

COMPLETED CRIMINAL HISTORY CHECK

I am requesting a records check be conducted on me for the following reason:

License Application for Peddlers, Vendors and Solicitors. I understand that this is a complete criminal history check by the Riverside Police Department and includes incidents which have occurred within the City of Riverside, State of Ohio and United States of America.

WAIVER OF LIABILITY AND RELEASE OF CLAIMS

I hereby authorized the Riverside Police Department to release any arrest(s) it may have in its records or may obtain from others sources under my own name and date of birth, and I hereby release and forever discharge the City of Riverside and its agents, officers, and employees from any and all actions, claims and demands for, upon or by reason of any damage, loss, or injury which may be sustained by me in the nature of libel, slander, invasion of privacy or other results from errors or omissions in the information or from the use of the information, whether by reason or unauthorized use, negligence or otherwise.

PLEASE PRINT

Name: _____
(Last) (First) (Middle) (Maiden/Alias)

Address: _____
(Address, City, State, Zip)

Date of Birth: _____ / _____ / _____

Drivers License Number: _____

Social Security Number: _____

Signature: _____

For Office Use Only

Riverside Local	_____
Justice Web	_____
DIBRS	_____
LEADS	_____
Red Hawk	_____

PEDDLERS, VENDORS AND SOLICITORS LICENSE ISSUANCE

Purpose: The purpose of this policy is to define the procedure for receiving and issuing licenses to peddle, vend or solicit.

Policy:

- 1) The City Manager has designated the Chief of Police to approve or deny Peddlers, Vendors and Solicitors Licenses.
- 2) Upon request for a license to vend, solicit, peddle or request contributions within the City, a "License Application for Peddlers and Solicitors" shall be provided to the requesting individual and a copy of Chapter 711 of the Riverside Codified Ordinances. License Application is valid for 10 days from date of Chief of Police approval.
- 3) Once the license application has been received by the Records Clerk, it shall be reviewed for completeness. Applicants are required to include a copy of photo identification with the completed application. No application shall be received for processing unless the form is complete in its entirety. The license application shall be assigned a license number and logged on the corresponding year's spreadsheet within the Solicitation Ordinance" folder on the Communications Drive.
- 4) Upon receipt of the completed license application, the application shall be reviewed by the Chief of Police or his designee within the 24 hour waiting period. The Chief of Police or designee shall verify the information on the license application and conduct a criminal background check on the applicant.
- 5) After reviewing the license application, the Chief of Police or designee shall:
 - a) Approve the license application and give the license and background paperwork to the Records Clerk.
 - i) Upon receipt of the license as approved by the Chief of Police or designee, the Records Clerk shall contact the applicant and inform him/her that the license is approved and can be picked-up at City Hall.
 - ii) The Records Clerk shall provide the licensee with a copy of the license (background information not attached) and a current copy of the Do-Not-Solicit list.
 - iii) License is valid for 10 days from issuance.
 - iv) The Records Clerk shall log the approval and expiration date on the spreadsheet on the Communications Drive.
 - v) The original license application and background paperwork shall be maintained by the Police Department and filed appropriately.

b) Deny the license

- i) In denying the license, the Chief of Police or designee shall provide a written and signed statement as to why the license was denied.
- ii) The license, along with the statement of denial, shall be returned to the Records Clerk.
- iii) The Records Clerk shall contact the applicant and inform them that the application has been denied and that a copy of the application (background information not attached) and statement of denial can be picked-up at City Hall.
- iv) The Records Clerk shall log the denial on the spreadsheet on the Communications Drive.
- v) The original license application and background paperwork shall be maintained by the Police Department and filed appropriately.

Reference: Riverside Code of Ordinances, Chapter 711

Application: This policy shall be considered in effect and applicable as of the date of execution by the City Manager as noted below.

Bryan R.H. Chodkowski, City Manager

Date

711.01 DEFINITIONS

As used in this chapter:

(a) "Canvassing," "canvassers" and "canvass" means the house-to-house distribution of ideas, pamphlets, literature, and the like, or the collection of signatures or support for any purpose or cause. This definition does not include solicitation, peddling, or vending, as those terms are defined in this section. This definition includes requesting contributions when such requests are made in conjunction with the house-to-house distribution of ideas, pamphlets, literature, or the collection of signatures or support for any purpose or cause. This definition includes both "contact canvassers" and "non-contact canvassers" as defined in paragraphs (a)(1) and (a)(2) hereof.

(1) "Contact canvassers" and "contact canvassing" means those persons who canvass, as defined in subsection (a) hereof through in person, face-to-face contact, verbal or otherwise, with individual residents.

