

Registration of Individual Solicitors

Dear Applicant:

The attached Solicitor application must be completed prior to receiving authorization to solicit door to door within Elk Grove Village residential areas.

The issuance of a Solicitor Permit is conditional upon compliance with all Village ordinances and the result of a background investigation into your character and background. All information on the application must be answered completely and legibly. Any false statement or omission of information will be cause for solicitor permit suspension, revocation or grounds for the Village to refuse to issue the permit/renewal. Your signature on the application certifies that the information you have provided is true and accurate.

Application for a permit must be submitted in person. Your current Driver's License or State Identification Card must be presented. A \$40.00 non-refundable application fee is due at the time of submittal. A copy of any pamphlets or advertising material you distribute when soliciting must also be submitted with your application.

All permits are valid for thirty days. A thirty day extension may be requested. There is a \$15.00 renewal fee due at the time of request. A solicitor may request two renewals.

Any Solicitor ticketed by the Elk Grove Village Police Department for soliciting without a permit will pay any fines due the Village of Elk Grove prior to a Permit or renewal being issued.

Upon approval, a photo identification badge will be issued. The photo identification badge must be worn and visible at all times while soliciting in Elk Grove Village.

Registered Solicitors shall be allowed to conduct solicitation activities between the hours of 9:00 a.m. and 8:00 p.m. Monday through Saturday. No soliciting is permitted on Sundays or legal holidays.

No person shall engage in business as a solicitor if a "No Soliciting" notice is exhibited by a residence or business.

A copy of the Village Code as it pertains to Solicitor regulations is attached for your information.

The Village Clerk's Office will contact you in approximately 48 hours regarding your Solicitor Application.

**Village Clerk's Office
901 Wellington Avenue
847-357-4041/4042**



**ELK GROVE VILLAGE SOLICITOR REGISTRATION
ALL INFORMATION MUST BE COMPLETED FOR THIS
REGISTRATION TO BE ACCEPTED**

Office Use Only:
\$40.00 non-refundable application fee _____
\$15.00 non-refundable renewal fee _____
Finance: validate payment on back

PERSONAL INFORMATION

Name _____
Last First MI Email Address

Home Address _____ How long at this address? _____
City State Zip

Phone _____ Cell Phone _____

Date of Birth _____ Place of Birth _____ Social Security No. _____

Drivers Lic. # _____ State _____ Sex _____ Race _____ Ht. _____ Wt. _____ Hair _____ Eyes _____

TEMPORARY RESIDENCE INFORMATION

Where are you currently residing? House Hotel/Motel Apartment

Address _____
City State Zip Apt. No. Name of Hotel/Motel & Room No. Phone No.

EMPLOYER

Name _____ Employer Phone _____

Employer Address _____
City State Zip

How long have you been with this employer? _____ Crew Manager's Name _____

Crew Manager's Address _____ Crew Manager's Phone _____

VEHICLE INFORMATION

Provide the following vehicle information for your transport to and from the Village:

Make _____ Model _____ Year _____ Color _____ License Plate No. _____ State _____

SOLICITOR INFORMATION

Describe the product/service you will be soliciting _____

Have you ever been convicted of a felony under the law of the State of Illinois or any other State or Federal law of the USA? Yes No

Have you ever violated any Ordinances of Elk Grove Village? Yes No If yes, give details _____

Do you represent a charitable or non-profit organization Yes No

Name of organization _____ Phone _____

Are you registered as such with the State of Illinois as required by State Law? Yes No

I swear the above information is true and I authorize Elk Grove Village to investigate the accuracy of the information on this application.

Telephone No. (847) 357-4040
 Fax (847) 357-4008
www.elkgrove.org

Signature of Applicant _____ Date _____

ORDINANCE NO. 3231

**AN ORDINANCE AMENDING ARTICLE B. SOLICITORS OF CHAPTER 9
PEDDLERS AND SOLICITORS OF TITLE 3 OF THE VILLAGE CODE BY
ESTABLISHING A PERMIT FEE OF FORTY DOLLARS (\$40.00) PLUS
RENEWAL FEES FOR REGISTERED SOLICITORS IN THE VILLAGE OF ELK
GROVE VILLAGE**

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage Illinois as follows:

Section 1: That **Section 3-9B-2: Certificate of Registration Required** be and the same is hereby amended to read as follows:

Section 3-9B-2: Certificate of Registration Required/Fee: Every person desiring to engage in “soliciting”, as herein defined, from persons or residences within this municipality, is hereby required to make written application for a certificate of registration as herein provided, which application must be accompanied by a non-refundable application fee of forty dollars (\$40.00).

