

Application Fee: \$ 100.00

2- Passport Photos

Drivers License/State ID

Date Approved: _____ Date Denied: _____

Vest # Issued _____ Permit Dates: _____ to _____

Date Received at City Clerk's Office:

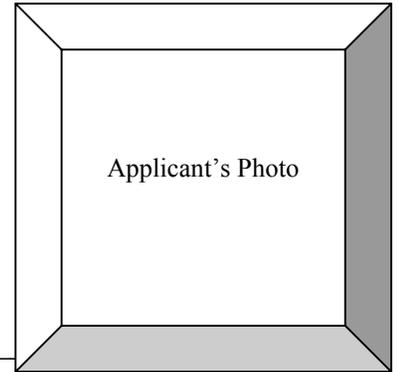


Naperville

Peddler / Solicitors Permit

Incomplete Applications will NOT be processed

I will be Peddling: _____ I will be Soliciting: _____



Applicants Information: *Please Complete EVERY Question and Print Clearly*

Name: _____
Last First Middle

Current Address: _____
Street City State Zip

Daytime Phone: _____ Work Phone: _____

Date of Birth: _____

Drivers License/State ID Number: _____ State Issued: _____
(Revoked or Suspended Licenses will not affect your permit)

Email Address: _____
(This is how you will be notified of your approval if no email is given then you will be notified via mail)

Physical Description:

Gender: _____ Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

Residential Address for the past 3 Years:

Firm, Person or Corporation the Applicant Represents or is Employed by:

Employers Company Name: _____

Address: _____
Street City State Zip

Company Owners Name: _____ Phone Number: _____

Employers Email: _____
(We also inform your employer of your approval)

Length of Employment: _____

Is this business accredited with the Better Business Bureau? Yes No if yes, what is the current rating? _____

Vehicle Information: (Provide the information for the vehicle that will be used while you are soliciting in Naperville)

Make: _____ Model: _____ Year: _____

Color: _____ Plate No.: _____ State Issued: _____

Describe the Items/Subject Matter you will be Peddling/Soliciting:

Have you ever been issued a Solicitor/Peddler Permit for the City of Naperville: YES NO

Has your Naperville Permit ever been revoked or denied: YES NO If yes, explain:

Have you ever been convicted of a felony under the laws of the State of Illinois, any other State, or under Federal Law? YES NO If yes, explain:

Are you a registered sex offender? YES NO If yes, explain:

Have you ever been convicted of a violation of any law as a result of your peddling/soliciting activity? YES NO If yes, explain:

The undersigned hereby makes application for a Peddler/Solicitor Permit in the City of Naperville, Illinois, pursuant to Section 3, Chapter 7, Municipal Code of Naperville, Illinois.

I, _____, do solemnly swear that the forgoing information is true and complete to the best of my knowledge. I have read and agree to abide by the Peddler/Solicitor Ordinance of the City of Naperville.
(Print applicants name)

I understand that the safety vest being issued is due back to the City Clerk's Office within 5 days of the expiration of my license or I will forfeit my security deposit. I understand I cannot knock on doors with a "NO PEDDLING OR SOLCITING" signs. I will leave a residence as soon as I am asked without question. I will only peddle or solicit during the approved times of Monday – Saturday 10:00 am – 7:00 pm. I will not begin peddling or soliciting until I am issued my City of Naperville Vest and ID badge.

Applicants Signature/Date

Attach to Application:

1. A Copy of Your Driver's License or State ID
2. 2- current color passport photos (available from any Walgreens)
3. Application fee (payable to City of Naperville – if writing a check, Cash or Credit Cards only accepted in person)

Return to:

Naperville City Clerk Attn: Lynn R. Zilinsky 400 S. Eagle Street Naperville, IL 60540

CHAPTER 7 - PEDDLERS AND SOLICITORS

SECTION:

3-7-1: - PURPOSE:

This Chapter is narrowly tailored to the City of Naperville's legitimate interest in preventing fraud, the privacy of its residents, the prevention of crime, and conserving the Police Department's resources. This Chapter is intended to apply only to commercial activities and the solicitation of funds. This Chapter is expressly not intended to interfere with the exercise of free speech and free exercise rights protected by the first amendment (e.g., religious proselytizing, anonymous political speech, and the distribution of handbills).

