

AN ORDINANCE REPEALING EXISTING CHAPTER 715 AND ENACTING A NEW CHAPTER 715 PERTAINING TO PEDDLERS, ITINERANT VENDORS AND SOLICITORS

BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That existing Chapter 715 of the Business Regulation and Taxation Code be, and the same hereby is, repealed and a new Chapter 715, being Sections 715.01 through 715.99, be enacted to read as follows:

“CHAPTER 715  
Peddlers, Itinerant Vendors and Solicitors

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|---|-------------------------------------|
| 715.01 Definitions.                     | 715.04 Solicitation in violation of |
| 715.02 Hours of solicitation regulated. | notice.                             |
| 715.03 Notice prohibiting solicitation. | 715.05 Legal action.                |
|   | 715.99 Penalty                      |

715.01 DEFINITIONS.

As used in this chapter, unless a different meaning clearly appears from the context:

- (a) “Solicitation” and “solicitor” means any person who calls at residences without the invitation or previous consent of the owner or occupant of such premises for the purpose of 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 either present or future delivery;
  - (2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character;
  - (3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication;
  - (4) Seeking to obtain contributions or to sell any goods, articles or services of any kind for the support or benefit of any educational, civic, philanthropic, charitable, religious or nonprofit association, organization, corporation or project;
  - (5) Seeking to obtain from an occupant of any residence an indication of such occupant’s belief in regard to any social, political or religious matter;
  - (6) Seeking to influence the personal belief of the occupant of any residence in regard to any social, political or religious matter; or

- (7) Taking a poll or census by any person, firm or corporation, other than a governmental body or agency thereof.

715.02 HOURS OF SOLICITATION REGULATED.

No solicitation shall be conducted before 9:00 a.m. or after 9:00 p.m. on weekdays, Saturdays and Sundays, or at any time on a state or national holiday.

715.03 NOTICE PROHIBITING SOLICITATION.

Notice by the owner or occupant of any residence or place of business of the determination to refuse to receive any uninvited solicitors shall be given by displaying a weatherproof card, decal or sign, not less than two (2) inches by three (3) inches in size nor more than one square foot in total surface area, upon or near the main entrance door to the residence or place of business, indicating such determination by the owner or occupant, containing the words "No Solicitors Invited," or words of similar import, with letters at least one-third of an inch in height. Any such sign that complies with the requirements of this section shall be exempt from any additional or different requirements contained in the provisions of these Ordinances, including but not limited to the Planning and Zoning Code.

715.04 SOLICITATION IN VIOLATION OF NOTICE.

It is hereby declared to be unlawful and shall constitute a trespass for any person to go upon any premises and ring the door bell upon or near any door, rap or knock upon any door or create any sound in any other manner calculated to attract the attention of any occupant of such residence for the purpose of solicitation in defiance of the notice exhibited at the residence in accordance with the provisions of Section 715.03, unless the solicitor has been previously invited upon the premises by the owner, lessee, or an adult occupant thereof.

715.05 LEGAL ACTION.

Notwithstanding any penalty provided for under the terms of this chapter, the Director of Law or any resident of the Village, or any other person, firm or corporation, partnership or other entity may commence a civil action in any court of competent jurisdiction against any person, firm, corporation, partnership or other entity who violates the provisions of this chapter. Such relief shall include any preliminary or permanent injunction to abate such nuisance and such other relief as the court may deem appropriate, including, but not limited to, reasonable attorney's fees, expenses and court costs.

715.99 PENALTY.

Any person, firm, partnership, association or corporation violating any provision of this chapter shall be guilty of a misdemeanor of the third degree for a first offense and a misdemeanor of the first degree for a subsequent offense."

SECTION 2. That Sections 715.01 through 715.99, as they existed prior to the effective date of this Ordinance, be, and the same hereby are, repealed.

SECTION 3. This Ordinance shall take effect immediately provided it receives the unanimous vote of all members elected to Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: December 3, 2002

May N. Malone  
President of Council

Ronald W. Larsen  
Mayor

Dated: 12/5/2002

ATTEST:

Carole Gibson  
Clerk of Council