

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2025-04

"AN ORDINANCE REGULATING PEDDLERS AND SOLICITORS IN THE VILLAGE
OF HAMMOND"

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
9th DAY OF April, 2025

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS
ORDINANCE #2025-04

“AN ORDINANCE REGULATING PEDDLERS AND SOLICITORS IN THE VILLAGE OF HAMMOND”

LICENSE/PERMIT FOR PEDDLERS AND SOLICITORS

Definition of peddle. For the purpose of this ordinance, peddle shall mean the selling, bartering, or exchanging or the offering for sale, barter, or exchange of tangible personal property within the Village, but shall not include the delivery of any item previously ordered or the sale of items along delivery routes where the purchaser has previously requested the seller to stop and exhibit his items, nor shall peddle be taken to include the solicitation of orders by sample where the goods are not delivered at the time the order is taken.

Definition of soliciting. For the purpose of this ordinance, soliciting shall mean seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description whatever, for any kind of consideration whatever; or seeking to obtain prospective customers for application or purchase of insurance of any type, kind of character; or seeking to obtain subscriptions to books, magazines, periodicals, newspapers, and every other type or kind of publication; or 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.

Exceptions to this ordinance include the waiver of application and fees shall be given to children’s organizations, school organizations, churches, and organizations related to church. A parent, guardian, pastor, or church personnel will need to contact the Village Hall at 217-262-3431, to notify the clerk what days and times someone will be fundraising and what organization they represent. *This fee will be waived in times of natural disaster for a 3-week time period or to be determined based on the severity of the damage. ****

Definition of residence. Shall mean and include every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

Definition of registered solicitor. Shall mean and include any person who has obtained a valid permit as hereinafter provided, which permit is in the possession of the solicitor on his/her person while engaged in soliciting.

License required. It shall be unlawful for any person, firm, or corporation to peddle or solicit within the Village without having first secured a license therefor.

Investigative application for license; issuance of license. An investigative application for a license shall be made upon a form provided by the Village. The applicant shall truthfully state in full the information requested on the application, to-wit:

- a. Name and address of present place of residence and length of residence at such address; also, business address if other than present address;
- b. Address of place of residence during the past three years if other than present address;
- c. Age of applicant;
- d. Physical description of the applicant;
- e. 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;
- f. Name and address of employer during the past three years if other than the present employer;
- g. Description sufficient for identification of the items to be peddled or solicited;
- h. Period of time for which the license is sought;
- i. The date, or approximate date, of the latest previous application for license, if any;
- j. Whether a license issued to the applicant under this ordinance has ever been revoked;
- k. Whether the applicant has ever been convicted of a violation of a felony under the laws of this State or any other state or any federal law of the United States;
- l. A description of each vehicle, if any, to be used in connection with the peddling or soliciting including the vehicle identification number and registration number of each vehicle;
- m. A copy of applicant's driver's license;
- n. Names of the three most recent communities where the applicant has peddled or solicited including addresses and phone numbers of officials of said communities who issued permits or licenses to applicant;
- o. Proposed method of operation;
- p. Signature of applicant;
- q. Social Security number of applicant, and
- r. Illinois Retailer's Occupation Tax number.

All statements made by the applicant upon the application or in connection therewith shall be under oath. Applicant shall produce his/her driver's license or some other form of positive identification.

The applicant shall submit to fingerprinting if requested by the Piatt County Sheriff's Department in connection with the application for the license. The Piatt County Sheriff's Department may also conduct an investigation with regard to the application to verify the information included therein. No license shall be issued to any person who has been convicted of the commission of a felony under the laws of this state or federal law of the United States within five (5) years prior to the date of the application; nor to any person who has been convicted of a violation of any of the provisions of this ordinance, nor to any person whose license issued hereunder has previously been revoked, or to any person who does not have an Illinois Retailer's Occupation Tax number. The Piatt County Sheriff's Department shall have up to 72 hours to complete the investigation and to submit all necessary information to the Village Clerk who shall submit the application to the Village Board for approval at its next regular meeting.

If the applicant meets all of the qualifications for a license, the Village Clerk shall issue the license. If the applicant does not meet all of the qualifications, the license shall be denied and the

applicant shall be notified as to the reasons why the license is being denied and the reasons shall also be noted on the application itself.

The Village Clerk shall cause to be kept in his/her office an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all licenses issued under the provisions of this article, and the denial of licenses. Applications for licenses shall be numbered in consecutive order as filed, and every license issued, and any renewal thereof, shall be identified with the duplicate number of the application upon which it was issued.

Fee. The fee for each license shall be \$50.00 for one day; \$150.00 for not less than two nor more than seven days; \$250.00 for not less than eight nor more than 30 days; and \$1,000.00 for not less than 31 days nor more than one year. The days specified in this paragraph shall be consecutive days.

Peddling/Soliciting on streets or other public places. No person shall peddle or solicit on any street, sidewalk, park, parkway, or in any other public place unless his/her peddler's license specifically grants the right to peddle in such public places.

Restrictions on hours for peddling/soliciting. It is hereby declared to be unlawful for any person to peddle/solicit before 9:00 am or after 6:00 pm on Monday through Saturday or at any time on Sunday or on a State or national holiday.

