

VILLAGE OF PONTOON BEACH

CERTIFICATE OF REGISTRATION APPLICATION

SOLICITOR / PEDDLER

IMPORTANT: PLEASE READ CAREFULLY & COMPLETE ENTIRE APPLICATION – DEBIT/CREDIT CARDS ARE NOT ACCEPTED – APPLICATION FEE IS \$100.00 FOR 30 DAYS

The undersigned individual, firm, corporation or association hereby makes application for SOLICITOR'S/PEDDLER'S Certificate of Registration and Permit and submits the following information:

Applicant Name: _____

Applicant Address: _____ How long have you lived at this address: _____ years If less than 3yrs. – Previous Address: _____

Applicant Social Security Number: _____

Applicant Phone Number: _____

Applicant Date of Birth: _____ Applicant Age: _____ Applicant Marital Status: ☐ Married ☐ Single Name of Spouse: _____

Applicant Employer: _____ Years Employed: _____ Will Applicant be representing this employer while soliciting? ☐ Yes ☐ No

Employer Address: _____

If Employed less than 3 years, please list the name/address of previous employer: _____

Physical Description of Applicant: _____

Description of what Applicant will be Soliciting or Peddling: _____

Has Applicant ever applied for issued a Certificate of Registration for Solicitor / Peddler? ☐ Yes ☐ No If Yes, please list the date of your previous Application / Permit: _____

Has Applicant ever had a Certificate of Registration / Permit Revoked? ☐ Yes ☐ No Has Applicant ever been convicted of a felony (State or Federal): ☐ Yes ☐ No

Has Applicant ever violated regulations of any IL. Municipalities Solicitation Code? ☐ Yes ☐ No Please list the last (3) Municipalities Applicant Solicited: _____

If Applicant represents a corporation/business, please provide a Certificate of Good Standing: ☐ Yes ☐ No Certificate of Registration with the State of Illinois: ☐ Yes ☐ No

(Certificate is Required) ☐ No (Foreign Entities Only) ☐ No

No Certificate of Registration shall be issued to any person who has been convicted of the commission of a felony and/or any crime involving moral turpitude under the laws of the State of Illinois or any other State or Federal law of the United States within the last twenty (20) years of the date of the application; nor to any person whose Certificate of Registration issued hereunder has previously been revoked as herein provided.

No Certificate of Registration shall be issued to any person convicted of physical abuse, sexual abuse or assault of any person, or exploitation of a minor under the laws of this or any other State or Federal Law.

Applicant Hereby Agrees for the Village of Pontoon Beach to conduct a background check: _____

Printed Name of Applicant Signature of Applicant Date

I solemnly swear (or affirm) that the statements given above are true and correct to the best of my knowledge and belief; that I will comply with all regulations of all State and Federal laws; that a copy of an ordinance governing solicitation/peddling in this municipality has been furnished to me; that I understand the same and agree to comply with all the provisions set forth therein.

SUBSCRIBED & SWORN TO BEFORE ME THIS _____ DAY OF _____

Printed Name of Applicant Signature of Applicant

VILLAGE OF PONTOON BEACH
CERTIFICATE OF REGISTRATION APPLICATION
SOLICITOR / PEDDLER

IMPORTANT: PLEASE READ CAREFULLY & COMPLETE ENTIRE APPLICATION - DEBIT/CREDIT CARDS ARE NOT ACCEPTED - APPLICATION FEE IS \$100.00 FOR 30 DAYS

AFTER CONSIDERATION OF THE APPLICATION AND REVIEW OF ALL THE INFORMATION SUBMITTED THIS CERTIFICATE OF REGISTRATION FOR SOLICITOR / PEDDLER IS HEREBY:

◇ APPROVED

◇ DENIED

Reason that the application has been denied: _____

APPLICATION / REGISTRATION NUMBER: _____

(Applications / Registrations are numbered as they are received)

(This number shall remain the same and not change)

APPLICATION / PERMIT FEE IS \$100.00 FOR THIRTY (30) DAYS: ☐Cash ☐Check _____

DATE APPLICATION / REGISTRATION EXPIRES: _____

Mayor Mike Pagano – Printed Name

Mayor Mike Pagano – Signature

Date

Chief Chris Modrusic – Printed Name

Chief Chris Modrusic – Signature

Date

Within ten (10) business days of approval of this application, the Mayor's office shall issue a Certificate of Registration.

