



CITY OF AURORA, ILLINOIS
CHARITABLE SOLICITATIONS CAMPAIGN
PERMIT APPLICATION*
Due No Less Than 30 Days Prior

Date _____

Name of Organization _____

Address of Organization _____

Contact Person's Name _____

Contact Person's Address _____

Contact Person's Telephone No. _____

Purpose of the charitable solicitations campaign and/or the purpose for which funds are to be raised

Location within the city where campaign will occur _____

Dates that campaign will occur - from: _____ to: _____

* * * * *

We hereby agree not to engage in solicitation upon the highways, streets, alleys and vehicular thoroughfares of the City and to confine such charitable solicitations campaign to house-to-house canvassing and/or solicitation in the public ways or places of the City of Aurora unless certificate of insurance is provided (see Sec 32-3 b(1-3) attached).

Applicant's Signature

***Copy of applicable ordinance and requirements is attached.**

****Please provide separate listing of names and addresses of all individuals over the age of 18 conducting campaign within the city.**

****LIST EACH SOLICITOR'S NAME (OVER THE AGE OF 18), HOME ADDRESS, CITY, STATE, ZIP CODE, TELEPHONE NUMBER AND DATE OF BIRTH. MUST PROVIDE A VALID GOVERNMENT ISSUED PHOTO ID AS PROOF OF IDENTIFICATION FOR EACH PERSON GOING DOOR TO DOOR.**

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

To view the Peddler's Ordinance, you may visit the City's website at www.aurora-il.org. Refer to Chapter 32 – PEDDLERS AND SOLICITORS

IF YOU VIOLATE ANY PART OF THE PEDDLER'S ORDINANCE, YOU MAY BE SUBJECT TO A CITATION AND/OR REVOCATION OF YOUR PERMIT

The following are a few key points to remember.

- *YOU DO NOT HAVE PERMISSION TO SOLICIT FROM A CITY LOT, PRIVATE LOT, OR PLACE OF BUSINESS*
- *HOURS: 9:00 a.m. to 8:00 p.m. during the months of April, May, June, July, August and September and 9:00 a.m. to 6:00 p.m. during the remaining months.*
- *PERMIT IS VALID FOR UP TO ONE (1) YEAR FROM DATE OF ISSUE*
- *IF THERE IS A "NO SOLICITING" SIGN POSTED, IT IS AGAINST CITY ORDINANCE TO SOLICIT TO THAT HOME OR BUSINESS*
- *DO NOT PLACE ANY FLYERS, PAMPHLETS, LEAFLETS, ETC. IN MAILBOXES*
- *YOU MUST SECURE ANY PAMPHLETS, LEAFLETS, BUSINESS CARDS, ETC.*
- *YOU DO NOT REPRESENT THE CITY OF AURORA AND WE ARE NOT ENDORSING YOUR PRODUCT.*
ATTEMPTING TO MISLEAD THE PUBLIC IN ANY WAY, MAY RESULT IN A CITATION OR REVOCATION OF YOUR PERMIT

By signing this registration form, I am stipulating that no individual employees, independent contractors, employees of independent contractors, volunteers or any other such person associated with the registrant is a "Sex Offender" as described by the State of Illinois Statute 730 ILCS 150/2 and as may similarly be applicable to and by other law enforcement jurisdictions throughout the United States and I certify that such persons listed on this application, including registrant, have not been convicted of any felony, nor convicted on two (2) or more occasions of driving under the influence of alcohol or drugs (see section 32-3 C attached).

Further, I have personally read and answered each and every question in this permit application and I do solemnly swear that each and every answer is full, true, complete, and correct in every respect. I understand that if this application contains any false or misleading information of any material fact, it is grounds for denial of this and future permits.

Date: _____

Manager's Name: _____ Signature: _____

Please Print

Applicant's Name: _____ Signature: _____

Aurora, Illinois, Code of Ordinances >> -CODE OF ORDINANCES »Chapter 32- PEDDLERS AND SOLICITORS »ARTICLE I. IN GENERAL»

ARTICLE I. IN GENERAL

Sec. 32-1. Purpose.

Sec. 32-2. Definitions.

Sec. 32-3. Registration required.

Sees. 32-4-32-10. Reserved.

Sec. 32-1. Purpose.

It is the purpose of this chapter to protect the health, safety and welfare of the citizens of the city, to protect against fraudulent solicitation, to protect and promote the quiet enjoyment of property for the residents of the city, and to protect the First Amendment rights of solicitors, distributors, canvassers and peddlers operating within the city.