3-7-2: - DEFINITIONS:

For the purpose of this Chapter, the following words as used herein shall be construed to have the following meanings:

LICENSED PEDDLER/ SOLICITOR:	Includes any person who has obtained a valid license as provided, and which license is in possession of the peddler/solicitor on his or her person while engaged in peddling/soliciting.
NONPROFIT PEDDLER/ SOLICITOR:	Anyone engaging in peddling or soliciting on behalf of an entity that operates without a commercial objective or for the financial benefit of its shareholders or trustees and has been formed for charitable or educational reasons to benefit: 1) the public, 2) a specific group of individuals or 3) the membership of the nonprofit. Examples of nonprofit entities include: religious organizations, charitable organizations, political organizations, and membership clubs.
PEDDLER:	Any person who travels within the City of Naperville, by foot, vehicle or by other conveyance, selling or offering for sale any commodity, article, service or foodstuff, and rendering immediate delivery. Nonprofit peddlers/solicitors, as defined in this Section, are excluded.
RESIDENCE:	Includes every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.
SOLICITOR:	Any person who takes orders or subscriptions, while traveling house to house or from place to place or along the streets, alleys, sidewalks within the City of Naperville, for future delivery of tangible personal property or services by a seller, regardless of whether or not such person collects payment for such property or services at the time of such transaction, but who does not make delivery of such property or perform such service at that time. Nonprofit peddlers/solicitors, as defined in this Section, are excluded.

3-7-3: - LICENSE REQUIRED, APPLICATION:

It shall be unlawful for any person to engage in the business of peddler/solicitor in the City of Naperville without having first obtained a license therefore as provided herein. Applications for licenses shall be made to the City Clerk, and shall state the number and kind of vehicles, if any, intended to be operated, the kind of article or merchandise to be peddled or solicited, the location of where they will solicit/peddle, a permanent address of the peddler/solicitor, and any other information requested on said application form. No license shall be issued without the approval of the Naperville Police Department and the City Clerk and the payment of the fee provided herein. Said license shall be

carried by the licensee while engaged in peddling/soliciting and shall be displayed for inspection upon request. A photo ID badge and safety vest issued by the City Clerk's office shall be worn as the outer most layer of clothing at all times of the peddling/soliciting.

3-7-4: - LICENSE FEES:

The fee for a peddler/solicitor, other than a downtown food vendor, shall be:

One hundred dollars (\$100.00) application/investigation fee per person (ID badge included, two (2) passport sized photos to be supplied by applicant).

Fifty dollars (\$50.00) for replacement badges (two (2) passport sized photos to be supplied by applicant).

A refundable \$40.00 dollars cash only deposit is required upon issuance of the vest and will be refunded when each vest is returned to the City Clerk's Office. The cash deposit will be automatically forfeited to the City of Naperville for any safety vest not returned to the City Clerk's Office within five (5) days of the expiration of the license.

3-7-5: - VIOLATION, PENALTIES:

1. It shall be unlawful for any peddler/solicitor engaging in peddling/soliciting to:
 - 1.1. Act without a valid license.
 - 1.2. Make an intentional misrepresentation.
 - 1.3. Peddle/solicit beyond the scope specified in the application.
 - 1.4. Otherwise violate the provisions of this Chapter.
2. Any person who commits an offense under this Chapter shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense. The City Clerk may revoke the license of any peddler/solicitor for any offense.

3-7-6: - LIMITATIONS ON PEDDLING/SOLICITING:

No person shall peddle/solicit on any street or sidewalk within the City of Naperville to the occupant of any vehicle or from a vehicle unless special permission is granted by the City Clerk for a tag day or food vendor license.

3-7-7: - TIME RESTRICTIONS ON PEDDLING/SOLICITING:

It shall be unlawful and shall constitute a nuisance for any person whether licensed under this Chapter or not, to go upon any premises and ring the doorbell upon or near any door of a residence, 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 and engage in peddling or soliciting before ten o'clock (10:00) a.m. or after seven o'clock (7:00) p.m. Monday through Saturday, and at any time on a Sunday or on a State or federal holiday. Only food vendors may peddle on Sunday between ten o'clock (10:00) a.m. and seven o'clock (7:00) p.m.

