



**City of Wilmington
Police & ESDA Committee
Tuesday, December 13, 2016 at 5:30 p.m.**

Location & Time

Council Chamber
Wilmington City Hall
1165 S. Water Street
5:30 p.m. 12/13/16

**Police & ESDA
Committee Members**

Frank Studer, Co-Chair
Fran Tutor, Co-Chair
Larry Hall
Steve Evans
Joe Van Duyne

Agenda

1. Call to Order
2. Approval of the November 10, 2016 Meeting Minutes
3. Old Business
 - a. Update on K9 Unit
4. New Business
 - a. IGA ó The Will County 9-1-1 Emergency Telephone System Board for the Funding of a 9-1-1 Surcharge Reallocation Pursuant to the FY 2017 Surcharge Reallocation Grant Program
 - b. Solicitor, Peddler, Street Vendor Ordinance and Application ó Review City's Current Ordinance and Sample Ordinances from Lemont, Manhattan & Mokena /Discuss Direction for Wilmington Ordinance Amendment
5. Review FY 2017 Budget Reports
 - a. Police Department
 - b. ESDA
6. Adjournment

**CITY OF WILMINGTON
POLICE & ESDA COMMITTEE
Thursday, November 10, 2016, 5:30 p.m.
Wilmington City Hall, Council Chambers
1165 S. Water Street**

In Attendance

Committee Members

Co-Chair, Alderman Frank Studer
Co-Chair, Alderman Fran Tutor
Alderman Steve Evans
Alderman Joe Van Duyne

Absent

Committee Members

Alderman Larry Hall

City Officials

City Administrator Tony Graff
Chief of Police Phil Arnold
Executive Secretary Joie Ziller

The meeting of the Police and ESDA Committee was called to order at 5:30 p.m. by Alderman Studer.

Previous Meeting Minutes – October 11, 2016

The minutes were reviewed. **Alderman Tutor made a motion and Alderman Evans seconded to accept the October 11, 2016 Committee meeting minutes as written and have them placed on file.**

Upon voice vote, THE MOTION CARRIED, 4 yes

Old Business

No Old Business was discussed.

New Business

1. Filling of the Part Time Police Record Clerk Position

Chief Arnold informed the Committee that Lynda Miner has resigned from her position at the Wilmington Police Department and would like to move forward with filling this position. The Committee gave permission for the Chief to advertise for this position. The Committee requested confirmation that this position is currently budgeted for 25 hours per week. Chief indicated he and City Accountant Doglio would provide this information at the November 15th City Council meeting.

Monthly Review of FY 2017 Budget Reports

Police Department: The Committee reviewed the budget report as presented.

Adjournment

With no further business before the Committee, Alderman Tutor made a motion and it was seconded by Alderman Van Duyne to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting was adjourned at 5:51 p.m.

Respectfully submitted,

Joie Ziller
Executive Secretary



WILL COUNTY 9-1-1 EMERGENCY TELEPHONE SYSTEM
2561 Division Street, Joliet, IL 60435-9042
(815) 725-1911 - FAX (815) 725-7239

December 1, 2016

Dear Chief and/or PSAP Director,

On behalf of the Will County Emergency 9-1-1 Telephone System Board and its Chair, Julie Ponce-Doyle, I am pleased to announce the **2017 9-1-1 Surcharge Reallocation Grant Program** for your agency.

The 9-1-1 Surcharge Reallocation Grant Program (SRGP) is designed to provide financial support for communications activities to the PSAPs and public safety fire and law enforcement agencies who are part of the Will County 9-1-1 Emergency Telephone System.

The use of these funds shall be limited to those expenditures specifically identified within the scope of the Emergency Telephone Systems Act of Illinois, Illinois Compiled Statutes, Chapter 50, Section 750/15.4/c which indicates, in part, funds may be spent on products or services necessary for the operation of an emergency telephone system and do not include the costs of public safety agency personnel who are, and equipment that is, dispatched in response to an emergency call. While the funds are limited in their scope they can be helpful to the agencies involved in the 9-1-1 Emergency Telephone System, especially in consultation with your PSAP Director and the possible needs of the 9-1-1 call center you work with. Some examples of appropriate expenditures are listed in the attached grant guidelines.

Enclosed for your review and execution are the following **2017 9-1-1 Surcharge Grant Reallocation Program documents**:

Intergovernmental Agreement by and between the Will County 9-1-1 ETSB and your PSAP/Municipality/Fire District for the funding of the 2017 9-1-1 Surcharge Reallocation Grant Program to be signed by the highest ranking elected official of your agency.

Exhibit One - ***9-1-1 Surcharge Reallocation Distribution*** (See your PSAP/Law Enforcement/Fire agency for the specific dollar amount of your department's 2017 Grant distribution)

Exhibit Two - ***Will County 9-1-1 Emergency Telephone System Board 2017 SRGP Guidelines***.

Exhibit Three - ***2017 SRGP Project Proposal Report***

Exhibit Four - **2017 SRGP Project Expenditure Report** (every agency receiving a 2017 SRGP shall file an expenditure report in order to be reimbursed for their expenses. All expenditures must be completed and returned to the 9-1-1 Administrative Office *by **October 31, 2017***).

Your agency Project Proposal Report and a signed Intergovernmental Agreement ***must be returned*** to the **9-1-1 Administration Office, 2016 SRGP, 2561 Division Street, Ste. 101, Joliet, Illinois, 60435 on or before March 1, 2017**.

Approval of your agencies grant request will be made once received. Approved funds are to be expended between December 1, 2016 through October 31, 2017. Once your project has been completed, funds appropriated, and the proper audit reports and invoices filed with the 9-1-1- Administrative Office you will be reimbursed for your grant expenditures.

If you have any additional questions or require additional information, please contact me at 815-725-9802 or sfigved@willcounty9-1-1.com.

My personal best regards and best wishes for a successful grant,



Steve Figved, ENP
Chief Administrator
Will County 9-1-1 Emergency Telephone System

INTERGOVERNMENTAL AGREEMENT

BY AND BETWEEN

THE WILL COUNTY 9-1-1 EMERGENCY TELEPHONE SYSTEM BOARD

AND THE

City of Wilmington

Agency Name

FOR THE FUNDING OF A 9-1-1 SURCHARGE REALLOCATION

Pursuant to the FY 2017
Surcharge Reallocation Grant Program

Effective December 1, 2016 to October 31, 2017

DATED: _____

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE WILL COUNTY 9-1-1 EMERGENCY TELEPHONE SYSTEM
BOARD
AND THE MUNICIPAL AGENCY OR PUBLIC SAFETY ANSWERING POINT
KNOWN AS**

Agency Name

FOR THE FUNDING OF A 9-1-1 SURCHARGE REALLOCATION

This AGREEMENT is made and entered into on the day of , 20 , by and between the WILL COUNTY 9-1-1 EMERGENCY TELEPHONE SYSTEM BOARD (hereafter referred to as "ETSB") and the MUNICIPAL AGENCY or Public Safety Answering Point (hereafter referred to as "PSAP" known as _____(hereafter referred to as "MUNICIPAL AGENCY or PSAP").

WHEREAS, the ETSB has created a Surcharge Reallocation program as outlined in "Exhibit One", attached hereto, and hereby incorporated by reference; and

WHEREAS, the MUNICIPAL AGENCY or PSAP has agreed to participate in said Surcharge Reallocation program, and by doing so, has agreed to all of the terms and conditions as outlined in said agreement; and

WHEREAS, the provisions of Article VII, Section 10 of the 1970 Illinois Constitution and the provisions of the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) authorize and encourage intergovernmental cooperation;

NOW, THEREFORE, in consideration of the promises, covenants, terms and conditions set forth in this AGREEMENT and the attached "Exhibit One", the sufficiency of which are hereby acknowledged, the ETSB, and the MUNICIPAL AGENCY or PSAP agree as follows:

- A. That the parties agree to be bound by each and every term and condition as set forth in "Exhibit Two" and that all such terms and conditions are hereby made a part of this agreement as if here fully set forth in this INTERGOVERNMENTAL AGREEMENT.
- B. That this Surcharge Reallocation is expressly given by the ETSB to the MUNICIPAL AGENCY or PSAP as a single Surcharge Reallocation for specific qualifying goods and/or services in accordance with "Exhibit Two", and is not to be construed as a continuing Surcharge Reallocation for this, or any other purpose.
- C. That this Surcharge Reallocation is not a continuing Surcharge Reallocation but is limited to a one time only agreement, unless the ETSB, at its sole discretion, determines that additional Surcharge Reallocations or extensions are to be allowed.