"The issuance of this Certificate of Registration is not an endorsement by the Village of Pontoon Beach or any of its officers or employees."

*** THIS PAGE IS FOR OFFICE USE ONLY ***

ORIGINAL COPY

ORDINANCE NO. 23-1299

**AN ORDINANCE AMENDING CHAPTER 7 (BUSINESS CODE), BY ADDING
ARTICLE XIII (SOLICITORS AND PEDDLERS) TO THE CODE OF ORDINANCES
OF THE VILLAGE OF PONTOON BEACH, ILLINOIS**

WHEREAS, the Village of Pontoon Beach, Illinois has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS the Village deems it to be in the best interests of the citizens of the Village and the public in general that said Article regarding Solicitors and Peddlers be adopted as provided herein; and

WHEREAS the Village deems it to be an appropriate exercise of the municipal corporate authority of the Village, including, but not necessarily limited to, the power to promote and protect the general welfare of the Village.

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF PONTOON BEACH, ILLINOIS, AS FOLLOWS:**

SECTION 1: The facts and statements set forth in the Preamble of the Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2: The Village of Pontoon Beach Business Code is hereby amended as set forth in the remaining sections of this Ordinance.

SECTION 3: Chapter 7, Business Code, is amended by adding Article XIII to read as in the attached Exhibit A:

SECTION 4: That the headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance, nor should they be used in any interpretation or construction of any substantive provision of this ordinance.

SECTION 5: That this ordinance shall be published in accordance with all applicable state and local laws. Copies of this ordinance shall be made available to the public upon request at the Village Clerk's office.

SECTION 6: That if any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 7: Effective Date: That this ordinance shall be in full force and effect on or after March 26, 2024.

PASSED this 26th day of March 2024.

Name	Voting in Favor	Voting Against	Not Voting
Steve Freese - Trustee	✓		
Terry Kreher - Trustee	✓		
Linda McFarland - Trustee	✓		
Kelly Rogers - Trustee	✓		
Christie Vivod- Trustee	✓		
Bret Ware - Trustee	✓		
Mike Pagano - Mayor			

APPROVED this 26th day of March 2024.



MIKE PAGANO, PRESIDENT
Village of Pontoon Beach, Illinois

ATTEST:



HARLON KEEL, VILLAGE CLERK
Village of Pontoon Beach, Illinois



Pontoon Beach Village Code

ARTICLE XIII – SOLICITORS AND PEDDLERS

7-13-1 **DEFINITIONS.** For the purpose of this Chapter, the following words as used herein shall be construed to have the meanings herein ascribed thereto, to-wit:

“SOLICITOR OR PEDDLER” Any person who offers for or exposes for sale or who trades, deals, or traffics in any services, or sells any goods, wares, merchandise, subscriptions, or personal property of any nature for immediate or future delivery, whether or not collecting advance payments on such sales or not, by going from house to house or from place to place or by indiscriminately approaching individuals.

“CHARITABLE SOLICITATION” means conduct whereby a person solicits property, financial aid, gifts in money, donations, contributions, any article representing monetary value, sells, or offers to sell, a product, article, tag, service, publication, ticket, advertisement, or subscription on the plea or representation, whether expressed or implied, that the proceeds from the solicitation or sale are for a charitable purpose.

“CHARITABLE PURPOSE” means the use of money or property for the benefit of any charitable, religious, benevolent, humane philanthropic, patriotic, or eleemosynary purpose.

“POLITICAL SOLICITATION” means solicitation engaged in for the purpose of lobbying, campaigning, promoting, advancing, espousing or benefiting a political cause, party or candidate for political office.

“RELIGIOUS OR RELIGIOUS PURPOSE” means the means of or relating to an organized religion or religious group or identifiable and definable set of religious beliefs or other ideology.

“RELIGIOUS SOLICITATION” means solicitation engaged in for a religious purpose.

“REGISTERED SOLICITOR OR PEDDLER” shall mean and include any person who has obtained a valid Certificate of Registration as hereinafter provided, and which certificate is in the possession of the solicitor or Peddler on his or her person while engaged in soliciting.

“RESIDENCE” shall mean and include every separate living unit occupied for residential purposes by one (1) or more persons, contained within any type of building or structure.