(2) "Non-contact canvassers" and "non-contact canvassing" mean those persons who canvass, as defined in subsection (a) hereof, without attempting in person, face-to-face contact with individual residents, such as the distribution of leaflets and/or pamphlets by leaving them at a place of residence.

(b) "Charitable" means and includes the words patriotic, philanthropic, social service, welfare, benevolent, educational, fraternal or any agency created for the purpose of supporting health research or health measures, either actual or purported.

(c) "City Manager" means the City Manager or his or her designee.

(d) "Contribution" means the gift, sale for less than market value or purchase for more than market value of alms, food, clothing, money or property, including donations under the guise of a loan of money or property or the rental thereof for any charitable, religious or political use or purpose.

(e) "Peddler" means an itinerant solicitant/trader who sells wares which he or she may carry with him or her traveling about from place to place.

(f) "Person" means any firm, copartnership, corporation, company, association, joint stock association, church, religious sect, religious denomination, society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof.

(g) "Political" and "political organization" shall not mean or include the term "charitable." Such terms shall be given their commonly accepted definitions. It is not necessary that a person be a candidate for an office or in support of another person as a candidate to be included within the definition of "political" or "political organization."

(h) "Religious" and "religion" shall not mean and include the term "charitable." Such terms shall be given their commonly accepted definitions.

(i) "Solicit" and "solicitation" mean the method by which a peddler or vendor conveys his/her wares; or the request, either directly or indirectly, for money, credit, property, financial assistance, or other thing of value on the plea or representation that which is being solicited will be used for charitable, political, or religious purpose.

(j) "Vendor" means a person who transfers property by door-to-door sales.

711.03 AUTHORITY TO ISSUE LICENSE

The City Manager is hereby authorized to grant, issue and revoke a license to any person who desires to vend, solicit, peddle or request contributions under this chapter.

711.05 LICENSE OR REGISTRATION REQUIRED

No person shall peddle, vend, solicit or request contributions for any purpose, charitable or otherwise, unless such person has obtained a license from the City or unless the person meets the exception contained in Section 711.15. Such person shall carry the license required by this section, a photographic identification card, and the do-not-solicit list required by Section 711.23, at all times while exercising such calling and shall, upon demand, exhibit those items to any official of the City or occupant of any residence or business establishment being contacted.

711.07 LICENSE APPLICATION

An application for a license to peddle, vend, solicit or request contributions shall be made on forms provided by the City. The City Manager shall issue the license if:

- (a) All of the statements made in the application are true.
- (b) The applicant has provided a valid photographic identification card.
- (c) The applicant has not been convicted of a felony or misdemeanor involving force, violence, fraud, theft, or a sexually oriented offense.

Where such solicitation shall involve a minor child or minor children; such application for licensing shall be made by an adult person, who shall be subject to the aforementioned requirements of this section. Such application will be required to contain the adult applicant's information as well as the number of minor children involved in such solicitation efforts with all other terms and conditions of this chapter in full effect.

711.09 LICENSE WAITING PERIOD; INVESTIGATION

A waiting period, not to exceed twenty-four hours after receipt of the completed application for a license to peddle, vend, solicit or request contributions, shall be required for the purpose of having the Police Department make an independent inquiry of the requirements specified in Section 711.07.

711.11 LICENSE FEE

No fee shall be charged or collected with regard to the issuance of a solicitation license under this chapter. Each separate person shall have an individual license in order to solicit within the City.

711.13 LICENSE EXPIRATION; REVOCATION OR SUSPENSION

Unless otherwise specified, any license issued pursuant to this chapter shall expire not later than ten days following the date of issuance. Any license issued under this chapter may be revoked or suspended at any time by the City Manager if the holder:

- (a) Is found to have misrepresented any statement on the application for a license to peddle, vend, solicit or request contributions;
- (b) Violates any of the provisions of this chapter,
- (c) Is the subject of a complaint for criminal trespass as defined by Section 541.05 of the Riverside Codified Ordinances; or

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(d) Is found to be convicted of a felony or misdemeanor involving force, violence, fraud, theft, or a sexually-oriented offense.

711.15 EXCEPTIONS FROM LICENSE AND FEES

Except as otherwise provided in Sections 711.21 and 711.23, the restrictions of this chapter do not apply to any canvassing activity defined in Section 711.01

711.17 COMPLIANCE WITH STATE LAW

A representative of a charitable organization, as defined in Ohio R.C. Chapter 1716, may be required, if requested by the City Manager or his or her designee, to provide certification that such organization is duly registered with the Ohio Attorney General's office.