It is further declared to be the policy of the corporate authorities of the city, that the occupant or occupants of any premises in the city shall have the right to determine whether any solicitor, distributor, canvasser or peddler shall be, or shall not be, invited onto their respective premises, and those persons who violate the provisions of this chapter constitute a public and private nuisance, and a detriment to the health, safety and welfare of the residents of the city.

(Ord. No. 006-03, § 1(32-1), 1-24-06)

Sec. 32-2. Definitions.

The following words, terms phrases and their derivations, when used in this chapter shall have the meanings ascribed to them in this section:

- (1) *Charitable solicitations campaign* means any course of conduct whereby any person, or any agent, member or representative thereof shall solicit property or financial assistance of any kind or sell or offer to sell any article, tag, service, emblem, publication, ticket, advertisement, subscription or anything of value on the plea or representation that such sale or solicitation or that proceeds therefrom are for a charitable, educational, patriotic, religious or philanthropic purpose.
- (2) *Commercial handbill* means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, video or audio material, or any other printed or otherwise reproduced original or copies of any matter or literature:
 - a. Which advertises for sale any merchandise, product, commodity or thing; or
 - b. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interests thereof by sales; or
 - c. Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance,

exhibition or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of public peace, safety and good order, provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this state, or under this Code or any other ordinance of the city; or

- d. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor; or
 - e. Which is not covered by the definition of sign as defined in this Code.
- (3) *Newspaper* means any newspaper of general circulation, as defined by general law, any newspaper duly entered with the United States Postal Service in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law, and, in addition thereto, any periodical or current magazine regularly published with not less than four (4) issues per year and sold to the public.
- (4) *Noncommercial handbill* means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, video or audio materials, or any other printed or otherwise reproduced original or copies of any matter or literature not included in the definitions of a sign or a commercial handbill or a newspaper.
- (5) *Peddler or solicitor* means any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, or, while present at any location in the city and carrying or transporting goods, wares, merchandise, written materials or personal property of any nature, and offering the same for sale, or for the purpose of taking or attempting to solicit orders for the sale of goods, merchandise, wares, written materials or other personal property of any nature for future delivery, or for services to be performed in the future.
- (6) *Peddling or soliciting* includes all activities ordinarily performed by a peddler or solicitor as indicated in this chapter.
- (7) *Person* means a natural person or any firm, corporation, association, club, society or other organization.
- (8) *Private premises* means any dwelling, house, building or other structure designed or used either wholly or in part for private purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, ground, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

(Ord. No. 006-03, § 1(32-2). 1-24-06; Ord. No. 012-018 § 2, 3-13-12)

Sec. 32-3. Registration required.

- (a) Every person wishing to engage in peddling or solicitation must register with the city clerk or the city clerk's designee before engaging in such peddling or solicitation activities. Such registration shall include the person's name, a contact person's name, phone number, address, and a description of the items to be peddled, and the location and time frame within

which this activity will occur. Every registrant must provide written proof to the city clerk or designee at time of registration that all certifications, permits, licenses and any other required authorization needed to perform peddling or solicitation activities has been received in advance. Such registration shall be done annually by those persons that will engage in ongoing peddling or solicitation in the city.

- (b) Every person wishing to engage in a charitable solicitations campaign must make application for a permit with the government operations committee of the city council no less than thirty (30) days prior to initiation of the campaign. Upon achievement of a permit, all persons engaging in such charitable solicitation shall have a copy of the permit on their person at all times during any such solicitation. The application shall state the person's name, a contact person's name, phone number, address, the date(s) the campaign will operate, state the purpose of the charitable solicitations campaign and/or the purpose for which the funds are to be raised, and stating the exact locations of said campaign within the city. Such charitable solicitation shall be confined to house-to-house canvassing and/or solicitation in the public ways or places of the city, and shall not be conducted upon the highways, streets, alleys and vehicular thoroughfares of the city unless proof of the following criteria are provided to the committee's satisfaction:
- (1) The soliciting agency is registered with the attorney general as a charitable organization as provided by "An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefore."
 - (2) The soliciting agency is engaged in a state- or nationwide fund raising campaign.
 - (3) The soliciting agency will provide reflective safety vests for solicitors to wear at all times while soliciting in the public ways and further agrees to be liable for and hold the city harmless from any injuries to person or property during any permitted solicitation, and agrees to name the city as a primary, non-contributory additional insured under a policy of general liability insurance covering any and all solicitation activities and participants soliciting in the public right-of-way. A certificate of insurance shall be submitted to the city at the time of application as indicated in subsection (b) herein. Said liability insurance shall have minimum coverage limits of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) general aggregate.
- (c) Every registrant pursuant to this chapter shall, as part of said registration document stipulate that no individual employees, independent contractors, employees of independent contractors, volunteers or any other such person associated with the registrant is a convicted "Sex offender" as defined by the State of Illinois Statute 730 ILCS 150/2 and as may similarly be applicable to any by other law enforcement jurisdictions throughout the United States. Every registrant shall include the names, addresses and dates of birth for every person who will be working with them in the city for the registered purpose, and shall provide an affidavit certifying that such persons, including the registrant, have not been convicted of any felony, nor convicted on two (2) or more occasions of driving under the influence of alcohol or drugs. Such certification as required in this paragraph (c) shall be updated whenever any change in persons occurs for the registrant at any time during the registered year.