- D. The term of the Agreement will take effect as of December 1, 2016 and continue through October 31, 2017.
- E. The receiving agency acknowledges that all purchases made by it shall be legal, proper and in accordance with the "Emergency Telephone System Act", 50 ILCS 750.
- F. That attached hereto, and hereby incorporated by reference as "Exhibit One", is the specific dollar amount of the Surcharge Reallocation as approved by the ETSB.
- G. That attached hereto, and hereby incorporated by reference as "Exhibit Three", is the Contact Information-Project Proposal form that shall be completed by the MUNICIPAL AGENCY or PSAP and returned to the ETSB with this executed agreement.
- H. That attached hereto, and hereby incorporated by reference as "Exhibit Four", is the Surcharge Expenditure Audit Report form that shall be completed by the MUNICIPAL AGENCY or PSAP in accordance with "Exhibit Two".

I. MISCELLANEOUS

1. Nonliability: No party to this AGREEMENT shall be liable to any other party for any loss, claim or damages as a result of any delay or failure in the performance of any obligation hereunder, directly or indirectly caused by or resulting from acts of the other party, acts of the government, acts of God, acts of third persons, strikes, embargoes, delays in the mail, transportation and delivery, network or power failures and shortages, fires, floods, epidemics and unusually severe weather conditions, or other causes beyond the control of such party.
2. Binding effect: This AGREEMENT shall be binding upon and inure to the benefit of the successors and assigns of the parties as if they too were parties.
3. Severability: The parties agree that to the extent a court of competent jurisdiction shall determine that any part or provision of this AGREEMENT is unenforceable as a matter of law, such part or provision of the AGREEMENT shall be deemed severable and the remainder of the AGREEMENT shall survive.
4. Notice: All notices required herein shall be in writing and be served personally or by registered or certified mail, return receipt requested, upon the parties at their principal administrative offices or as otherwise designated.
5. Governing law: This agreement shall be governed, interpreted and construed according to the laws of the State of Illinois.
6. Amendment: This AGREEMENT and attached exhibits contains the entire agreement of the parties and shall supersede any prior agreements or understandings, written or oral, and may only be altered, modified or amended by written consent of the parties.

7. Compliance with laws: The parties agree that they will each observe and comply with all applicable federal, state and local laws that affect performance under this AGREEMENT.
8. Indemnification: The MUNICIPAL AGENCY or PSAP hereby hold harmless the ETSB for any claims, losses, damages and liabilities whatsoever relative to actions by third parties as a result of this Surcharge Reallocation and/or the purchase of goods and services with the Surcharge Reallocation funds. MUNICIPAL AGENCY or PSAP agrees to hold harmless and defend the ETSB, its staff and Board members, from and against any claims, losses, damages and liabilities, including costs, expenses, and attorneys' fees.
9. The ETSB, or its designee, shall have the authority to audit services, equipment or materials purchased through the 9-1-1 Surcharge Reallocation Program to ensure that said services, equipment or materials are being used in accordance with the Emergency Telephone System Act and the 9-1-1 Surcharge Reallocation Program Guidelines. This audit authority shall remain in effect for the life of the service, equipment or materials purchased through the 9-1-1 Surcharge Reallocation. Should the ETSB determine that the service, equipment or materials are not being used in accordance with the Emergency Telephone System Act and the 9-1-1 Surcharge Reallocation Program Guidelines then said service, equipment or materials shall be removed and returned to the ETSB, at the expense of the agency, or the agency shall be required to refund the financial assistance received from the ETSB. The ETSB shall have sole discretion in determining which method of recovery shall be followed by the agency.
10. Forfeiture: Any use of surcharge reallocation funds that is not in compliance with the intergovernmental agreement, shall cause forfeiture of any unexpended reallocation funds and cause forfeiture of any future rights under this or any subsequent grant or surcharge reallocation program by the ETSB.
11. Term of agreement: The term of said agreement will take effect as of December 1, 2016 and continue through October 31, 2017.
12. The agency shall pay all reasonable attorneys' fees to the ETSB for any action necessary to enforce any part of this agreement.

SIGNED:

WILL COUNTY EMERGENCY TELEPHONE SYSTEM BOARD

BY: _____
Julie Ponce-Doyle, CHAIRPERSON

DATED _____

NAME OF MUNICIPAL AGENCY or PSAP - ____

SIGNATURE: _____

NAME AND TITLE (printed): _____

DATED: _____

2017 PSAP SURCHARGE REALLOCATION GRANT



<u>PSAP</u>	Line Count	% of Total	Funding
EASTCOM	31,359	8.33%	\$27,061.76
JOLIET	102,132	27.12%	\$88,136.47
LINCOLNWAY	66,808	17.74%	\$57,653.05
ROMEDEVILLE	17,550	4.66%	\$15,145.06
WILL CO SHERIFF	32,572	8.65%	\$28,108.54
WESCOM	<u>126,187</u>	<u>33.51%</u>	<u>\$108,895.12</u>
	376,608	100%	\$325,000.00

EXHIBIT ONE - 2017 PSAP GRANT DISTRIBUTION

<u>EASTCOM</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
Beecher FD	1405	0.37%	\$2,510
Beecher PD	786	0.21%	\$1,404
Crete FD	3785	1.00%	\$6,763
Crete PD	3785	1.00%	\$6,763
Crete Twp FD	1370	0.36%	\$2,448
Monee FD	2009	0.53%	\$3,590
Monee PD	1278	0.34%	\$2,283
Peotone FD	1082	0.29%	\$1,933
Peotone PD	669	0.18%	\$1,195
So. Chgo Heights FD	806	0.21%	\$1,440
So. Chgo Heights PD	806	0.21%	\$1,440
Steger FD	1620	0.43%	\$2,895
Steger PD	815	0.22%	\$1,456
Steger Estates	588	0.16%	\$1,051
University Park FD	5280	1.40%	\$9,434
University Park PD	5275	1.40%	\$9,425
TOTAL	31359	8.31%	\$56,031

<u>JOLIET</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
Joliet PD	51066	13.54%	\$91,242
Joliet FD	51066	13.54%	\$91,242
TOTAL	102132	27.07%	\$182,484

<u>LINCOLNWAY</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
East Joliet FD	2261	0.60%	\$4,040
Frankfort FD	10776	2.86%	\$19,254
Frankfort PD	6214	1.65%	\$11,103
Manhattan FD	2127	0.56%	\$3,800
Manhattan PD	1405	0.37%	\$2,510
Mokena FD	5132	1.36%	\$9,170
Mokena PD	6190	1.64%	\$11,060
New Lenox FD	17678	4.69%	\$31,586
New Lenox PD	15025	3.98%	\$26,846
TOTAL	66808	17.71%	\$119,369

<u>ROMEOVILLE</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
Romeoville FD	6835	1.81%	\$12,212
Romeoville PD	10715	2.84%	\$19,145
TOTAL	17550	4.65%	\$31,357

<u>WILL CO SHERIFF</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
WCSP (HomGlen 5376)	31294	8.30%	\$55,915
Rockdale PD	1278	0.34%	\$2,283
TOTAL	32572	8.63%	\$58,198

<u>WESCOM PSAP</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
Bolingbrook FD	25808	6.84%	\$46,112
Bolingbrook PD	25806	6.84%	\$46,109
Braidwood FD	1627	0.43%	\$2,907
Braidwood PD	1015	0.27%	\$1,814
Channahon FD	3897	1.03%	\$6,963
Channahon PD	2303	0.61%	\$4,115
Crest Hill PD	3533	0.94%	\$6,313
Elwood FD	1872	0.50%	\$3,345
Elwood PD	755	0.20%	\$1,349
Homer FD	3444	0.91%	\$6,154
Lockport PD	4550	1.21%	\$8,130
Lockport Twp FD	14472	3.84%	\$25,858
Minooka FD	546	0.14%	\$976
Minooka PD	108		\$1,000
NW Homer FD	2870	0.76%	\$5,128
Plainfield FD	11093	2.94%	\$19,820
Plainfield PD	8791	2.33%	\$15,707
Rockdale FD	2129	0.56%	\$3,804
Shorewood PD	3650	0.97%	\$6,522
Troy FD	4420	1.17%	\$7,897
Wilmington FD	2034	0.54%	\$3,634
Wilmington PD	1464	0.39%	\$2,616
TOTAL	126187	33.42%	\$226,272

