit to the applicant would be in accord with the intent and purposes of this chapter. The permit shall be issued for the calendar year in which the application is filed. The permit shall be issued within 15 days of the receipt of the application and shall expire on December 31 of the year for which it was issued. The solicitor shall surrender the permit to the Chief of Police upon its expiration unless renewed by the Chief of Police.

§ 111.07 CREDENTIALS.

Upon approval of the application for a permit, as hereinbefore stated, the Chief of Police shall issue credentials to the applicant which credentials shall be issued over the name of the Chief of Police, and to which shall be appended a photograph of the applicant. Such credentials must be worn by the solicitor within the village when soliciting. The credentials will be worn in such a manner as to be readily visible to all individuals being solicited.

§ 111.08 FEE.

(A) A permit applicant must pay a non-refundable application fee in the amount of \$50 payable to the village (money order, in-state business check, cashier's check or exact change cash only). In addition, each person to whom a permit is issued shall pay an annual fee of \$50 (money order, cashier's check, in-state business check or exact change cash only).

(B) Once a permit is issued, the solicitor may annually renew the permit for the following year, by paying, to the village, a renewal fee of \$50 (money order, cashier's check, in-state business check or exact change cash only) by no later than December 31 in the year in which the permit is to expire. In addition, the solicitor shall confirm the information contained within the initial application and advise the Chief of Police of any changes with regard to the information. Should the solicitor fail to renew the annual permit, he or she shall be required to reapply for a new permit.

§ 111.09 REGULATIONS AND PROHIBITIONS.

Unless otherwise noted herein, the following shall apply to all solicitors, including those exempt from obtaining a solicitor's permit or from registering with the village.

(A) Any solicitor who has gained entrance to any residence or commercial building, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

(B) It is hereby declared to be unlawful and shall constitute a nuisance for any person, whether issued a permit under this chapter or not, to solicit on a public street or to go upon any premises and ring the doorbell upon or near any door of a residence or commercial building located thereon, or rap or knock upon any door, or create any sound in any other manner calculated to attract attention of the occupant of such residence or commercial building for the purpose of securing an audience with the occupant thereof, and engage in soliciting as herein defined, ~~at any time less than 30 minutes after sunrise or 30 minutes before sunset.~~ outside of the hours of 9:00 a.m. and 30 minutes before sunset or 6:00 p.m., whichever is earliest. Further, it shall be unlawful to engage in soliciting at any time Sunday or any state or national holiday. This provision shall not apply to solicitation on streets by

charitable organizations, as provided in § 111.14 of this chapter. Further canvassing may take place between the hours of 9:00 a.m. and 8:00 p.m. central time on any day.

(C) Except as provided in § 111.14 of this chapter, no solicitor shall solicit in a village street or highway located within the village.

(D) No solicitor shall represent in any manner that the village or its departments or officers have indorsed the permit holder or the products, services or causes on behalf of which individuals are being solicited without the written consent of the Chief of Police.

(E) No solicitor shall willfully obstruct the movement of any person on any street, sidewalk or other public place.

(F) No solicitor shall solicit any person that has objected by words or conduct to such soliciting.

(G) No solicitor shall refuse to identify the entity on whose behalf the soliciting is being conducted when requested to do so by any person contacted by the solicitor or fail to truthfully state the use(s) to which any solicited item(s) will be put when requested to do so by any person being solicited.

(H) No solicitor shall threaten any injury or damage to any individual who declines to be subject to any soliciting or who declines to make a purchase, donation or contribution.

(I) No solicitor shall directly or indirectly solicit for any purpose by misrepresentation of his or her name, occupation, financial conditions, social condition, physical or mental health or residence and no person shall make or perpetrate any misstatement, deception or fraud in connection with any soliciting for any purpose.

(J) No more than two solicitors shall solicit at a residence or commercial building at any one time.

(K) It shall be unlawful for any solicitor, other than the permit holder, to use any permit issued under the provisions of this chapter.

(L) It shall be unlawful to engage in an act of panhandling within the village limits when either the panhandler or the person being solicited is located at any of the following locations; at a bus stop; in a public transportation vehicle or public transportation facility; in a sidewalk café.