(Ord. No. 006-03, § 1(32-3), 1-24-06; Ord. No. 007-62, § 1(32-3), 5-22-07; Ord. No. 007-97, § 1, B-28-07; Ord. No. 008-117, § 1, 12-9-08; Ord. No. 012-018, § 2, 3-13-12)

Sees. 32-4-32-10. Reserved.

Aurora, Illinois, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 32-PEDDLERS AND SOLICITORS >> ARTICLE II. UNSOLICITED MATERIAL >>

ARTICLE II. UNSOLICITED MATERIAL

Sec. 32-11. Posting prohibited in public places.

Sec. 32-12. Manner of distribution in or upon vehicles.

Sec. 32-13. Depositing on vacant premises.

Sec. 32-14. Distribution on posted premises.

Sec. 32-15. Manner of distribution on private premises.

Sees. 32-16-32-25. Reserved.

Sec. 32-11. Posting prohibited in public places.

No person shall post, stick, stamp, paint or otherwise fix or cause the same to be done by any person, any notice, placard, bill, card, poster, commercial or non-commercial handbill or device calculated to attract the attention of the public, to or upon any sidewalk, crosswalk, curb or curbstone, flagstone or any other portion or part of any public way or public place, or any lamppost, electric light, sign, telegraph or telephone pole, or railway structure, hydrant, shade tree or tree-box, or upon the piers, columns, trusses, girders, railings, gates or other parts of any public bridge or viaduct, or other public structure or building, or upon any pole, box or fixture of the fire alarm or police telegraph system, except such as may be authorized or required by the laws of the United States, the state and this code or any other ordinances of the city.

(Ord. No. 006-03, § 1(32-4), 1-24-06; Ord. No. 007-62, § 1(32-4), 5-22-07)

Sec. 32-12. Manner of distribution in or upon vehicles.

No person shall distribute, deposit place, throw, scatter or cast any commercial or noncommercial handbill in or upon any automobile or other vehicle in a manner in which it is likely to be carried or deposited by the elements upon any adjoining premises, street or sidewalk or other private place, or upon private property. The provisions of this section shall not prohibit the handing, transmitting or distributing of any such handbill to the owner of a vehicle who is willing to accept the same. Provided, however, that the owner of private property may place any commercial or noncommercial handbill upon any vehicle located upon the owner's property if such handbill advances said owner's product or service conducted upon such property.

(Ord. No. 006-03, § 1(32-5), 1-24-06; Ord. No. 012-018, § 2, 3-13-12)

Sec. 32-13. Depositing on vacant premises.

No person shall throw or deposit any commercial or noncommercial handbill or newspaper in or upon any private premises which are temporarily or continuously uninhabited or vacant in any of the following circumstances:

- (1) Where it is apparent that such property is unoccupied;
- (2) Where it is apparent that a previous day's distribution of handbills has not been removed;
- (3) Where the owner has not given his permission to do so.

(Ord. No. 006-03, § 1(32-6), 1-24-06; Ord. No. 012-018, § 2, 3-13-12)

Sec. 32-14. Distribution on posted premises.

No person shall distribute, deposit, place, throw, scatter or cast any commercial or noncommercial handbill or newspaper upon any premises if requested by anyone thereon not to do so, or if there is placed on such premises, in a conspicuous position near the entrance thereof, a sign bearing the words, "No Trespassing", "No Peddlers or Solicitors", "No Advertisement", "No Unsolicited Newspapers" or any similar notice indicating in any manner that the occupants of such premises do not desire to have their right of privacy disturbed, or to have any such items left upon such premises.

(Ord. No. 006-03, § 1(32-7), 1-24-06; Ord. No. 012-018, § 2, 3-13-12)

Sec. 32-15. Manner of distribution on private premises.

