



CITY OF EATON, OHIO

HANDBILL DISTRIBUTION PERMIT

Approved permit must be presented upon request.

Company Name _____

Representative _____

Representative(s) Mobile Phone(s) # _____

Type of Business Solicited _____

Company's Supervisor / Contact Info _____

Date(s) for Handbills to be Distributed _____

Fee Paid \$ _____ Date Paid _____

License Term	Fee
One Year	\$60.00
Six Months	\$35.00
One Month	\$10.00
One Week	\$ 7.50
One Day	\$ 5.00

Copies of City Ordinances Chapters 705 and 713 have been provided to applicant.

Signature

Approved: _____

City Manager

Original to Applicant
Copy to City Manager / File
Copy to Police Division

CHAPTER 705
Billposting and Handbills

- 705.01 License required.
- 705.02 Fees.
- 705.03 Posting on poles, trees, public buildings.
- 705.04 Scattering handbills.
- 705.05 Exemption of local merchants.
- 705.99 Penalty.

CROSS REFERENCES

- Falsification - see GEN. OFF. 525.02
- Littering - see GEN. OFF. 521.08

705.01 LICENSE REQUIRED.

No person shall post bills, post signs for advertising purposes or distribute handbills or advertising matter of any kind without first obtaining a license permitting the same. (Ord. 588. Passed 10-15-28.)

705.02 FEES.

Each applicant for such a license shall pay the following fees:

<u>License Term</u>	<u>Fee</u>
One year	\$60.00
Six months	\$35.00
One month	\$10.00
One week	\$7.50
One day	\$5.00

These fees are hereby declared to be the reasonable expense incident to the cost of police supervision over the distribution of bills and the posting of signs, etc., mentioned in Section 705.01. (Ord. 588. Passed 10-15-28.)

705.03 POSTING ON POLES, TREES, PUBLIC BUILDINGS.

No person licensed under the provisions of this chapter shall post or tack any handbill or other advertising matter on poles or trees or in public buildings. (Ord. 588. Passed 10-15-28.)

705.04 SCATTERING HANDBILLS.

No person licensed under the provisions of this chapter shall distribute handbills and other advertising matter of any kind so that such handbills and advertising matter may be blown upon or scattered over the streets and ways of the City. No licensee shall place any such advertising matter in any private mailboxes. (Ord. 323. Passed 2-1-15.)

705.05 EXEMPTION OF LOCAL MERCHANTS.

Nothing in this chapter shall be construed to authorize the City Manager to demand and receive a license fee from merchants of this City for advertising their own business, but such advertising done by such merchants shall be subject to Section 705.03 and 705.04. (Ord. 323. Passed 02-01-15.)

705.99 PENALTY.

Whoever violates any of the provisions of this chapter is guilty of a minor misdemeanor.

CHAPTER 713
Peddlers and Solicitors

- 713.01 Uninvited peddling and soliciting prohibited.
- 713.02 Enforcement.
- 713.03 Invited peddling and soliciting; registration required.
- 713.04 Issuance of permit; fee, content and display.
- 713.05 Application of chapter.
- 713.06 Time limitations.
- 713.07 Revocation of permit.
- 713.08 Solicitation on certain municipal property prohibited.
- 713.99 Penalty.

CROSS REFERENCES

- Power to inspect food products - see Ohio R. C. 715.46
- Power to regulate - see Ohio R.C. 715.61 et seq.
- Charitable solicitations - see Ohio R.C. Ch. 1716
- Frozen desserts - see Ohio R.C. 3717.51 et seq.
- Trespassing - see GEN. OFF. 541.05
- Littering - see GEN. OFF. 521.08
- Street vendors - see BUS. REG. Ch. 725

713.01 UNINVITED PEDDLING AND SOLICITING PROHIBITED.

The practice of going in and upon the private residences in the City by canvassers, solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise and services, not having been requested or invited to do so by the owners or occupants of such private residences, for the purpose of soliciting orders for the sale of goods, wares, merchandise or services or for the purpose of disposing of or peddling or hawking the same, is hereby declared to be a nuisance and is prohibited. (Ord. 09-13. Passed 10-19-09.)