711.19 FALSIFICATION; MISREPRESENTATION

No person required to obtain a license to solicit, peddle, vend or request contributions under this chapter shall register a false or fictitious name or address or represent by words or action that he or she is the employee, agent, partner or representative of any person or organization, when in fact, he or she is not the employee, agent, partner or representative of such person or organization.

711.21 HOURS OF SOLICITATION

(a) All peddling, vending, soliciting, and requests for contributions other than in conjunction with canvassing activity, permitted under this chapter may be made only between the hours of 9:00 a.m. and 5:00 p.m.

(b) All canvassing permitted under this chapter may be made only between the hours of 9:00 a.m. and 9:00 p.m.

711.23 PROHIBITED SOLICITING; NOTICE

(a) The City Manager shall maintain the do-not-solicit list. Any property owner, or tenant if the property is leased, may elect to add or remove his or her residence to or from the list, at any time, by:

- (1) Calling or visiting the City's offices;
- (2) Directing an email request to the City through a link to be maintained on the City's website for that purpose;
- (3) Returning a request form to be included annually in the Riverside newsletter.

(b) Every person who elects to add his or her residence to the do-not-solicit list shall be required to re-register such residence every five years. Any residence that is not re-registered in accordance with this section shall be removed from the do-not-solicit list;

(c) The City Manager shall provide a copy of the do-not-solicit list to each person issued a license pursuant to Section 711.05. In addition, any person may obtain a copy of the do-not-solicit list by:

- (1) Visiting the City's offices during normal business hours;
- (2) Accessing a copy from the City's website.

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(d) No person shall enter onto the property for any residence listed on the do-not-solicit list maintained in accordance with subsection (a) hereof for the purpose of contact canvassing, peddling, vending, soliciting, or requesting contributions.

(e) No person shall knock at the door or ring the doorbell of any residence, apartment, or other dwelling unit in the City upon which is clearly displayed at the entrance a notice that reads "NO SOLICITORS" or that otherwise clearly purports to prohibit peddlers, contact canvassers, vendors, solicitors, or persons requesting contributions, unless such person is or has been invited upon the premises by the occupant thereof.

711.25 DISTRIBUTION OF ADVERTISEMENT ON PRIVATE PROPERTY; PERMIT FEE

(a) No person shall place an advertisement, non-subscribed newspaper or sample merchandise in or upon private property without having obtained a permit from the City Manager to do so.

(b) No person, including persons who hold a permit as described in subsection (a) hereof, shall place an advertisement, non-subscribed newspaper or sample merchandise in or upon private property which has been properly registered on the do-not-solicit list.

(c) The City Manager shall grant such a permit to responsible persons or organizations. No fee shall be charged or collected with regard to the issuance of a permit under this chapter.

(d) As part of the permit application, the applicant shall provide an address and telephone number where the permit holder may be contacted by property owners or lessees where such advertisement(s) is delivered.

(e) Any person or organization which has obtained a permit is also granted permission to employ other individuals, businesses, or independent contractors, to distribute pertinent materials, without a need to obtain multiple permits. It shall be a condition of such permit that any items distributed contain the name, address and telephone number of the responsible person to whom requests for discontinuance of distribution may be given, and distribution of such items without such information shall constitute a violation of this section.

(f) It shall be a further condition of the permit that the holder thereof shall collect and removed distributed items which have been discarded in bulk, promptly upon notification thereof.

(g) Upon receipt of repeated reports of noncompliance with requests to cease distribution under subsection (d) hereof, other than as proscribed herein or of failure to collect and remove under subsection (e) hereof, the City Manager may, after a suitable hearing, revoke the permit of such violator.

(h) Upon receipt of repeated reports of noncompliance with subsection (b) or (c) hereof, the City Manager may, after a suitable hearing, revoke the permit of such violator.

(i) This section shall not apply to any canvassing activity as defined in Section 711.01 of this chapter

711.27 APPEALS

The City Manager shall give notice of a refusal to issue a license required by this chapter to the applicant. The applicant may appeal such refusal to Council by filing a written notice of appeal with the Clerk of Council within ten days after such refusal and at least seven days before the Council meeting at which the appeal shall be heard. The appeal shall state briefly the grounds for appeal. The applicant may appeal before Council in person or by attorney. The decision of Council shall be final.

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711.99 PENALTY

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or non compliance occurs or continues.

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- (c) Is the subject of a complaint for criminal trespass as defined by Section 541.05 of the Riverside Codified Ordinances; or

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