Section 2: That **Section 3-9B-5: Denial or Issuance of Certificate; Contents:** be and the same is hereby amended to read as follows:

Section 3-9B-5: Denial or Issuance of Certificate/Fees/Renewals/Visibility:

The Village Clerk, after consideration of the application and all the information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such certificate as herein required and that the issuance of a certificate of registration to the applicant would not be in accord with the intent and purpose of this article. Any applicant denied a certificate of registration shall not be entitled to the non-refundable application fee.

When the applicant is found to be fully qualified, the certificate of registration shall be issued forthwith. The fee for the initial certificate of registration shall be forty dollars \$40.00 for a thirty (30) day period, which fee shall be payable from the application fee previously submitted. Any individual who wishes to renew the certificate of registration for additional thirty (30) day periods shall be required to pay a fifteen dollar (\$15.00) renewal fee for each thirty (30) day period, provided that, no certificate of registration or renewal there of shall be issued for more than a ninety (90) day period. The certificate of registration shall be on the solicitor at all times while engaging in soliciting and shall be located so as to be visible to all persons being solicited.

Section 3: That Sections 3-9B-11E and Sections 3-9B-12C are hereby deleted.

Section 4: That **Article B Solicitors of Chapter 9 Peddlers and Solicitors** be further amended by adding thereto the following Section:

Section 3-9B-13: Penalty: Any person who violates any of the provisions of this Article B shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day on which a violation occurs or continues to exist.

Section 5: Any person violating the provisions of this ordinance shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues to exist.

Section 6: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 7: That this ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

VOTE: AYES: 6 NAYS: 0 ABSENT: 0

PASSED this 13th day of April 2010.

APPROVED this 13th day of April 2010.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Judith M. Keegan, Village Clerk

PUBLISHED in pamphlet form this 16th day of April 2010.

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CHAPTER 9

PEDDLERS AND SOLICITORS

ARTICLE B. SOLICITORS

SECTION:

- 3-9B- 1: Definitions
- 3-9B- 2: Certificate Of Registration Required; Fee
- 3-9B- 3: Application For Certificate
- 3-9B- 4: Restrictions On Issuance Of Certificate
- 3-9B- 5: Denial Or Issuance Of Certificate; Fees; Renewals; Visibility
- 3-9B- 6: Village Policy On Soliciting
- 3-9B- 7: Duty Of Solicitors
- 3-9B- 8: Uninvited Soliciting Prohibited
- 3-9B- 9: Time Limit On Soliciting
- 3-9B-10: Revocation Of Certificate
- 3-9B-11: On Street Solicitation
- 3-9B-12: Halloween Solicitation
- 3-9B-13: Penalty

3-9B-1: **DEFINITIONS:** When used in this article, the following words and terms mean and include those definitions ascribed to them in this section:

REGISTERED SOLICITOR: Any person who has obtained a valid certificate of registration as hereinafter provided and which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

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 within residential areas of the village:

- A. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuff, services of any kind, character or description whatever, for any kind of consideration whatever; or
- B. Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or
- C. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or
- D. Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization, corporation or project; or
- E. Seeking to sell, offer for sale, sell and deliver, barter or exchange any goods, merchandise, article or thing. (Ord. 932, 5-14-1974; amd. Ord. 3258, 3-8-2011)

3-9B-2: **CERTIFICATE OF REGISTRATION REQUIRED; FEE:** Every person desiring to engage in "soliciting", as herein defined, from persons or residences

within this municipality, is hereby required to make written application for a certificate of registration as herein provided, which application must be accompanied by a nonrefundable application fee of forty dollars (\$40.00). (Ord. 3231, 4-13-2010)

3-9B-3: APPLICATION FOR CERTIFICATE: Application for a certificate of registration shall be made upon a form provided by the village clerk and filed with such clerk. The applicant shall truthfully state in full the information requested on the application, as follows:

- A. Name and address of present place of residence and length of residence at such address; also business address if other than residence address; also social security number;
- B. Age of applicant and marital status, and if married, the name of spouse;
- C. Physical description of the applicant;
- D. Name and address of the person, firm or corporation or association whom the applicant is employed by or represents, and the length of time of such employment or representation;
- E. Description sufficient for identification of the subject matter of the soliciting which the applicant will engage in;
- F. Period of time for which the certificate is applied;
- G. The date, or approximate date, of the latest previous application for certificate under this article, if any;

- H. Has a certificate of registration issued to the applicant under this article ever been revoked;
- I. Has the applicant ever been convicted of a violation of any of the provisions of this article or the ordinance of any other Illinois municipality regulating soliciting;
- J. Has the applicant ever been convicted of the commission of a felony under the laws of the state of Illinois or any other state or federal law of the United States;
- K. Also, such additional information as the chief of police may deem necessary to process the application. All statements made by the applicant upon the application or in connection therewith shall be under oath.

