

**ORDINANCE NUMBER 14-3**

**ORDINANCE AUTHORIZING CANVASSING AND SOLICITING REGULATIONS  
IN THE VILLAGE OF MORRISTOWN, OHIO**

WHEREAS the Village of Morristown, Ohio, finds it to be in the best interest of the Village to adopt canvassing and soliciting regulations.

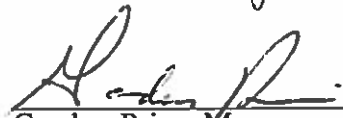
**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MORRISTOWN, STATE OF OHIO:**

**Section 1.** That the Village Council hereby approves and adopts the attached "CANVASSING AND SOLICITING REGULATIONS" which are incorporated herein by reference and will apply to such activities within the Village.

**Section 2.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal acts were in meetings open to the public in compliance with the law.

**Section 3.** That this ordinance shall take effect on the earliest date permitted by law.

PASSED at a regular meeting of the Council held this 12 day of MAY, 2014, by a vote of 5 of the members of Council.

  
\_\_\_\_\_  
Gordon Price, Mayor

ATTEST:

  
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Cheryl Borkoski, Clerk-Treasurer

**VILLAGE OF MORRISTOWN, OHIO**  
**CANVASSING AND SOLICITING REGULATIONS**

**Section 1. Definitions.**

For the purpose of this Ordinance, canvassing or soliciting means:

The unsolicited person(s) to person(s) offering for inspection, requests, inquiries, or sale of any goods, subscriptions, property (tangible or intangible), services or anything of value anywhere in the Village of Morristown by a person over 16 years of age.

**Section 2. Permit Required.**

Any person who canvasses or solicits shall have a valid permit before engaging in such activity in the Village of Morristown. At the same time the permit is issued, the Police Chief shall issue to each permittee a form of identification (badge, lanyard, etc.), which shall be worn by the permittee in such a way as to be conspicuous at all times while the permittee is canvassing or soliciting in the Village.

THIS SECTION SHALL NOT APPLY TO ANY OF THE FOLLOWING PERSONS:

- (1) A person canvassing or soliciting within the Municipality for the exclusive purposes of proselytizing a religion or providing information in respect to a religion shall be exempt from the registration requirement of this ordinance. Any person, who by state or federal law or constitutional provision has been exempted from regulations for canvassing or soliciting as defined herein and offers to the Mayor satisfactory evidence thereof, shall be exempt from the registration requirements of this ordinance.
- (2) Students enrolled in any school in the Union Local School District who are soliciting contributions, sales or orders for the benefit of their school or for any school-related activity or purpose.

**Section 3. Application for Permit Procedure.**

(A) Each applicant for a permit shall, not less than forty-eight (48) hours nor more than five (5) days prior to the commencement of canvassing or soliciting furnish the Mayor with the following information on forms provided by the Municipality.

- (1) Name, age and physical description of applicant;

turpitude;

- (B) The applicant has made willful misrepresentations in the application;
- (C) The applicant has committed prior violations of ordinances or codes pertaining to canvassers or solicitors;
- (D) The applicant has committed prior fraud or has a record of breaches of contract.

No person subject to the provisions of this Ordinance shall canvas or solicit, except between 9:00 a.m. and sunset. No canvasser or solicitor shall enter or attempt to enter a dwelling or apartment of any resident in the municipality without an express invitation from the occupant of the house or apartment, who is 21 years of age, or older. No person subject to the terms of this Ordinance shall make any false, fraudulent, misleading or deceptive statement during the course of that person's soliciting activity within the municipality. No person subject to this Ordinance shall make any canvas or solicitation on any property when notified by sign that soliciting is prohibited as provided in Section 5. No canvasser or solicitor shall engage in or transact any type of business or solicitation other than that specified on the permit.

**Section 5. Notice Regulating Canvassing or Soliciting Prohibitions.**

Any dwelling or business may prohibit canvassing or soliciting by posting a sign upon or near the main entrance to the dwelling or business sufficiently describing that canvassing or soliciting is prohibited. If any property displays such a notice, then the canvasser or solicitor shall immediately and peacefully depart from the premises. No canvasser or solicitor shall go upon or remain on any premises, or go upon any such premises and ring a doorbell or knock on any door of any person displaying either a no canvassing or no soliciting sign.

**Section 6. Prohibition of Canvassing or Soliciting on Streets or Highways.**

No person shall stand on or adjacent to a street, roadway or highway for the purpose of canvassing or soliciting any occupant of any vehicle.

**Section 7. Penalty.**

Whoever violates any provision in this Ordinance is guilty of a misdemeanor of the third degree and shall be imprisoned not more than sixty days and shall be fined not more than \$500.00. Each day's violation of this Ordinance shall constitute a separate offense.

- (2) Complete permanent and local address of applicant;
- (3) Name and address of the person, firm, corporation or association for whom the canvassing or solicitation is presently being made;
- (4) A description of the nature of the business and the goods, services, or wares to be sold or otherwise sufficient to identify the subject matter of the soliciting in which the applicant will engage;
- (5) Whether the applicant has complied with the requirements of Ohio Revised Code Chapter 1716 pertaining to charitable solicitations, if applicable;
- (6) Whether the applicant has ever been denied a license or permit to solicit or had such license or permit revoked, and explanation as to why;
- (7) Whether the applicant has ever been convicted of a felony violation or a misdemeanor violation involving moral turpitude and the time and place of such conviction;
- (8) The proposed dates and times of the solicitation and routes to be followed in conducting same;
- (9) The make, model, year, color and license plate number of automobiles used by the applicant during the period of solicitation within the Municipality.

(B) Each applicant shall, prior to receiving a permit, pay a registration fee of \$20.00 for each canvasser or solicitor.

(C) Any charitable organization is exempt from paying the registration fee set forth herein, but is required to obtain a permit. The term "charitable organization" is defined to mean and include any patriotic, philanthropic, religious, social service, welfare, benevolent, educational, civil or fraternal organization.

(D) Each permit shall expire twenty-one (21) days after its date of issue.

#### **Section 4. Standards of Issuance of a Permit.**

Upon receipt of an application, an investigation of the person(s) and matters set out in the application shall be made. The application for permit shall be approved unless the investigation discloses that the applicant would pose a discernable threat to the public health, safety, or general welfare. The following among any other discernable threats to public health, safety and welfare will constitute a valid reason for disapproval of the application for a permit:

- (A) The applicant has been convicted within the last 10 years of a felony, a sex offense, a drug trafficking offense, and any offense of violence or offense involving moral