7-13-2

CERTIFICATE OF REGISTRATION.

A. Every person desiring to engage in soliciting or peddling as herein defined from persons within the Village is hereby required to make a written application for a Certificate of Registration as hereinafter provided. All persons engaged in charitable, political, or religious solicitation are exempt from Registration. All persons who are exempt from the Certificate of Registration are subject to the nuisance, trespass and other restrictions contained in the Village Code.

7-13-3

APPLICATION FOR CERTIFICATE OF REGISTRATION.

A. Applications for a Certificate of Registration shall be made on a form provided by and filed with the Mayor's Office. The applicant shall truthfully state in full the information requested on the application:

1. Name and address of present place of residence and length of residence at such address, business address if other than residence address, and Social Security Number.
2. Address of place of residence during the past three (3) years if other than present address.
3. Age of applicant and marital status. If married the name of spouse.
4. Physical description of the applicant.
5. Name and address of the person, firm, corporation, or association with whom the applicant is employed by or represents, and the length of time of such employment or representation.
6. Name and address of employer during the past three (3) years if other than the present employer.
7. Description sufficient for identification of the subject matter of the soliciting or peddling in which the applicant will engage.
8. Period of time for which the Certificate is applied.
9. The date or approximate date of the latest previous application for a Certificate under this Chapter, if any.
10. If a Certificate of Registration issued to the applicant under this Chapter has ever been revoked.

11. Has the applicant ever been convicted of a violation of any of the provisions of this Code or the regulations of any other Illinois municipality regulating soliciting or peddling.

12. Has the applicant ever been convicted of the commission of a felony under the laws of the State of Illinois or any other State or Federal law of the United States.

13. The last three (3) municipalities where the applicant carried on business immediately preceding the date of application in the Village and the address from which such business was conducted in those municipalities.

14. Where the applicant represents or sells for a corporation or other business entity, a certificate of good standing must be provided confirming that the company or business entity for which the applicant is doing business legally exists and is conducting business in an official capacity in the state in which it is incorporated.

15. A certificate of registration with the state of Illinois where a foreign corporation intends to transact business within the State of Illinois. The following are activities that do not constitute transacting business in the state of Illinois:

- a. Maintaining, defending, or settling any proceeding;
- b. Holding meetings of the board of directors or shareholders or carrying on other activities concerning internal corporate affairs;
- c. Maintaining bank accounts;
- d. Maintaining offices or agencies for the transfer, exchange, and registration of the corporation's own securities or maintaining trustees or depositaries with respect to those securities;
- e. Selling through independent contractors;
- f. Soliciting or obtaining orders, whether by mail or through employees or agents or otherwise, if orders require acceptance outside this state before they become contracts;
- g. Owning, without more, real or personal property;
- h. Conducting an isolated transaction that is completed within one hundred twenty days and that is not one in the course of repeated transactions of a like nature; or
- i. Having a corporate officer or director who is a resident of this state.

16. Also, such additional information as the Mayor's Office may deem necessary to process the application.

B. All statements made by the applicant upon the application or in connection therewith shall be under oath.

C. The Mayor's Office shall cause to be kept in his office an accurate record of every application received and acted upon, together with all other information and data pertaining thereto and all Certificates of Registration issued under the provisions of this Chapter and of the denial of applications.

D. Applications for Certificates issued shall be numbered in consecutive order as filed, and every Certificate issued, and any renewal thereof shall be identified with the duplicate number of the application upon which it was issued.

E. No Certificate of Registration shall be issued to any person who has been convicted of the commission of a felony and/or any crime involving moral turpitude under the laws of the State of Illinois or any other State or Federal law of the United States within the last twenty (20) years of the date of the application; nor to any person who has been convicted of a violation of any of the provisions of this Chapter, nor to any person whose Certificate of Registration issued hereunder has previously been revoked as herein provided.

F. No Certificate of Registration shall be issued to any person convicted of physical abuse, sexual abuse or assault of any person, or exploitation of a minor under the laws of this or any other state or under federal law.

7-13-4

ISSUANCE AND REVOCATION OF CERTIFICATE.

A. The Mayor's Office and 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 Certificate as required by this Chapter, or if the issuance of a Certificate of Registration to the applicant would not be in accord with the intent and purpose of this Code. The Chief of Police shall approve the application where the applicant is found fully qualified under this chapter.