No person shall distribute, deposit, place, throw, scatter or cast any non-subscribed newspaper, commercial or noncommercial handbill in or upon any private premises which are inhabited, except by handing or transmitting any such handbill or newspaper directly to the owner, occupant or any other person then present in or upon such private premises; provided that in the case of inhabited private premises which are not posted as provided in this chapter, such registered or other person, unless requested by anyone upon such premises not [to] do so, may place or deposit any such handbill or newspaper in or upon such inhabited private premises, if such handbill or newspaper is so placed or deposited as to secure or prevent it from being blown or drifted about such premises or elsewhere, except that mailboxes may not be used when prohibited by federal postal laws or regulations. For subscribed or otherwise agreed upon distribution of written materials, the manner of placement of such subscribed written materials shall be as agreed between the parties to said agreement.

(Ord. No. 006-03, § 1(32-8), 1-24-06; Ord. No. 012-018, § 2, 3-13-12)

Sees. 32-16-32-25. Reserved.

Aurora, Illinois, Code of Ordinances » - CODE OF ORDINANCES» Chapter 32 - PEDDLERS AND SOLICITORS»» ARTICLE III.-PEDDLING AND SOLICITATION» DIVISION 2. CHARITABLE SOLICITATIONS CAMPAIGN»

DIVISION 2. CHARITABLE SOLICITATIONS CAMPAIGN

Sec. 32-35. Permit required. exemption.

Sec. 32-36. General provisions.

Sees. 32-37-32-50. Reserved.

Sec. 32-35. Permit required, exemption.

It shall be unlawful to conduct any charitable solicitations campaign in any public place or by house to house canvass in the city unless the person conducting same and responsible therefore shall first have obtained a permit in compliance with the terms of this chapter; provided, however, that the provisions hereof shall not apply to any solicitor that has an income tax exemption from the Internal Revenue Service for charitable, religious or educational purposes, when it solicits from its own members or from its own assemblies not using public places for such purposes.

(Ord. No. 006-03, § 1(32-14), 1-24-06)

Sec. 32-36. General provisions.

No person shall conduct or share in the proceeds of any charitable solicitations campaign unless he shall conform to the following requirements:

- (1) He shall, and shall for not less than thirty (30) days prior to his application hereunder, have been actually engaged during such period in charitable, religious, political or educational activity commensurate with the stated purpose of the current charitable solicitations campaign.
- (2) A permit received pursuant to this chapter shall be personal to the person so registered, and shall not be assigned or transferred. The recipient of a permit hereunder shall be responsible for the acts of his authorized representatives in connection with such campaign.
- (3) All persons engaged in a charitable solicitations campaign shall have the permit received pursuant to this article on their person at all times while soliciting.
- (4) All forms and permits issued under this division shall be public records.

(Ord. No. 006-03, § 1(32-15), 1-24-06)

Sees. 32-37-32-50. Reserved.

Aurora, Illinois, Code of Ordinances» -CODE OF ORDINANCES »Chapter 32 - PEDDLERS AND SOLICITORS» ARTICLE IV.PENALTIES>>

ARTICLE IV. PENALTIES

Sec. 32-51. Ticket and hearing fines.

Sec. 32-51. Ticket and hearing fines.

- (a) Upon violation of any of the provisions of this chapter, a ticket may be written charging the violation and reciting the following penalties, and the offender may request a hearing be held before the administrative hearing officer for the city, who shall apply the following penalties:
- (1) A first offense shall be punishable by a fine not to exceed one hundred fifty dollars (\$150.00).
 - (2) A second offense shall be punishable by a fine not to exceed five hundred dollars (\$500.00).
 - (3) A third offense shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00).
 - (4) In addition to the monetary penalties above listed, upon a second or subsequent violation, the violator may be banned from peddling and soliciting, or otherwise doing business in the city for up to one (1) year.
 - (5) In addition to the monetary penalties above listed, and upon violation of sections 32-5 or 32-7, the violator may be prosecuted for violation of various trespass offenses under applicable law.
- (b) Any business, mercantile or commercial establishment whose written materials regardless of content are in violation of this chapter shall be prima facie responsible for such violation and subject to the penalties expressed above.
- (c) Any person so charged may not conduct business in the city until the administrative hearing process is concluded.

(Ord. No. 006-03 § 1(32-16), 1-24-06; Ord. No. 007-62, § 1(32-16) 5-22-07; Ord No 012-018, § 2 3-13-12)