<u>OTHER</u>	ESN Lines	% of ESN lines	% of funds allocated by ESN
Lemont FD	613	0.16%	\$1,095

EXHIBIT TWO

WILL COUNTY EMERGENCY TELEPHONE SYSTEM BOARD 9-1-1 SURCHARGE REALLOCATION PROGRAM GUIDELINES

SECTION 1 - INTENT

The Will County 9-1-1 Emergency Telephone System Board (ETSB) recognizes that Public Service Answering Points (PSAPs), Municipal Agencies and Fire Protection Districts that are part of the ETSB system may require additions or enhancements to their communication centers in order to provide 9-1-1 related services to their respective communities. For PSAPs, Municipal Agencies and Fire Protection Districts that are part of the ETSB system, the ETSB has approved the funding of 9-1-1 Surcharge Reallocation Program to assist its participants in providing a dependable and efficient emergency telephone system. The purpose of the ETSB 9-1-1 Surcharge Reallocation program is to assist Public Safety agency users who are a part of the ETSB 9-1-1 system in maintaining a high standard of quality in the delivery of 9-1-1 emergency services.

SECTION 2 - ELIGIBILITY

To be eligible to receive surcharge reallocation the agency shall meet all of the following criteria:

- 1) The agency must have residents that both reside within the jurisdictional boundaries of, and pay the ETSB 9-1-1 surcharge.
- 2) The agency must have hard wire 9-1-1 access lines within the jurisdictional boundaries of the ETSB.

SECTION 3 - AVAILABILITY OF FUNDS

The total amount of 9-1-1 Surcharge Reallocation to be distributed shall be determined by the ETSB and is subject to availability of funding within the ETSB budget. The ETSB may terminate, expand or amend the Surcharge Reallocation Program at its discretion. Any 9-1-1 Surcharge Reallocation funds delivered to and not used by the recipient after one year, from the date of delivery, shall be returned to the ETSB. Funds not yet delivered to the recipient after one year following approval of the reallocation shall lapse.

SECTION 4 – BASIS OF DISTRIBUTION BY AGENCY

The total number of hardwire 9-1-1 access lines within the ETSB service area shall be determined by SBC/AT&T and provided to the ETSB. The total SBC/AT&T access line count

shall be further broken down by the corresponding Emergency Service Number (ESN) for each agency within the ETSB's jurisdiction. The ETSB shall determine the amount of surcharge allocation per hardwire access line. The total amount of surcharge to be reallocated to an agency shall be determined by multiplying the number of hardwire access lines, after applying the trunk equivalency factor of 5 to 1 for Centex and PBX lines for that agency, by the per access line amount approved by the ETSB. In areas where the same ESN serves more than one agency the approved surcharge reallocation amount per access line will be divided accordingly. The ETSB has established, as policy that no agency shall receive less than \$1,000.00, regardless of its access line count.

SECTION 5 - 9-1-1 SURCHARGE REALLOCATION FUNDING QUALIFYING EXPENDITURES

The use of the 9-1-1 Surcharge Reallocation shall be limited to those expenditures specifically identified within the scope of the Emergency Telephone System Act of Illinois; Illinois Compiled Statutes, Chapter 50, Section 750/15.4/C. The following list identifies examples of qualifying equipment and services. The below list of examples are not intended to be all inclusive

PSAPS

Salaries for Telecommunications Staff
Geographic Information Systems (GIS)
9-1-1 Telephone Customer Premise Equipment, Administrative Phones, Redundant System
Radio Equipment and Console Furniture
Computer Hardware/Software used for Call Taking and/or Dispatching
Office Equipment Furniture (chairs, headsets) used for Call Taking and/or Dispatching
Maintenance of Equipment used for Call Taking and/or Dispatching
Emergency Power Systems (UPS/Generator)
Netclock

FIRE AND LAW ENFORCEMENT AGENCIES

Mobile Data Terminal (Software and Hardware - Mobile Mapping Program software fees, licenses, and hardware)
Interoperable Radio System Licenses
Data Network License Fees (IWIN)
PSAP Operation Fees

SECTION 6 – AGENCY EXPENDITURE REPORT

Every agency granted the 9-1-1 Surcharge Reallocation shall file an expenditure report using the approved ETSB form (attached as Exhibit Four ó Expenditure Audit Report) on or before October 31, 2017. The report shall itemize each and every expenditure made from the surcharge funds granted to the agency. In addition, proof of each purchase must be provided in the form of copies of paid invoices, or in the case of personnel services copies of payroll records, and attached to the expenditure report. The completed form shall be signed by the authorized fiscal

agent for the agency and attested to by the Mayor, President, or other Presiding Officer of the agency.

SECTION 7 - ETSB RIGHT TO AUDIT

The ETSB, or its designee, shall have the authority to audit services, equipment or materials purchased through the 9-1-1 Surcharge Reallocation Program to ensure that said services, equipment or materials are being used in accordance with the Emergency Telephone System Act and the 9-1-1 Surcharge Reallocation Program Guidelines. This audit authority shall remain in effect for the life of the service, equipment or materials purchased through the 9-1-1 Surcharge Reallocation. Should the ETSB determine that the service, equipment or materials are not being used in accordance with the Emergency Telephone System Act and the 9-1-1 Surcharge Reallocation Program Guidelines, then said service, equipment or materials shall be removed and returned to the ETSB, at the expense of the agency, or the agency shall refund the financial assistance received from the ETSB. The ETSB shall have sole discretion in determining which method of recovery shall be followed by the agency. The ETSB shall exercise whatever legal action it deems appropriate to recover any funds improperly used.

SECTION 8 - ETSB INDEMNIFICATION

Indemnification: The MUNICIPAL AGENCY hereby holds harmless the ETSB for any claims, losses, damages and liabilities whatsoever relative to actions by third parties as a result of this Surcharge Reallocation and/or the purchase of goods and services with the Surcharge Reallocation funds. MUNICIPAL AGENCY agrees to hold harmless and defend the ETSB, its staff and Board members, from and against any claims, losses, damages and liabilities, including costs, expenses, and attorney's fees.

SECTION 9 - ETSB FORFEITURE

Any use of surcharge reallocation funds that is not in compliance with the intergovernmental agreement attached hereto, shall cause forfeiture of any unexpended reallocation funds and cause forfeiture of any future rights under this or any subsequent grant or surcharge reallocation program by the ETSB.

SECTION 10 – PROGRAM TERM

The term of the Agreement will take effect as of December 1, 2016 and continue through October 31, 2017.

Chapter 118 PEDDLERS, SOLICITORS AND STREET VENDORS

118.01 Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (A) %Charitable purpose.+Any charitable, benevolent, philanthropic or patriotic purpose.
- (B) %Charitable organization.+Any benevolent, philanthropic, patriotic, not-for-profit, or such organization purporting to be such, which solicits and collects funds for charitable purposes.
- (C) %Contribution.+The promise or grant of any money or property of any kind of value, including payment for literature in excess of the fair market value of the literature.
- (D) %Peddler.+Any person who, going from place to place, shall at retail sell, offer for sale, sell and deliver, barter or exchange any goods, wares, merchandise, wood, oil, fish, fruits, vegetables, country produce or any other article or thing whatsoever or any service from a vehicle or otherwise. It shall not include a serviceman who, responding to a prior call, sells replacement merchandise.
- (E) %Solicitor.+Any person who, going from place to place, without prior appointment or pre-arrangement with the customer, shall take orders for future delivery at retail of any merchandise or other article or thing, or any service or any person who solicits and collects funds for charitable purposes.
- (F) %Street vendors.+Any person or persons who sell goods and/or services at retail on public or private property in an outside location not affiliated with the current use of the property. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.02 Permit required

No person shall engage in the business of a peddler or solicitor within the city without first having obtained a permit; provided, however, that the classes of peddlers engaging in businesses specifically defined and licensed by other provisions of this code shall be exempt from the provisions of this chapter and must be licensed in accordance with those applicable provisions of this code. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.03 Application

No one shall peddle or solicit from persons in the city by door-to-door solicitation or the use of public streets and public ways without first obtaining a permit. Application for a permit shall be made to the city administrator or his designee and shall include the following information:

- (A) The name of the organization, partnership, corporation or proprietorship for whom the applicant works, and the name under which it intends to solicit.
- (B) The name, address, and social security number of the person in charge of solicitation in the city, a telephone number of the parent firm or corporation, and an address within Will County where service of process may be had.
- (C) The names, permanent addresses, birth dates and social security numbers of all persons who will solicit in the city.
- (D) The dates and times of day such solicitations are to be made and the geographic area within the city where such solicitation shall be conducted at a particular time and day.
- (E) The number of vehicles, if any, intended to be operated and the kind of merchandise, if any, to be peddled or offered for order. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.04 Administrative procedures for application for permit

- (A) All applications shall be submitted to the city administrator or his designee.
- (B) If the city administrator or his designee determines that all requirements of this chapter have been met, a permit shall be issued approving the dates and times at which solicitation may take place.
- (C) The failure of an applicant to fulfill the requirements of this chapter shall be the sole basis for a denial of the permit by the committee. In the event that any permit is denied for failure to comply with the requirements of this chapter, the applicant shall immediately be notified of the reasons for denial. At least seven business days

prior to the proposed peddler or solicitor's permit, the vendor shall apply to the city administrator or his designee for a peddler or solicitor's permit on a form provided by the city and pay a temporary permit application fee of \$50.