Fraud; revocation of license. Any licensed peddler/solicitor who shall commit any fraud, cheating, or misrepresentation, whether through himself/herself or through an employee, while acting as a peddler/solicitor in the Village or who shall barter, sell, or peddle any goods or merchandise or wares other than those specified in his/her application for a license shall be deemed guilty of a violation of this ordinance, and his/her license may be immediately revoked by the Village President or Piatt County Sheriff.

Penalty. Any person, firm, or corporation violating any provision of this article shall be fined in an amount not to exceed \$1,000.00; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Any license issued under the provisions of this article may be revoked by the Village President or the Piatt County Sheriff for any violation of any regulation hereof, and such revocation shall be in addition to any fine imposed by this ordinance. In the event of a revocation, any fee paid to obtain a license shall be forfeited and shall not be refunded. The decision of the Piatt County Sheriff to revoke a license may be appealed to the Village Board.

Bonds. Before any license shall be issued, the applicant shall file with the Village Clerk a bond running to the Village in the sum of \$1,000.00 executed by the applicant, as principal and two sureties upon which service of process may be made in the state. Such bond shall be conditioned that the applicant shall comply fully with all of the provisions of the ordinances of the Village and the statutes of the state, regulating and concerning the sale of goods, wares, and merchandise, and will pay all judgments rendered against the applicant for any violation of the

ordinances and statutes, or any of them together with all judgments and costs that may be recovered against him/her by any person for damage growing out of any misrepresentation or deception practiced by any person transacting such business with such applicant, whether such misrepresentations or deceptions were made or practiced by the owners or by their servants, agents, or employees, either at the time of making the sale or through any advertisement of any character whatsoever, printed or calculated with reference to the goods, wares and merchandise sold or any part thereof. Action on the bond may be brought in the name of the Village to the use of the aggrieved person.

Certificate of registration. Every person desiring to engage in peddling or soliciting as herein defined from persons in residences within this municipality, is hereby required to make written application for a permit as hereinafter provided. Such permit shall be carried by the peddler/solicitor.

Notice regulating peddling/soliciting. In the event that a person or entity desires to bar peddling and solicitation at a residence, business, or other building, said occupant may state on a Notice placed on a main entrance door the determination that “No Solicitors Invited”. Said notice shall constitute sufficient notice to any peddler/solicitor of the determination by the occupant that no peddling or solicitation is desired or allowed.

Duty of peddlers/solicitors. It shall be the duty of every peddler/solicitor upon going onto any premises in the municipality to first examine any notice provided for in this ordinance, if any is attached, and be governed by the statement contained on the notice. If the notice states “No Peddlers or Solicitors Invited”, or a notice with a similar intended message, then the peddler/solicitor shall immediately and peaceably depart from the premises.

Any peddler/solicitor who has gained entrance to any premises, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Uninvited peddling/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 peddling/soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions set forth under Notice regulating peddling/soliciting.

Severability: Should any section or provision of this Ordinance be declared invalid or unenforceable by a court of competent jurisdiction, such decision or order shall not affect the remaining sections and portions of this Ordinance, which shall remain in full force and effect.

Effective Date: That this Ordinance shall be in full force and effect forthwith upon its adoption and passage. All Ordinances of the Village of Hammond in conflict herewith are hereby revoked.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 9th day of April, 2025, by the following roll call vote:

AYES: 6

NAYS: 0

ABSENT: 0

Brenda Sebens
Village Clerk, Village of Hammond
Piatt County, Illinois

Marsha Burgener
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

State of Illinois)
) ss.
County of Piatt)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on April 9, 2025, the Corporate Authorities of such municipality passed and approved Ordinance #2025-04, entitled "An Ordinance Regulating Peddlers and Solicitors in the Village of Hammond", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2025-04, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on April 10, 2025 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 9th day of April, 2025.

(SEAL)

Brenda Sebens
Municipal Clerk

Peddler/Solicitor Application

Date of application: _____ Date of approval/denial: _____

Name: _____ Address: _____

_____ How long at this address: _____

If less than three years, previous address: _____

Applicant's age: _____ Physical description of applicant: _____

Employer name & address: _____

If less than three years, previous employer & address: _____

Description of items to be peddled: _____

License sought for what period of time: _____

The date or approximate date of latest previous application: _____

Have you ever had a license revoked? _____

Have you been convicted of a felony under any state or federal law? _____

Names of magazines, journals, or books: _____

Description of each vehicle to be used, including VIN # and registration: _____

Names of the three most recent communities you have peddled: _____

Names and phone numbers of officials of said communities who issued permits or licenses to

applicant: _____

Printed name of applicant: _____

Signature of applicant: _____

Applicant's social security #: _____

Applicant's Illinois Retailer's Occupation Tax #: _____

Village of Hammond
Peddlers and Solicitors Permit

The person shown below has properly registered with the
Village of Hammond

Name: _____

Company: _____

Purpose: _____

Date(s) Valid: _____

Time: 9:00 am to 6:00 pm

Authorized by: Brenda Sebens, Village Clerk