3-7-12: - ISSUANCE OF CERTIFICATE:

1. The City Clerk, after consideration of the application and all information obtained relative, shall deny the application if the applicant does not possess the qualifications for such certificate, as required, and the issuance

of a certificate of license to the applicant would not be in accord with the intent and purpose of this Chapter. If the applicant(s) is found to be fully qualified, the certificate of license shall be issued.

2. The license shall be carried at all times while peddling/soliciting and presented when requested by any person.
3. Peddler/Solicitor Licenses shall expire 30 days from date of issue (excluding Sunday and Federal Holidays).

3-7-13: - NOTICE REGULATING PEDDLING/SOLICITING:

1. Any occupant may restrict peddling/soliciting or limit the hours during which peddlers/solicitors are invited to his or her residence by posting that intention.
2. A weatherproof card, approximately three inches by four inches (3" x 4") in size, may be exhibited upon or near the main entrance door to the residence, indicating the determination of the occupant, as follows:

**NO SOLICITING
OR PEDDLING PERMITTED
ON PREMISES**

4. Such card, or similar sign, so exhibited shall constitute sufficient notice to any peddler/solicitor of the determination by the occupant of the residence.

3-7-14: - DUTY OF PEDDLERS/SOLICITORS:

1. It shall be the duty of every peddler/solicitor upon going onto any premises to first examine whether there is any notice such as provided in the above Section. If the peddler/solicitor is approaching during a time when the resident has restricted peddling/soliciting by which such notice states, then the peddler/solicitor, whether licensed or not, shall immediately and peacefully depart from the premises.
2. Any peddler/solicitor who has gained entrance to or who is on any premises, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

3-7-15: - UNINVITED PEDDLING/SOLICITING PROHIBITED:

It shall be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell, or create any sound in any 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" or "soliciting" as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions, pursuant to Section 3-7-13 of this Chapter.

3-7-16: - EXEMPTIONS:

1. All nonprofit peddlers/solicitors and any group deemed appropriate by the City Clerk are exempt from the provisions of this Chapter.
2. Nonprofit peddlers and solicitors may voluntarily request a City of Naperville issued reflective safety vest from the City Clerk's office to wear while peddling or soliciting.
 - 2.1. A reflective safety vest refundable cash deposit per nonprofit peddler and solicitor is required for each reflective safety vest issued by the City Clerk's Office. Each reflective safety vest must be returned to the City Clerk's Office within thirty (30) days from issuance of the reflective safety vest. The cash deposit will be

refunded to the nonprofit peddler or solicitor upon return of the reflective safety vest to the City Clerk's Office. The cash deposit is automatically forfeited to the City of Naperville for any reflective safety vest not returned to the City Clerk's Office within thirty (30) days from issuance.

3-7-17: - APPLICATION FOR LICENSE:

1. Application for a license shall be made upon a form provided by and filed with the City Clerk. The applicant shall state, under oath, and in full the information requested on the application:
 - 1.1. Name and address of present place of residence of applicant, home, cell and work phone numbers, date of birth and driver's license number (suspended/revoked drivers' licenses will only affect food vendors).
 - 1.2. Physical description of the applicant.
 - 1.3. Address of residence of applicant during the past three (3) years if other than present address.
 - 1.4. 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.
 - 1.5. Vehicle information of applicant.
 - 1.6. Health Department permit numbers from both DuPage and Will Counties (for food vendors only).
 - 1.7. Whether applicant is peddling/soliciting for a profitable or charitable organization.
 - 1.8. Description sufficient for identification of the subject matter which the peddler/solicitor will engage in.
 - 1.9. Requested period of time for which the license is applied for.
 - 1.10. The date, or approximate date, of the latest previous application for license under this Chapter, if any.
 - 1.11. Whether a license issued to the applicant under this Chapter has ever been revoked or denied.
 - 1.12. Whether the applicant has ever been convicted of a violation of any of the provisions of this Chapter or the ordinance of any other Illinois municipality regulating peddling/soliciting.
 - 1.13. Whether the applicant has 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.
 - 1.14. Whether the applicant is a registered sex offender under the laws of the State of Illinois or any other state or federal law of the United States.
 - 1.15. Such additional information as the City Clerk may deem necessary to process the application.
2. The City Clerk may require applicants to submit to a background check by the Naperville Police Department.
3. The City Clerk shall keep on file a record of applications received.

Passed by Council 8-17-2010 Amended by Council 9-1-2015