713.02 ENFORCEMENT.

The Chief of Police and the Division of Police are hereby required and directed to suppress and abate any such nuisance as is described in Section 713.01. (Ord. 09-13. Passed 10-19-09.)

713.03 INVITED PEDDLING AND SOLICITING; REGISTRATION REQUIRED.

- (a) No canvasser, solicitor, peddler, hawker, itinerant merchant or transient vendor of merchandise or services who is invited or requested to go in or upon a private residence in the City for the purpose of soliciting orders for the sale of goods, wares, merchandise or services or for the purpose of disposing of or peddling the same, shall go in or upon such private residence without first registering the office of the Chief of Police and obtaining a permit to do so from him.

(b) The registration required by subsection (a) hereof shall be made by filing with the Chief of Police on forms furnished for such purposes the following information:

- (1) The name and home address of the applicant and his residence for five years next preceding the date of application;
- (2) A brief description of the nature of the business and the goods or services offered;
- (3) The name and address of the employer, with credentials from the employer showing the exact relationship.
- (4) The length of time for which the privilege to do business is desired;
- (5) The address of the party or parties inviting the applicant to go in or upon their private residence; and,
- (6) Such other information concerning the applicant and his business as may be reasonable and proper having regard to the nature of the privilege desired.

(Ord. 09-13. Passed 10-19-09.)

713.04 ISSUANCE OF PERMIT; FEE, CONTENT AND DISPLAY.

Each applicant who shows evidence of good character shall be furnished a permit upon the payment by him of a fee of one dollar (\$1.00). The permit shall indicate that the applicant has registered and shall also indicate the addresses of the parties inviting him to go in or upon their premises. No permittee shall go in upon any premises not indicated on his permit.

Each permittee shall at all times while peddling or hawking in the City incident to request or invitation carry upon his person his permit and the same shall be exhibited by such permittee whenever he is requested to do so by any police officer or by any person solicited. (Ord. 09-13. Passed 10-19-09.)

713.05 APPLICATION OF CHAPTER.

The provisions of this chapter shall not apply to officers or employees of the City, County, State or Federal Government, or any subdivision thereof, when on official business; nor to any person who sells or offers to sell agricultural products of his own raising or merchandise of his own manufacture. (Ord. 09-13. Passed 10-19-09.)

713.06 TIME LIMITATIONS.

No activity permitted under authority of this chapter shall commence prior to 9:00 a.m. nor continue after 5:00 p.m. This time limitation shall be stated on the permit. (Ord. 09-13. Passed 10-19-09.)

713.07 REVOCATION OF PERMIT.

Permits issued under this chapter may be revoked by the City Manager or Chief of Police for the following reasons:

- (a) Fraud or misrepresentation contained in the registration;
- (b) Fraud, misrepresentation or false statements made in the course of conducting the activity;
- (c) Violation of any of the provisions of this chapter or of these Codified Ordinances or of any State or Federal law;

- (d) Conducting the business in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public;
- (e) The permittee ceases to possess the qualifications and character required in this chapter for the original registration.

The revocation of a permit shall be in addition to any penalty provided in Section 713.99 or any other penalty that may be imposed upon the permittee. (Ord. 09-13. Passed 10-19-09.)

713.08 SOLICITATION ON CERTAIN MUNICIPAL PROPERTY PROHIBITED.

No person shall sell, offer to sell or solicit orders for goods, wares or merchandise for immediate or future delivery, or services to be furnished, performed or provided in the present or in the future, including sales from vehicles and/or trailers, within or on municipally owned or municipally controlled property, including parks. This provision shall not apply to public streets.

This law shall not apply to nonprofit or charitable organizations operating under the expressed consent of the City Manager and shall not apply to the lawful use of sidewalk space as authorized by the Codified Ordinances of the City of Eaton. (Ord.09-13. Passed 10-19-09.)

713.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not more than five hundred dollars (\$500.00) for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues and with respect to each person or residence solicited. (Ord. 09-13. Passed 10-19-09.)