

## ORDINANCE NO. 2020-68

**AN ORDINANCE AMENDING CHAPTER 745 OF THE  
CODIFIED ORDINANCES OF THE CITY OF  
WILLOUGHBY, OHIO, TITLED, "SOLICITORS AND  
CANVASSERS", AND DECLARING AN EMERGENCY.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY, THE COUNTY OF LAKE, AND THE STATE OF OHIO:**

**SECTION 1.** That Chapter 745 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Solicitors and Canvassers"; specifically, Section 745.05 titled, "Time Limit on Canvassing or Solicitation", is hereby amended to read and provide as follows:

**745.05 TIME LIMIT ON CANVASSING OR SOLICITATION.**

It is unlawful and shall constitute a nuisance for any person to go upon any premises and attempt to attract the attention of the occupant of such residence for the purpose of talking to the occupant(s) thereof and to engage in canvassing as defined in Section 745.01 prior to the hours of 9:00 a.m. and after 9:00 ~~8:00~~ p.m. on any day.

**SECTION 2.** That Chapter 745 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Solicitors and Canvassers"; specifically, specifically, Section 745.06 titled, "Permit Required", is hereby amended to read and provide as follows:

**745.06 PERMIT REQUIRED.**

(a) Registration Required. No person shall act as a canvasser or solicitor in this City without first having registered as such with the Director of Public Safety. ~~No fee shall be required.~~ . . .

(b) Registration Application; Contents. Application for a certificate of registration shall be made upon a form provided by the Director of Public Safety, ~~or the Director's Designee.~~ Each application shall contain, among other information, ~~the name, address and the telephone number of the person completing the application; the name, address, and telephone number of the organization for which he purports to act; the name of an officer or other official of the organization; the nature of the goods or services for which he will take orders in the case of door-to-door salespersons in interstate commerce; the compensation, if any, which he or other canvassers or solicitors are to receive for their services; and such other information as the Director of Public Safety may require~~ at a minimum, the following information set forth below. An application form on behalf of any entity or organization shall also provide the following information for each and every individual desiring to canvass or solicit on behalf of such entity or organization:

- (1) The name of the applicant;
- (2) A physical description of the Applicant;
- (3) The Applicant's driver's license number with state of issue or state identification card;
- (4) The name and address of the person or entity, if any, on whose behalf the Applicant will be canvassing or soliciting and the length of the Applicant's service with such person or entity;

- (5) All places of residence of the Applicant and all employment during the preceding year;
- (6) A description of the goods to be sold or services to be furnished by the Applicant or the purpose for which funds are being solicited;
- (7) The names of other municipalities in which the Applicant has conducted canvassing or solicitation activities within the past calendar year; and
- (8) Such other information as the Director of Public Safety, or the Director's Designee may require;

(c) Photographs. Applicant shall furnish a photograph of himself or herself taken within one (1) year of the date of the Application.

(d) Application Fee. At the time of submission of a completed Application, the Applicant shall pay an Application Fee of twenty-five dollars (\$25.00) per day or fifty dollars (\$50.00) per six months. If the Applicant is an entity or organization, said Fee shall be a payment on behalf of all individuals identified in the Application who seek to canvass or solicit on behalf of such entity or organization.

(e) Date of Validity. Any permit issued shall be valid for its respective term from the date of issuance.

(f) Permit and Identification Badge. If the Director of Public Safety, or the Director's Designee, determines that all information and items required under division (b) and (c) of this Section have been submitted and is correct and that the Applicant prepares to engage in activity permitted by this Chapter, a Permit and Identification Badge shall be issued to the Applicant within five (5) business days of the submission of the Application and required Fee **and the completion of the Background Check under division (g) of this Section.** This time period shall not commence to run until the required Application Fee is paid and the Application and all required information have been submitted. No Permit or Identification Badge shall be assigned or transferred by the Applicant to any other individual or organization.

(g) Background Check. Upon receipt of a completed Application, the **City Police Department National Center for Safety Initiatives (NCSI)** will conduct a background check for each individual set forth in the Application. If, as a result of such investigation, the Applicant's character and business responsibilities are found to be unsatisfactory, the Application shall be denied.

(h) Display of Identification Badge. All Applicants issued a Permit under this Chapter shall display their Identification Badge in a prominent manner on their outer clothing so it is visible to the public while conducting canvassing or solicitation and display the Permit upon request of any duly authorized representative of the City and upon demand by any person subject to the Applicant's canvassing or solicitation.

(e)

(i) Six Month Limitation. In no case shall any certificate of registration . . .

...

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby.

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the community; and for the further reason to immediately ensure and protect the residents of the City from crime, fraud and the invasion of residential privacy; and provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

Passed: July 14, 2020 [Signature]  
President of Council

Attest: [Signature]  
Clerk of Council

Date: 07.15.20 Approved: [Signature]  
Mayor

Submitted to the Mayor for his approval on this 15<sup>th</sup> day of July, 2020.  
[Signature]  
Clerk of Council