The village clerk shall cause to be kept in the office of the village clerk an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this article and of the denial of applications. Applications for certificates shall be numbered in consecutive order as filed, and every certificate issued and any renewal thereof shall be identified with the duplicate number of the application upon which it was issued. (Ord. 932, 5-14-1974; amd. Ord. 1270, 1-23-1979; Ord. 2285, 1-26-1993)

3-9B-4: RESTRICTIONS ON ISSUANCE OF CERTIFICATE: No certificate of registration shall be issued to any person who has been convicted of the commission of a felony under the laws of the state of Illinois or any other state or federal

law of the United States within five (5) years of the date of the application, nor to any person who has been convicted of a violation of any of the provisions of this article, nor to any person whose certificate of registration issued hereunder has previously been revoked as herein provided. No certificate of registration shall be issued to any person under the age of eighteen (18). (Ord. 932, 5-14-1974; amd. Ord. 3258, 3-8-2011)

3-9B-5: DENIAL OR ISSUANCE OF CERTIFICATE; FEES; RENEWALS; VISIBILITY: The village clerk, after consideration of the application and all the information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such certificate as herein required and that the issuance of a certificate of registration to the applicant would not be in accord with the intent and purpose of this article. Any applicant denied a certificate of registration shall not be entitled to the nonrefundable application fee.

When the applicant is found to be fully qualified, the certificate of registration shall be issued forthwith. The fee for the initial certificate of registration shall be forty dollars (\$40.00) for a thirty (30) day period, which fee shall be payable from the application fee previously submitted. Any individual who wishes to renew the certificate of registration for additional thirty (30) day periods shall be required to pay a fifteen dollar (\$15.00) renewal fee for each thirty (30) day period, provided that, no certificate of registration or renewal thereof shall be issued for more than a ninety (90) day period. The certificate of registration shall be on the solicitor at all times while engaging in soliciting and shall be located so as to be visible to all persons being solicited. (Ord. 3231, 4-13-2010)

1. See section 6-6-2-2 of this code.

3-9B-6: VILLAGE POLICY ON SOLICITING: Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this article shall comply with the following directions:

Notice of the determination by the occupant or owner to refuse invitation to solicitors to any residence shall be exhibited upon or near the main entrance door to the residence containing applicable wording, such as "No Solicitors Invited".

Such notice shall be of a weatherproof construction with letters at least one-third inch ($\frac{1}{3}$ ") in height on sharply contrasted background and provided at the occupant's or owner's expense.

Such notice so exhibited shall constitute sufficient warning to any solicitor that further invasion of the property will constitute a trespass in accordance with the provisions of this code¹. (Ord. 932, 5-14-1974)

3-9B-7: DUTY OF SOLICITORS: It shall be the duty of every solicitor, upon going onto any premises in the municipality to first examine if notice provided for in section 3-9B-6 of this article is attached and to be governed by the statement contained on such notice. If the notice states "No Solicitors Invited" or words to that effect, then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises. Any solicitor who has gained entrance to any residence or business, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant. (Ord. 2672, 12-15-1998)

3-9B-8: UNINVITED SOLICITING PROHIBITED: It is hereby declared

to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in "soliciting" as herein defined in defiance of the notice exhibited at the residence in accordance with the provisions of section 3-9B-6 of this article. (Ord. 932, 5-14-1974)

3-9B-9: TIME LIMIT ON SOLICITING:

It is hereby declared to be unlawful and, therefore, unlawful for any person, whether registered under this article or not, 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 calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in "soliciting" as herein defined prior to nine o'clock (9:00) A.M. or after eight o'clock (8:00) P.M. of any weekday, Monday through Saturday, or at any time on a Sunday or on a state or national holiday. (Ord. 1451, 4-14-1981)

3-9B-10: REVOCATION OF CERTIFICATE:

Any certificate of registration issued hereunder shall be revoked by the village clerk if the holder of the certificate is convicted of a violation of any of the provisions of this article or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a certificate of registration under the terms of this article. Immediately upon such revocation, written notice thereof shall be given by the village clerk to the

holder of the certificate in person or by certified U.S. mail addressed to his or her residence address set forth in the application.