- (D) All such permits shall conform to all requirements of this chapter and shall conform to all ordinance and regulations of the city.
- (E) The city administrator or his designee may issue a vendor a permit to peddle or solicit for a maximum of 10 consecutive days with no more than four permits issued each year. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.05 Solicitation upon the public streets

- (A) It shall be unlawful for any person, firm, or corporation to solicit, either in person or by agent, upon the public streets, sidewalks or any other public place in the city without having first secured a permit.
- (B) A person, firm, or corporation may be issued a permit to stand upon streets or highways within the city for purposes of soliciting from the occupants of vehicles; provided, that the peddlers, solicitors and street vendors shall comply with the following requirements:
 - (1) Solicitation shall occur only at intersections where all traffic is required to come to a full stop.
 - (2) Solicitation shall occur at highway intersections only during hours of daylight: from one-half hour after sunrise to one-half hour before sunset.
 - (3) Persons engaged in solicitation upon streets or highways shall be at least 16 years of age and shall wear a high visibility vest. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.06 Fraud

It shall be unlawful for any peddler or solicitor to cheat, deceive or fraudulently misrepresent, whether through himself or herself or through an employee, while acting as a peddler or solicitor in the city, or to barter, sell or peddle any goods, merchandise or wares or to engage in any form of solicitation other than those specified in the application for a permit. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.07 Hours of operation

No soliciting or peddling shall be permitted before the hour of 9:00 a.m. or after the hour of 7:00 p.m. within the city. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.08 Exemptions

The following organizations shall be exempt from the provisions of this chapter:

- (A) Charitable organizations.
- (B) Farmer's Market. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.09 Notice regulating peddlers, solicitors and street vendors

Notice of the determination of the occupant's refusal of invitation to any peddlers, solicitors and street vendors shall be given in the following manner:

A card shall be exhibited upon or near the main entrance door to the residence containing words such as those set forth below: NO PEDDLERS, SOLICITORS OR STREET VENDORS

The letters shall be at least three inches in height. A card exhibited at a residence shall constitute sufficient notice to any solicitor or peddler of the occupant's refusal to allow peddlers, solicitors and street vendors. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.10 Duty of peddlers, solicitors and street vendors

It shall be the duty of every solicitor or peddler, upon going onto any premises in the city upon which a residence is located, to look for the notice provided for in Section 118.09, and if any is attached, to obey the statement contained on the notice. If the notice contains words such as ~~%No Peddlers, Solicitors and Street Vendors,~~+then the solicitor or peddler, whether registered or not, shall immediately and peacefully depart from the premises. Any solicitor or peddler who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.11 Convicted felons as peddlers, solicitors or street vendors

It shall be unlawful for any organization to utilize as a solicitor any person who has been convicted of a forcible felony within a period of five years prior to the date of solicitation or who, having been convicted of a forcible felony, has been released from a penal institution for a period of less than three years prior to the date of proposed solicitation. For the purposes of this section, a ~~%orcible felony+~~ means treason, murder, voluntary manslaughter, aggravated criminal sexual assault, criminal assault, robbery, burglary, arson, kidnapping, aggravated battery, and any other felony which involves the use or threat of physical force or violence against any individual. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.12 Revocation

Any permit may be revoked by the city administrator or his designee because of any violation of this chapter or any other ordinance of the city, or any state or federal law. (Ord. 1604, passed 12-2-03) Penalty see Section 118.99

118.99 Penalty

Any person, firm or corporation violating any provision of this title, for which another penalty is not provided, shall for a first offense be fined not less than \$50 nor more than \$750, for a second offense within one year thereafter, the person, firm or corporation shall be fined not less than \$100 nor more than \$750 and for a third or subsequent offense within one year after the first offense, the person, firm or corporation shall be fined not less than \$250 nor more than \$750. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 1604, passed 12-2-03)

Application Information & Requirements for Solicitors / Peddlers / Street Vendors



City of Wilmington
1165 S. Water Street • Wilmington, IL 60481
Phone: 815-476-2175 Fax: 815-476-2276

Information:

- Application must be **complete** and **legible**. (Indicate not applicable on application if appropriate.)
- Make an appointment to present application in person.
- Allow a minimum of seven working days for application to be processed.
- No peddling or soliciting or street vending until permit has been issued. Peddling or soliciting or street vending prior to issuance of a permit is a violation of the City Ordinance and is cause for denial of permit.
- Peddling or soliciting or street vending in City parks is prohibited.
- Failure to provide true and complete information shall constitute a violation of the ordinance in question; and in addition to the penalties prescribed for violation of the ordinance in question, the license of any applicant may be revoked by reason of material falsification or omission of information for said application.

Requirements:

- \$50.00 registration fee.
- Credentials establishing relationship to employer/supplier. (If representing self, credentials not necessary.)
- Provide a copy of all literature about product or service that will be distributed to residents.
- Supply a government issued legitimate ID to be photo copied at time application is turned in. Every solicitor/peddler/street vendor will need to present valid ID.

Acceptable IDs:

- State issued driver's license with photograph.
- Non-qualification card with photograph.
- Armed Forces (active duty or reserve) identification.
- Passport
- Alien ID

Not acceptable:

- Any of the above if expired.
- Any of the above if physical evidence of tampering or copying exists.
- Photocopy of any of the above.
- Credit card or check cashing ID.



City of Wilmington Solicitor/Peddler/ Street Vendor Application

I am a solicitor I am a peddler I am a street vendor

Full Legal Name: _____
Last First Middle (full middle name)

Male Height _____ Weight _____ Hair Color _____

Female Age _____ Race _____ Date of Birth _____

Permanent Home Address (Must be the same as that listed on driver's license)

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Business Phone: _____

Driver's License Number: _____ State: _____

A brief description of the nature of the business and the products to be sold: _____

Supply the following information about employer, principal, or supplier of applicant if other than self:

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Business Phone: _____

Attach flyer, pamphlet, information, or other regarding products to be sold. Attached

Date(s) of selling or soliciting: _____ Hours of selling or soliciting: _____

Where are the products at the time the application is turned in? _____

Where is the source of supply of the products to be sold? _____

Proposed method of delivery: _____

Description of vehicle used in business

Make/Model _____ License Plate Number _____

Year _____ State _____ Color _____

Provide the following information for each person

Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	
Name: (Last-First-Middle)			Date of Birth:	
Address:			State:	Zip:
Drivers License No.:	State:	Expires:	If minor, provide Employment Certificate # or Dept of Labor Permit #	

Use additional sheet if needed

List the three municipalities where you have carried on this business immediately preceding the date of this application and include the address(es) from which business was conducted in those municipalities.

1) _____

3) _____

2) _____

I authorize investigation of all statements contained in this application. I understand that the misrepresentation or the omission of facts called for shall be just cause of the denial of the requested permit. I also understand that peddling or soliciting in this City shall not be carried on until a permit has been issued and is in my possession.