(M) It shall be unlawful to engage in an act of panhandling in an aggressive manner including any of the following actions:

(1) Panhandling a person who is standing at an automated teller machine while located within 20 feet of that person and within one minute after the person leaves the machine;

(2) Panhandling within 20 feet of the entrance to a bank and within one minute after the person leaves the bank;

(3) Repeating a panhandling request when the person solicited is stationary and has refused an immediately prior request made at that location;

(4) At any time immediately before, during, or after the panhandling request, touching the solicited person without that person's consent;

(5) Directing profane or abusive language at the person solicited at any time immediately before, during or after panhandling;

(6) Immediately before, during, or after panhandling, making any statement other than the panhandling request or acting in any other manner which, in light of the circumstances taken as a whole, would cause a reasonable person to feel harassed, intimidated, or compelled to contribute;

(7) Panhandling a person while such person is standing in line and waiting to be admitted to a commercial establishment;

(8) Blocking the path of a person being solicited, or the entrance to any building or vehicle;

(9) Following behind, or alongside or walking ahead of the person who walks away from the panhandler after being solicited; or

(10) Panhandling in a group of two or more persons;

(11) Each act of panhandling prohibited by this section shall constitute a public nuisance and a separate violation of this Code.

Penalty, see § 111.99

§ 111.10 NOTICE TO SOLICITORS; DUTY TO OBSERVE.

(A) Any occupant of a residence or commercial building may give notice of a desire to refuse solicitors by displaying a "No Solicitation" or "No Trespassing" or similar sign which shall be posted on or near the main entrance door or near the property line adjacent to the sidewalk leading to the residence or the commercial building. Such sign shall not exceed the size parameters specified in the village's land use ordinance regulating to signs. The display of such sign shall be deemed to constitute notice to any solicitor that the inhabitant of the residence or commercial building does not desire to receive and/or does not invite solicitors. It shall be the responsibility of the solicitor to check such residence or commercial building for the presence of any such notice.

(B) The Police Department shall maintain a "Do Not Contact List." The "Do Not Contact List" shall set forth the address of the property of the owners/tenants of the property who do not wish to be solicited or wish to receive solicitors. It is the responsibility of the solicitor to make himself or herself aware of the list before entering into the act of soliciting.

(C) No solicitor shall solicit at any residence or commercial building where the owner or occupant has provided notice pursuant to divisions (A) and/or (B) above.

(D) The provisions of this section shall apply to all solicitors including those who are exempt from obtaining a solicitor's permit or registering with the village.

§ 111.11 DENIAL OF PERMIT.

The Chief of Police, after consideration of the application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such permit as herein required, and the issuance of a permit to the applicant would not be in accord with the intent and purposes of this chapter. Endorsement of the denial shall be made by the Chief of Police upon the application.

§ 111.12 REVOCATION OF PERMIT.

Any permit issued hereunder may be revoked by the Chief of Police for any of the following reasons:

(A) Fraud, misrepresentation or false statement contained in the application for a permit;

(B) Fraud, misrepresentation or false statement made by the permittee in the course of conducting solicitation activities;

(C) Conducting solicitation activities contrary to the provisions contained in the permit;

(D) Conviction of a felony or any crime involving moral turpitude subsequent to the issuance of a permit;

(E) Conducting solicitation activities in such a manner as to create a public nuisance, constitute a breach of the peace or endanger the health, safety or general welfare of the public; and/or

(F) Going upon the premises of a residence or commercial building in violation of § 111.10 of this chapter.

§ 111.13 APPEAL OF PERMIT DENIAL OR REVOCATION.

(A) An applicant whose permit has been denied or a registered solicitor whose permit has been revoked shall have the right to appeal to the Hearing Officer the denial of the application for or revocation of the solicitor's permit. Upon determining that grounds for a permit denial or revocation exists as set forth in §§ 111.11 or 111.12 of this chapter, the Chief of Police shall furnish written notice of the denial or revocation to the applicant or permit holder. Such notice shall summarize the principal reasons for the denial or revocation; shall state that the applicant or permit holder may appeal the decision by filing a written request for a hearing with the Chief of Police within ten business days of the postmarked date of the denial or revocation of the permit. If the request for hearing is

timely made, the village's Hearing Officer shall conduct a hearing within 21 calendar days of the filing of such request by the applicant or permit holder. Notice of time and place of the hearing shall be given to the applicant or permit holder at least seven calendar days in advance of the date set for the hearing. At the hearing, the applicant or permit holder and the village shall be entitled to present relevant evidence and call witnesses who shall testify under oath. All notices to the applicant or permit holder shall be delivered by sending the notice, by certified mail, postage pre-paid addressed to the applicant or permit holder as the name and address appears on the application of the applicant or permit holder.