Immediately upon the giving of such notice, the certificate of registration shall become null and void. (Ord. 932, 5-14-1974)

3-9B-11: ON STREET SOLICITATION:

- A. **Permit Required:** It shall be unlawful for any person to publicly solicit, either in person or by agent, upon the streets or other public places in the village without having first secured a permit therefor, which permit must be on the solicitor's person at all times when solicitation occurs.
- B. **Application For Permit:** Application for a solicitor's permit shall be made to the village clerk at least one month in advance of the proposed date for the solicitation and shall set forth the full name and address of the applicant or applicants, the day or days requested for such permit, the specific location for which the solicitation is requested and such other information which the village clerk shall deem necessary. No date will be reserved for solicitation until all required documentation has been submitted to the village clerk. (Ord. 3295, 3-27-2012)
- C. **Regulations For On Street Solicitation:**
 - 1. Solicitation on roadways within the village shall be allowed only at intersections where all traffic is required to come to a full stop.
 - 2. Solicitation shall comply with the following regulations:

a. The soliciting agency shall be registered with the attorney general as a charitable organization as provided by "an act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor".

b. The soliciting agency shall be engaged in a statewide fundraising activity. "Statewide fundraising activity" shall mean fundraising throughout the state of Illinois which occurs on the same day or days.

c. Any person engaged in the act of solicitation shall be sixteen (16) years of age or more and shall be wearing a high visibility vest.

3. No permit shall be issued to more than one person or agency on any given day or days, nor shall any permit be issued for more than three (3) consecutive days. (Ord. 3071, 2-14-2006)

4. No permit shall be issued to any person or agency more than once in a calendar year.

5. Solicitation shall only be permitted on Thursdays, Fridays, Saturdays or Sundays between the hours of:

6:00 A.M. and 7:00 P.M. from May 1 through September 30 and

7:00 A.M. and 5:00 P.M. from October 1 through April 30.

6. In case of an emergency or dangerous or potentially dangerous situation, as determined by the chief of police or

his designated agent, or in the case of the conduct of any solicitor being deemed to be detrimental to the safety, welfare or best interest of the village, the village shall have the authority to suspend or revoke any solicitor's permit for such period of time as deemed necessary under the circumstances. (Ord. 3295, 3-27-2012)

D. Insurance Required: Prior to the issuance of a solicitation permit, the applicant shall provide the village clerk with a certificate of insurance issued by an insurance company licensed to do business in the state of Illinois indicating that the insurance company will insure the solicitor and the business or organization represented by the solicitor against any injury to any person or property during the solicitation. Such certificate of insurance shall name the village as an additional party insured and provide, at a minimum, the following coverage:

1. Personal injury coverage of five hundred thousand dollars (\$500,000.00) per person and one million dollars (\$1,000,000.00) per occurrence.

2. Property damage coverage of one hundred thousand dollars (\$100,000.00). (Ord. 3071, 2-14-2006)

3-9B-12: HALLOWEEN SOLICITATION:

A. Definition: For the purpose of this section, "solicitation" shall mean seeking or obtaining gifts, food, candy or contributions of money, as is customary in the celebration of Halloween Day. (Ord. 2275, 11-24-1992)

- B. **Soliciting Restricted:** It shall be unlawful for any person, whether alone or in a group, to conduct such solicitation as set forth in subsection A of this section on any day other than October 31; provided further, that all solicitation on October 31 shall not commence prior to one o'clock (1:00) P.M. and be terminated by eight o'clock (8:00) P.M. (Ord. 2641, 5-26-1998)

3-9B-13: **PENALTY:** Any person who violates any of the provisions of this article shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day on which a violation occurs or continues to exist. (Ord. 3231, 4-13-2010)



ELK GROVE VILLAGE POLICE DEPARTMENT

CHARLES G. WALSH
Chief of Police



A Nationally Accredited
Police Agency

NOTICE OF DOOR-TO-DOOR SOLICITORS AND SALESPEOPLE

Title 3, Chapter 9, Article B-7 of the Elk Grove village Code prohibits the knocking on doors, ringing of bells, or otherwise attempting to gain the attention of people at any residence where signs have been posted stating solicitors are not welcome.

Further, solicitors, upon contacting homeowners where residence is not so posted, are to leave the premises promptly when the homeowner states he/she has no desire to purchase the salesperson's wares or contribute to the solicitor's cause

Charles G. Walsh
Chief of Police