Signature: _____

Date: _____

❖❖❖❖❖ For Office Use Only ❖❖❖❖❖

Application Approved Denied

Signature of Authorized Person

Title

Date

Reason for Denial (if Applicable):

5.10.050 License--Issuance--Denial.

Within fourteen calendar days from the date of an application for a license, the village administrator or his designee shall either issue a license or advise the applicant in writing of the reason for a denial of a license. No such license shall be issued except as authorized under the Act (230 ILCS 15/0.01 et seq.). Provided, the village administrator shall give notice to the mayor and village board not less than forty-eight hours before the license becomes effective. Within such forty-eight hour period, the mayor or any member of the village board may, through notice to the village administrator, cause this issuance to be stayed. In such case the matter will be formally presented to the village board at their next regular board meeting for decision.

5.10.060 License--Restrictions.

- A. Each license is valid for one raffle, only.
- B. The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed seventy-five thousand dollars. Provided, the village council may authorize raffles in excess of seventy-five thousand dollars upon request of the applicant.
- C. The maximum duration during which chances may be issued or sold shall be six months.
- D. Each licensee shall keep records as required under the act (230 ILCS 15/0.01 et seq.)
- E. The conduct of raffles within the village is subject to applicable restrictions and conditions as set forth in the act (230 ILCS 15/0.01 et seq.)

5.10.070 License--Raffle Manager--Bond.

All operation and conduct of raffles shall be under the supervision of a single raffle manager designated by the organization. The raffle manager shall give a fidelity bond in an amount not less than the anticipated gross receipts for the raffle. The bond shall be in favor of the organization and conditioned upon the raffle manager's honesty and the performance of his duties. The terms of the bond shall provide that notice shall be given in writing to the village not less than thirty days prior to its cancellation. The bond requirement may be waived only by unanimous vote of the members of the licensed organization. In such case, the waiver of the fidelity bond shall be stated on the license when issued.

Chapter 5.12 SOLICITATION IN THE PUBLIC WAY

5.12.010 Definitions.

For the purpose of this chapter, the following words, as used in this section, shall be construed to have the meaning herein ascribed thereto:

- A. "Registered solicitor" means and includes any person who has obtained a valid certificate of registration, as provided in this chapter, and which certificate is in the possession of

the solicitor on his or her person while engaged in soliciting.

- C. "Soliciting" means and includes any one or more of the following activities:
1. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, or services of any kind, character or description whatever, for any kind of consideration whatever; or
 2. Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or
 3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type of publication; or
 4. 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.

5.12.020 License for Solicitation in the Public Right-of-Way.

- A. License Eligibility. The only individuals or entities permitted to apply for and obtain a license for solicitation in the public right-of-way, as provided in this section, are individuals or entities who solicit funds for patriotic, philanthropic, charitable, political or religious purposes.
- B. Application Requirements. Application for a license for solicitation in the public right-of-way shall be upon a form provided by the chief of police, and filed with the police department not later than 10 business days before the date that the solicitation is to begin. The applicant shall truthfully state in full the information requested on the application, as follows:
1. The name and address of the applicant;
 2. Description sufficient for identification of the subject matter of the solicitation which the applicant will engage in and the purpose for the activity which will include an outline of the methods to be used in conducting the solicitations;
 3. The date or dates and times of day when the solicitation is to occur;
 4. The location or locations where the solicitation is to occur along with a list of 3 alternate locations listed in order of preference;
 5. Proof of a valid liability insurance policy in the amount of at least \$1,000,000 insuring the applicant against bodily injury and property damage arising out of or in connection with the solicitation.
 6. Also, such additional information as the chief of police of the village may deem necessary to process the application.

- C. Public Safety Restrictions. The following restrictions apply to solicitation in village rights-of-way:
 - 1. No more than one permit holder may solicit in any one intersection in a village right-of-way at one time.
 - 2. Reflective vests must be worn at all times.
 - 3. At least two individuals must be present at all times.
 - 4. All participants must be at least eighteen (18) years of age.
- D. Denial of Application. 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 license as herein required. Endorsement shall be made by the chief of police, upon the application, of the denial of the application.
- E. Approval of Application. The chief of police will approve an application that meets the above requirements within 5 business days after the filing date of the application. The chief of police may, as a condition of approval, impose additional reasonable conditions in writing that are based on articulated public safety concerns.
- F. Fees. There is no fee for a license under this section.

Chapter 5.13 DOOR-TO-DOOR SOLICITATION

5.13.010 - Purpose.

- A. The purpose of this chapter is to establish reasonable regulations and restrictions for the practices of peddlers, solicitors and transient merchants involved with soliciting or the sale of goods who may become a nuisance and endanger the safety and welfare of residents of the village, and also to protect the residents of the village against fraud and intrusion into the privacy of their homes.
- B. The provisions of this chapter cover all solicitation that does not occur in the public right-of-way.

5.13.020 - Definitions.

- A. "Charitable Solicitation" means a person 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, including political or religious organizations.
- B. "Non-Charitable Solicitation" means and includes any one or more of the

following activities:

1. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, or services of any kind, character or description whatever, for any kind of consideration whatever; or
2. Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or
3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type of publication.

5.13.030 - License Required.

Any person engaging in charitable or non-charitable solicitation outside of the public right-of-way in this village without first obtaining a license, as provided in this chapter, shall be in violation of this chapter.

5.13.040 - Charitable Solicitation.

- A. Before any person may engage in charitable solicitation within the village, he or she must file with the chief of police an application in writing which shall give the following information:
 1. The name and address of the proposed participants. If any solicitors are under eighteen (18) years of age, the names and addresses of all proposed adult supervisors; one adult supervisor per four solicitors under the age of eighteen (18) is required.
 2. The names and addresses of the officers of the organization;
 2. The proposed solicitation activity and the purpose for the activity which will include an outline of the methods to be used in conducting the solicitations;
 3. The length of time for which the permit is desired;
 4. The number of agents or solicitors to be used at the solicitation campaign;
 5. Whether any commissions, fees or wages are to be charged by the solicitor for his efforts and the amount thereof.
- B. Upon the furnishing of the information required in this chapter, the applicant shall be issued, free of charge, a license.

5.13.050 – Non-Charitable Solicitation.

- A. Before any person may engage in non-charitable solicitation within the village, he or she must file with the chief of police an application in writing that gives the following information:
1. Name, date of birth and social security numbers for the business owner and all employees working in the village;
 2. Physical description of business owner and all employees working in the village;
 3. Permanent and local address of the business;
 4. A recent photograph of the owner and employees working in the village;
 5. A brief description of the nature of the applicant's business;
 6. Name and address of the firm for or on whose behalf the orders are solicited, or the supplier of the goods offered for sale;
 7. The address of the last three places of such business;
 8. Length of time to be sought to be covered by the license;
 9. Motor vehicle makes, models, year, color and license number if a vehicle is to be used in the proposed solicitation;
 10. A statement as to whether the owner and employees have been convicted of any crime, other than a simple misdemeanor, and if so, the nature of the offense and the penalty imposed;
- B. **Bond Required.** Before a license is issued pursuant to this section, an applicant shall post a bond, by a surety company authorized to engage in the business of insuring the fidelity of others in the State, in the amount of one thousand dollars (\$1,000.00) with the chief of police to the effect that the registrant and the surety shall consent to the forfeiture of the principal sum of the bond or such part thereof as may be necessary:
1. To indemnify the village for any penalties or costs occasioned by the enforcement of this chapter; and
 2. To make payment of any judgment rendered against the registrant as a result of a claim or litigation arising out of or in connection with such registrant's peddling or solicitation. The bond shall not be retired until after a lapse of one year from the expiration of the license which it covers.
- C. **License Fee.** The following license fees, as provided for by ordinance, shall be paid to the clerk prior to the issuance of any license

- D. Background Investigation. The applicant must submit to a background investigation by the chief of police or his or her designee, which may include the need for fingerprinting of all individuals who will be soliciting within the village. No license shall be issued in the event the criminal history of any individual who will be soliciting within the village has been convicted of a felony involving public indecency or drug distribution related offenses.
- E. Approval of Application. If the chief of police finds the application is completed in conformance with this section and the facts stated therein are found to be correct, a license shall be issued to the applicant.

5.13.060 - License Display.

Each solicitor shall at all times while doing business in this village keep in his or her possession the license provided under this chapter, and shall, upon the request of a resident, exhibit the license as evidence that he or she has complied with all requirements of this chapter.

5.13.070 - License Transferability.

Licenses issued under the provisions of this chapter are not transferable in any situation and are to be applicable only to the person(s) filing the application.

5.13.080 - Prohibited Solicitation Periods.