(B) At the conclusion of the hearing, the Hearing Officer shall decide whether grounds for denial or revocation of the permit exist and shall submit a written report to the Chief of Police. Such report shall contain a brief summary of the evidence considered and shall state findings, conclusions and whether the decision of the Chief of Police is affirmed or reversed. If the Chief of Police's decision is reversed, a permit shall be issued or reinstated as the case may be, forthwith. A copy of such report shall be forwarded by certified mail, postage prepaid to the applicant or permit holder within one day after it is filed with the Chief of Police. The decision of the Hearing Officer shall be final and binding on all parties concerned with said decision being subject to the State Administrative Review Law, 735 ILCS 5/3-101 et seq. The costs of preparing and certifying the record of the proceedings for filing with the Circuit Court shall be paid to the village by the appellant prior to the filing of such record with the court.

§ 111.14 SOLICITATION ON STREETS BY CHARITABLE ORGANIZATIONS.

(A) A charitable organization which is either based in the village or maintains a business or office in the village shall, through its representatives and or members, be permitted to solicit at the intersections of the village streets without obtaining a solicitor's permit, but shall be required to register with the Village Clerk and provide the following information:

- (1) Name address and telephone number of the group or organization;
- (2) Name address and telephone number a contact person for the group or organization;
- (3) The purpose of the solicitations to be conducted in the village;
- (4) A list of the names of the persons acting on behalf of the group or organization; and
- (5) Provide proof of compliance with the Solicitation for Charity Act, 225 ILCS 460/0.01 et seq., if applicable.

(B) Solicitation shall be allowed only under the following conditions:

- (1) Solicitations may only be set up at intersections controlled by stop signs and as designated by the Chief of Police. They are not permitted at intersections controlled by electronic traffic signals.

(2) A construction type barricade shall be placed in the center of each street where an individual is soliciting. Individuals shall remain behind the barricade at all times. With advanced coordination, the barricades may be available from the Village Public Works Department. In any event, the barricade shall be a minimum of 36 inches high and 24 inches wide.

(3) Each individual participating in the event shall be at least 16 years of age and will wear a reflective vest.

(4) The charitable organization or corporation shall be liable for any injuries to any person or property during the solicitation which is casually related to an act of ordinary negligence of the solicitor; shall hold the village harmless from any claim of said person(s); shall provide the village with evidence that the charitable organization is insured for \$1,000,000 through an insurance company licensed to do business in the state and has named the village as an additional insured.

(5) The solicitor shall comply with § 111.09 of this chapter.

(6) Solicitation may be conducted on weekends only. For the purpose of this section, a WEEKEND shall mean Friday, Saturday and Sunday.

(7) The applicant shall be entitled to solicit a total of two non-consecutive weekends in any calendar year.

(8) The solicitation shall take place on no more than two days of the weekend with the total hours of solicitation, per weekend, not exceed eight hours. The applicant may divide this time over the two-day period.

(9) Solicitation will not be permitted on the consecutive weekends whether by the same or different applicant. However, should weather or other unforeseen circumstances prevent the charitable organization from conducting their scheduled solicitation, the village shall have the discretion to permit the applicant to conduct a solicitation on another weekend even if the solicitation would result in a solicitation taking place on consecutive weekends.

(10) Solicitation will be permitted only between one-half hour after sunrise and one-half hour before sunset.

Penalty, see § 111.99

§ 111.15 (RESERVED).

§ 111.16 MAINTENANCE OF REGISTRY.

The Chief of Police shall maintain and make available, for public inspection and copy, a record of every completed application received and the permit issued by the village or the

denial or revocation of same. The applicant's background check shall remain a confidential, protected, private record not available for public inspection.

§ 111.17 MAINTENANCE OF NO CONTACT LIST.

The Police Department shall maintain and make available for public inspection and copy a record of the address of every person or entity who has requested that he, she or it not be contacted by a solicitor.

§ 111.99 PENALTY.

Whoever violates any provisions of this chapter for which another penalty is not specifically provided, shall be penalized in an amount not to exceed \$750 per violation and/or sentenced to up to six months in jail per violation.