1. Within ten (10) working days of the approval of the application, the Mayor's Office shall issue a Certificate of Registration. The Certificate of Registration shall be printed in black and that the following shall be printed prominently thereon in red: "The issuance of this Certificate of Registration is not an endorsement by the Village of Pontoon Beach or any of its officers or employees." Each Certificate shall bear a registration number which is the same as the application filed by the registrant.

2. The Mayor's Office, at the time of the issuance of the Certificate of Registration, shall also issue an identification card. Each such identification card shall bear the name of the person registering, the registration number, the name of the solicitor or peddler agent, and the expiration date of the Certificate of Registration. It shall have printed

prominently thereon in red: This identification card is not an endorsement of the solicitation or peddling by the Village of Pontoon Beach or any of its officers or employees.

3. It shall be unlawful for an individual to solicit or peddle without visibly displaying the identification card for solicitors or peddlers on their person, unobscured, issued to that individual by the Mayor's Office.

4. It shall be unlawful for any person to alter a solicitor's or peddler's identification card.

5. It shall be unlawful for an individual to solicit or peddle while displaying a solicitor's or peddler's identification card issued by the Mayor's Office in the name of another individual.

6. It shall be unlawful for any person who solicits or peddles in the Village to represent in connection with such solicitation that the issuance of a certificate of registration or an identification card by the Village constitutes an endorsement or approval of the purposes of such solicitation or peddling by the Village or any officer or employee.

7. It shall be unlawful for any person to engage in solicitation for the following purposes:

- (1) Distribution of any prescription or nonprescription drugs or medicines whether legal or illegal or any other contraband as defined by state or federal laws; or
- (2) Solicitation within the city in such a manner that would create a danger or threat of any kind to the public health, safety and welfare or would be a violation of state or federal law.

B. Any Certificate of Registration issued hereunder shall be revoked by the Mayor or the Chief of Police if the holder of the Certificate is convicted of a violation of any provision 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 Mayor's Office 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.

C. The Certificate of Registration shall state the expiration date thereof.

7-13-5 POLICY ON SOLICITING AND PEDDLING.

A. It is declared to be the policy of the Village that the occupant or occupants of the residences in the Village shall make the determination of whether solicitors or peddlers shall be or shall not be invited to their respective residences.

7-13-6 NOTICE REGULATING SOLICITING AND PEDDLING.

A. Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting or peddling contained in herein shall comply with the following directions:

1. Notice of the determination by the occupant of giving invitation to solicitors and/or peddlers or the refusal of invitation to solicitors and/or peddlers to any residence shall be given in the manner provided in paragraph (B) of this Section.

B. A weatherproof card, approximately **three inches by five inches (3" x 5")** in size shall be exhibited upon or near the main entrance door to the residence indicating the determination by the occupant and containing the applicable words, as follows:

1. The letters shall be at least **one-third (1/3) inch** in height and shall constitute sufficient notice to any solicitor or peddler of the determination by the occupant of the residence of the information contained thereon.

7-13-7 COMPLIANCE BY SOLICITORS AND PEDDLERS.

A. It is the duty of every solicitor and peddler upon going onto any premises in the Village upon which a residence as herein defined is located to first examine the notice provided for in Section 7-2-6 if any is attached and be governed by the statement contained on the notice.

If the notice states "**ONLY REGISTERED SOLICITORS INVITED,**" then the solicitor not possessing a valid Certificate of Registration as herein provided for shall immediately and peacefully depart from the premises. If the notice states, "**NO SOLICITORS INVITED,**" then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

B. 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.

7-13-8 TIME LIMIT ON SOLICITING AND PEDDLING.

A. It is hereby declared to be 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 or peddling as

herein defined, prior to **10:00 A.M. or after 4:00 P.M.** on any day of the week, including Saturday, or at any time on a Sunday or on a State or National holiday.

7-13-9 FEES.

A. Upon making application for a Certificate, the applicant shall pay a license fee as established by the Village, each license to be valid for no more than 30 days from the date of issuance.

7-13-10 PENALTY.

A. Any person violating or failing to comply with any provision of this chapter shall, upon conviction, be fined not less than Five Hundred Dollars (\$500.00) nor more than Seven Hundred Fifty Dollars (\$750.00). The penalty for subsequent violations shall be Seven Hundred Fifty Dollars (\$750.00).