It is unlawful and shall constitute a nuisance for any person, whether registered under this chapter 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 of any kind as defined in this chapter, prior to nine a.m. or after nine p.m. of any weekday, or at any time on a Sunday or on a state or national holiday.

5.13.090 - Obstructions of Pedestrian or Vehicular Traffic Unlawful.

No person, while engaged in any form of solicitation, shall block or obstruct the path of any pedestrian or vehicular traffic, or block or obstruct any way of ingress or egress to roads, buildings, vehicles or other enclosures or conveyances.

5.13.100 Revocation Conditions.

A. Any certificate of registration issued under this chapter shall be revoked by the chief of police if the holder of the certificate is convicted of a violation of any of the provisions of this chapter, 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 chapter. Immediately upon such revocation, written notice thereof shall be given by the chief of police 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.

5.13.110 Village Policy on Soliciting.

It is declared to be the policy of the governing body of this municipality that the occupant or occupants of the residences in this municipality shall make the determination of whether solicitors shall be or shall not be invited to their respective residences. If no determination is made, as is provided for in Section 5.12.090 of this chapter, then in that event, solicitation at that residence is permitted.

5.13.120 No-Soliciting Notice Requirements.

Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this chapter shall comply with the following directions.

A. Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence, shall be given in the manner following. A weatherproof card, approximately three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words, as follows:

**ONLY SOLICITORS
REGISTERED IN LEMONT,
INVITED**

or

NO SOLICITORS INVITED

The letters shall be at least one-third inch in height. For the purpose of uniformity, the cards shall be provided by the chief of police to persons requesting, at the cost thereof.

B. Such card, so exhibited, shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

5.13.130 Duties of Solicitors.

It shall be the duty of every solicitor, upon going onto any premises in the municipality upon which a residence, as defined in this chapter, is located, to first examine the notice provided for in Section 5.12.080, if any is attached, and be governed by the statement contained on the notice. If the notice states "Only Solicitors Registered in Lemont, Invited," then the solicitor not possessing a valid certificate of registration as provided in this chapter shall immediately and peacefully depart from the premises; and if the notice states "No Solicitors Invited," then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

5.13.140 Uninvited Soliciting Prohibited.

It is 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 defined in this chapter, in defiance of the notice exhibited at the residence in accordance with the provisions of Section 5.12.080 of this chapter.

Chapter 5.14 TAXICABS

5.14.010 Taxicab Defined.

"Taxicab," as used in this chapter, means and includes any vehicle used to carry passengers for hire but not operating on a fixed route.

5.14.020 License--Required--Application.

It is unlawful to engage in the business of operating a taxicab in the municipality without first having secured a license therefor. Applications for such licenses shall be made in writing to the village clerk and shall state thereon the name of the applicant, the intended place of business, and the number of taxicabs to be operated. If the applicant is a corporation, the names and addresses of the president and secretary thereof shall be given.

5.14.030 License--Fee--Identification Tags.

A. The annual fee for each taxicab operated shall be prescribed by ordinance. Whenever the number of taxicabs so operated shall be increased during the license year, the licensee shall notify the clerk of such changes, and shall pay the additional fee. Such taxicab license fee shall be in addition to any other license or permit required by this code.

B. Such fee shall not be in lieu of any other vehicle fee required by ordinance. The village clerk shall issue suitable tags or stickers for the number of taxicabs covered by each license. Such tag or sticker shall be displayed in a prominent place on each taxicab while it is in use, and may be transferred to any taxicab put into service to replace one withdrawn from service upon payment of an additional fee of one dollar for each transfer.

C. The licensee shall notify the clerk of the motor number and state license number of each taxicab operated, and of the corresponding municipal tag or sticker number.

5.14.040 License--Applicant Qualifications.

No license shall be issued to any person who is not competent to operate a motor vehicle or who is not familiar with the traffic laws and ordinances. The Chief of Police shall examine each applicant for a taxicab driver's license to determine the competency of the applicant, and no such license shall be issued except on certificate of the chief that the applicant has demonstrated his ability to operate a motor vehicle as required herein. No license shall be issued if the applicant has been convicted of a misdemeanor or felony relating directly to the job of taxicab driver, including but not limited to, vehicular homicide or robbery.



Village of Lemont Solicitor's Application for Certificate of Registration

Applicant Subject to
Background Check & Fingerprinting
(Fee: \$150.00 upon Application Submittal)
(Fingerprinting: \$29.75 per person)

1. Complete Name: First, Middle, Last – In Full					
2. Alias – Nickname/Maiden Name		3. Social Security #		4. Phone (Work/Home/Cell) (W) (H) (C)	
5. Marital Status: (and if married, name of spouse):			6. Current Address:		
7. List all residences for the past three (3) years from present:					
From	To	Street & Number	City	State	
8. Date of Birth		9. Place of Birth		10. Sex Male _____ Female _____	
11. Height	12. Weight	13. Eye Color	14. Hair Color	15. Driver's License Number	
16. Organization or company you are soliciting for:			17. Length of time associated with said group:		
18. Address of organization or company:					
19. Description sufficient for identification of the subject matter of the soliciting which the applicant will engage in:			20. The date or dates and times of day when the solicitation will occur:		
21. The location or locations where the solicitation is to occur:			22. The manner and conditions under which the solicitation is to occur:		
23. List all employers for the past three (3) years from present if different from above:					
From	To	Name	Address	City	State

24. List the date of the last application submitted for a solicitor permit in the Village of Lemont.
25. Have you ever had a Solicitor Permit suspended or revoked in Lemont or anywhere else? Yes ___ No ___ If Yes, Explain:
26. ARREST – DETENTION – LITIGATION – Show all arrests including criminal and traffic Have you ever been arrested or detained by a Law Enforcement Agency? Yes ___ No ___ Have you ever been involved in any court action, civil or criminal? (Include all traffic – felony – misdemeanor – in this state or elsewhere.)

Authorization for Background Check and Fingerprinting

I hereby consent and authorize the Village of Lemont to secure information pertaining to my character and background. I understand that the information supplied by me can be utilized in conducting a background investigation which may include, but not be limited to, a consumer credit report, criminal history search, driving record history, worker’s compensation report, education/degree verification and verification of any information provided on application form. I release from liability all persons, companies and corporations supplying information as a result of this investigation. I further release and indemnify the Village of Lemont against any liability that might result from conducting these investigations.

Applicant acknowledges that all statements made by the applicant on this application or in connection therewith shall be under oath. Applicant further acknowledges that as an applicant, he/she must submit to fingerprinting by the Lemont Police Department in connection with this application before a certificate of registration can be issued.

Signature of Applicant: _____

Date: _____

*****OFFICE USE ONLY*****

Village of Lemont Date Received: _____

Lemont Police Department Approved: _____

Date: _____

Village of Lemont Issued: _____

**Village of Lemont Solicitor's
Application for Certificate of Registration**

RULES FOR SOLICITATION

- You must be 18 years of age or older.
- You must carry a **Government issued** photo **ID** card which verifies your age, such as a driver's license or state **ID** card.
- You must wear a badge or sticker, which prominently displays the name of the organization for which the solicitation is being conducted.
- All posted "No Solicitation" must be observed.
- Set definite hours to solicit: (i.e. 9:00 a.m. to 8:00 p.m.)
- Each peddler or salesman must register daily with the Lemont Police Department, being specific about what the neighborhoods being visited on that specific day.
- Any complaints received could, depending on severity, revoke a solicitor's permit.

Signature of Applicant: _____ Date: _____

Chapter 4

SOLICITING

2-4-1: DEFINITIONS:

CONVICTED: Shall mean and include a disposition of court supervision, probation, adjudication, or conditional discharge.

HAWKER: Any person who shall sell or offer for sale, barter, or exchange any goods, wares, merchandise or other commodities and cries his wares or exhibits them for sale.

ITINERANT VENDOR: Any person who transports tangible personal property for retail sale who does not maintain an established office, distribution house, sales house, warehouse, service center or residence from which such business is conducted. However, this does not apply to any person who delivers tangible personal property who is fulfilling an order for such property which was solicited or placed by mail or other means. This does not apply to any person holding a valid license, issued by a county or municipality, to engage in retail sales.

PEDDLER: Any person, other than a representative of a not for profit organization, who shall sell or offer for sale, barter, or exchange any goods, wares, merchandise, service or other commodities while traveling from residence to residence on, along or upon the streets and sidewalks of the village.

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

SOLICITATION OR SOLICITOR: Any person who conducts one or more of the following activities:

- A. Seeks to obtain orders for the purchase of goods, wares, merchandise, foodstuffs or services of any kind, character or description whatsoever, for any kind of consideration whatsoever.
- B. Seeks to obtain prospective customers for application for or purchase of insurance of any type, kind or character.
- C. Seeks to obtain subscriptions to books, magazines, periodicals, newspapers or any type of publication.

- D. Seeks 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.

- E. Seeks to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, whether accepting donations of money or not, or distributing handbills or fliers advertising any event or service.

- F. Seeks to advertise, promote, sell and/or explain any product, service, organization or cause.

- G. Includes hawkers, peddlers, transient merchants, and itinerant vendors.

TRANSIENT MERCHANT: Any person who is engaged temporarily in the retail sale of goods, wares or merchandise and who, for the purpose of conducting such business, occupies any building, room, vehicle, structure of any kind, or vacant lot. However, this does not apply to any person selling goods, wares or merchandise which are raised, produced or manufactured by him, to any person selling vegetables, fruit or perishable farm products at an established city or village market, to any person operating a store or refreshment stand at a resort, to any person operating a stand or booth on or adjacent to property owned by him or upon which he resides, to any person operating a stand or booth at a state or county fair, or to any person operating a stand or booth at a trade show, exposition, convention or similar event. This does not apply to any person holding a valid license, issued by a county or municipality, to engage in retail sales. (Ord. 978, 10-2-2007; amd. Ord. 1021, 12-16-2008)

2-4-2: DEPARTURE REQUIRED UPON REQUEST:

Any solicitor who has gained entrance to any residence shall immediately and peacefully depart from the premises when requested to do so by the occupant. (Ord. 978, 10-2-2007)

2-4-3: HOURS AND DAYS PROHIBITED:

It is hereby declared unlawful and a nuisance for any person, whether or not licensed under this chapter, 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 engaging in soliciting, prior to nine o'clock (9:00) A.M. or after eight o'clock (8:00) P.M. Monday through Saturday, and prior to twelve o'clock (12:00) noon or after five o'clock (5:00) P.M. on Sundays. (Ord. 978, 10-2-2007)

2-4-4: LICENSING:

- A. License Required: No person shall engage in, operate as, or conduct the business of a hawker, peddler, transient merchant or itinerant vendor in the village without first obtaining a license thereof.
- B. Applications: Applications shall be made in writing to the village clerk. Each applicant shall submit a nonrefundable application processing fee of twenty five dollars (\$25.00) and provide the following information under oath:
1. Name, address of the present place of residence, business address if other than the residence address, date of birth, and social security number.
 2. Address of the place of residence during the preceding three (3) years, if other than the present address.
 3. Physical description of the applicant.
 4. Name and address of the person by whom the applicant is employed or whom he represents, and the length of time of such employment or representation.
 5. Description of the subject matter of the soliciting in which the applicant will engage and a description of the commodities or articles of merchandise in which the applicant intends to deal.
 6. Period of time for which the license is requested.
 7. The date, or approximate date, of the most recent previous application for a license under this chapter, if any.
 8. A list of all licenses or certificates of registration to conduct business as a hawker, peddler, transient merchant or itinerant vendor obtained by the applicant in Illinois in the twelve (12) months preceding the date of filing of the application.
 9. A statement as to whether a license issued to the applicant under this chapter has been revoked within one year of the date of the application.

10. A statement as to whether the applicant has been convicted of a violation of any provision of this chapter or the ordinances of any other municipality regulating soliciting within one year of the date of the application.
 11. A statement as to whether the applicant has ever been convicted of the commission of: a) a felony, or b) a misdemeanor involving dishonesty or false statements, under the laws of the state of Illinois or any other state, or under the laws of the United States, within five (5) years of the date of the application.
 12. A statement as to whether the applicant is required to register as a sex offender under the Illinois sex offender registration act.
 13. Fingerprinting of the applicant.
 14. Such additional information as the chief of police or his designee may deem necessary to process the application.
- C. Issuance Of License: Within ten (10) business days of filing the application, after consideration, investigation and review of the application, each hawker, peddler, transient merchant or itinerant vendor who is found to be fully qualified, upon payment of the appropriate licensing fee, shall be issued a license, and shall deposit an additional sum of fifty dollars (\$50.00) for said license. Upon return of the license to the police department, the licensee shall be refunded the fifty dollar (\$50.00) deposit by mail within sixty (60) days.
- D. Persons Ineligible For License: No license shall be issued to any person who has made a false material statement in the application, or:
1. Has been convicted of the commission of: a) a felony, or b) a misdemeanor involving dishonesty or false statements, under the laws of the state of Illinois or any other state, or under the laws of the United States, within five (5) years of the date of the application; or
 2. Has been convicted of a violation of any of the provisions of this chapter or the ordinances of any other municipality regulating soliciting within one year of the date of the application; or
 3. Has had his license issued under this chapter revoked as provided in this chapter within one year of the date of the application; or
 4. Is required to register as a sex offender under the Illinois sex offender registration act, 730 Illinois Compiled Statutes 150/3, under the laws of any other state, or under the laws of the United States.

- E. Issuance And Display Of License: Each eligible licensee shall be issued a license signed by the village clerk bearing the seal of the village. Each licensee shall at all times while soliciting within the village carry upon his person the license as required by this chapter which shall be worn in such a way as to be conspicuous, and exhibit the same to any police officer or other person requesting to see the same. (Ord. 978, 10-2-2007)

2-4-5: FEES:

The fee for a transient merchant, itinerant vendor, hawker or peddler license shall be:

- A. Twenty five dollars (\$25.00) for a daily license.
- B. Fifty dollars (\$50.00) for a license valid for seven (7) consecutive days from date of issue.
- C. One hundred dollars (\$100.00) for a license valid for three hundred sixty five (365) consecutive days from date of issue.

All license fees are nonrefundable and the license shall state the expiration date thereof. Upon issuance of the license, a transient merchant or itinerant vendor shall file with the police department a surety bond or shall make a cash deposit equal to fifty percent (50%) of the wholesale value of the merchandise that a transient merchant or itinerant vendor intends to offer for sale; however, the amount of the bond or deposit shall be not less than one thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00). (Ord. 1021, 12-16-2008)

2-4-6: LICENSE REVOCATION:

Any license issued under this chapter shall be revoked by the chief of police or his designee if the licensee is convicted of a violation of any of the provisions of this chapter, or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a license under the terms of this chapter. Immediately upon such revocation, written notice thereof shall be given by the chief of police or his designee to the licensee in person or by certified U.S. mail addressed to his residence address as set forth in the application. Immediately upon the giving of such notice, the license shall become null and void. (Ord. 978, 10-2-2007)

2-4-7: APPEAL OF LICENSE DENIAL OR REVOCATION:

- A. Any person aggrieved by the denial or revocation of a license under the provisions of this chapter shall have the right to appeal to the village board within twenty one (21) days after the date of denial of the application or revocation of the license. The appeal must be in writing, and shall contain a specific request for or waiver of a hearing.
- B. If a hearing is requested, the hearing before the village board shall take place within thirty (30) days of the written appeal. At the hearing, the village board shall not be bound by the rules of evidence in the courts of law, but shall, in ascertaining the conditions and practices involved in the decision appealed, take into account all reliable, probative and substantial evidence. The village board shall issue a written decision within fourteen (14) days of the hearing.
- C. Where a hearing is waived, the appealing party shall submit all supporting documentation with the written appeal. The village board shall issue a written decision within twenty one (21) days of the filing of the written appeal. (Ord. 978, 10-2-2007)

2-4-8: FRAUD OR MISREPRESENTATION:

No solicitor shall engage in any fraud, misrepresentation or imposition. (Ord. 978, 10-2-2007)

2-4-9: PENALTY:

It shall be unlawful for any person, firm, or corporation to violate any provisions of this chapter, and, except as otherwise provided, any person, firm, or corporation guilty of violating any of the provisions of this chapter shall be punishable as provided under section 1-4-1 of this code. Each day that a violation continues shall be deemed a separate offense. (Ord. 1021, 12-16-2008)



Village of Manhattan

245 South State Street, P.O. Box 31, Manhattan, Illinois 60442

Phone: (815) 478-3483 • Fax: (815) 478-5103

SOLICITOR'S LICENSE

HOURS OF OPERATION

MONDAY – SATURDAY 9:00 A.M. – 8:00 P.M.

SUNDAY 12:00 P.M. – 5:00 P.M.

Each Applicant shall submit a nonrefundable application processing fee of \$25.00 and provide the following information under oath:

NAME: _____

ADDRESS: _____
(present place of residence)

BUSINESS ADDRESS: _____
(if other than residence address)

PREVIOUS ADDRESS: _____
(if lived at present address less than three years)

PHONE NUMBER(S): _____

DATE OF BIRTH: _____ SOCIAL SECURITY NUMBER: _____

PHYSICAL DESCRIPTION OF APPLICANT: _____

EMPLOYER'S NAME: _____

EMPLOYER'S ADDRESS: _____

LENGTH OF EMPLOYMENT: _____

LENGTH OF TIME LICENSE IS REQUESTED: _____

COMMODITIES TO BE SOLD: _____

A LIST OF ALL LICENSES OR CERTIFICATES OF REGISTRATION TO CONDUCT BUSINESS AS A HAWKER, PEDDLER, TRANSIENT MERCHANT OR ITINERANT VENDOR OBTAINED BY THE APPLICANT IN ILLINOIS IN THE TWELVE (12) MONTHS PRECEDING THE DATE OF FILING OF THE APPLICATION.

A STATEMENT AS TO WHETHER A LICENSE ISSUED TO THE APPLICANT UNDER THIS CHAPTER HAS BEEN REVOKED WITHIN ONE (1) YEAR OF THE DATE OF THE APPLICATION.

A STATEMENT AS TO WHETHER THE APPLICANT HAS BEEN CONVICTED OF A VIOLATION OF ANY PROVISION OF THIS CHAPTER OR THE ORDINANCES OF ANY OTHER MUNICIPALITY REGULATING SOLICITING WITHIN ONE (1) YEAR OF THE DATE OF THE APPLICATION.

A STATEMENT AS TO WHETHER THE APPLICANT HAS EVER BEEN CONVICTED OF THE COMMISSION OF (I) A FELONY, OR (II), A MISDEMEANOR INVOLVING DISHONESTY OR FALSE STATEMENTS, UNDER THE LAWS OF THE STATE OF ILLINOIS OR ANY OTHER STATE, OR UNDER THE LAWS OF THE UNITED STATES, WITHIN FIVE (5) YEARS OF THE DATE OF THE APPLICATION.

A STATEMENT AS TO WHETHER THE APPLICANT IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE ILLINOIS SEX OFFENDER REGISTRATION ACT.

FINGERPRINTING OF THE APPLICANT. _____

SUCH ADDITIONAL INFORMATION AS THE CHIEF OF POLICE OR HIS DESIGNEE MAY DEEM NECESSARY TO PROCESS THE APPLICATION.

ISSUANCE OF LICENSE. WITHIN TEN (10) BUSINESS DAYS OF FILING THE APPLICATION, AFTER CONSIDERATION, INVESTIGATION AND REVIEW OF THE APPLICATION, EACH HAWKER, PEDDLER, TRANSIENT MERCHANT OR ITINERANT VENDOR WHO IS FOUND TO BE FULLY QUALIFIED, UPON PAYMENT OF THE APPROPRIATE LICENSING FEE, SHALL BE ISSUED A LICENSE, AND SHALL DEPOSIT AN ADDITIONAL SUM OF \$50 FOR SAID LICENSE. UPON RETURN OF THE LICENSE TO THE POLICE DEPARTMENT, THE LICENSEE SHALL BE REFUNDED THE \$50 DEPOSIT BY MAIL WITHIN SIXTY (60) DAYS.

PERSONS INELIGIBLE FOR LICENSE. NO LICENSE SHALL BE ISSUED TO ANY PERSON WHO HAS MADE A FALSE MATERIAL STATEMENT IN THE APPLICATION, OR:

(1) HAS BEEN CONVICTED OF THE COMMISSION OF (I) A FELONY, OR (II), A MISDEMEANOR INVOLVING DISHONESTY OR FALSE STATEMENTS, UNDER THE LAWS OF THE STATE OF ILLINOIS OR ANY OTHER STATE, OR UNDER THE LAWS OF THE UNITED STATES, WITHIN FIVE (5) YEARS OF THE DATE OF THE APPLICATION; OR

(2) HAS BEEN CONVICTED OF A VIOLATION OF ANY OF THE PROVISIONS OF THIS CHAPTER OR THE ORDINANCES OF ANY OTHER MUNICIPALITY REGULATING SOLICITING WITHIN ONE (1) YEAR OF THE DATE OF THE APPLICATION; OR

(3) HAS HAD HIS LICENSE ISSUED UNDER THIS CHAPTER REVOKED AS PROVIDED IN THIS CHAPTER WITHIN ONE (1) YEAR OF THE DATE OF THE APPLICATION; OR

(4) IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE ILLINOIS SEX OFFENDER REGISTRATION ACT, 730 ILCS 150/3, UNDER THE LAWS OF ANY OTHER STATE, OR UNDER THE LAWS OF THE UNITED STATES.

ISSUANCE AND DISPLAY OF LICENSE. EACH ELIGIBLE LICENSEE SHALL BE ISSUED A LICENSE SIGNED BY THE VILLAGE CLERK BEARING THE SEAL OF THE VILLAGE. EACH LICENSEE SHALL AT ALL TIMES WHILE SOLICITING WITHIN THE VILLAGE CARRY UPON HIS PERSON THE LICENSE AS REQUIRED BY THIS CHAPTER WHICH SHALL BE WORN IN SUCH A WAY AS TO BE CONSPICUOUS, AND EXHIBIT THE SAME TO ANY POLICE OFFICER OR OTHER PERSON REQUESTING TO SEE THE SAME.

FEES:

THE FEE FOR A TRANSIENT MERCHANT OR ITINERANT VENDOR LICENSE SHALL BE \$100 PER YEAR, NONREFUNDABLE, AND SHALL EXPIRE ON DECEMBER 31 OF THE YEAR IT WAS ISSUED. UPON ISSUANCE OF THE LICENSE, A TRANSIENT MERCHANT OR ITINERANT VENDOR SHALL FILE WITH THE POLICE DEPARTMENT A SURETY BOND OR SHALL MAKE A CASH DEPOSIT EQUAL TO 50% OF THE WHOLESale VALUE OF THE MERCHANDISE THAT THE A TRANSIENT MERCHANT OR ITINERANT VENDOR INTENDS TO OFFER FOR SALE; HOWEVER THE AMOUNT OF THE BOND OR DEPOSIT SHALL BE NOT LESS THAN \$1,000 NOR MORE THAN \$10,000.

THE FEE FOR A HAWKER OR PEDDLER LICENSE SHALL BE \$25 FOR A DAILY LICENSE, OR \$50 FOR A WEEKLY LICENSE, NONREFUNDABLE, AND THE LICENSE SHALL STATE THE EXPIRATION DATE THEREOF.

MOKENA POLICE DEPARTMENT

Requirements for Obtaining a Solicitation Permit

1. Complete an Application to Solicit.
2. Submit a copy of a valid Drivers License or State Identification Card with photograph upon submission of application.
3. A background check, which includes being fingerprinted, is required. Fingerprinting is done by an outside agency, FIRM Systems Fingerprint Services, 19015 Jodi Rd. Unit G, Mokena, IL. There is a fee for fingerprinting of \$65.00 for each applicant.
Call for an appointment at 708 478-6457, or contact them at their website, www.firmsystems.net
4. Upon successfully passing a background check the solicitor will be issued a certification of registration in accordance with 3-5B-3D.
 - Prior to being issued a certificate of registration the solicitor will be required to submit a deposit of \$50.00 for each day that the solicitation certificate is in effect.
 - Upon termination of the certificate the deposit will be refunded less \$25.00 for each day that the certificate was in effect.
5. Authorized Solicitation Days and Time:
 - Monday – Saturday 9:00am – 6:00pm
 - Solicitation is not permitted on Sundays or Holidays
6. Areas Restricted from Solicitation:
 - Storefront solicitations must be approved by the business owner
 - Uninvited soliciting is prohibited – 3-5B-5, 3-5B-6, 3-5B-7.
 - Street and Intersection solicitation is prohibited – 3-5B-7-1
7. A solicitor's permit will be revoked if the solicitor fails to comply with all requirements of the ordinance and will forfeit his/her deposit – 3-5B-3.

