

**COUNCIL OF VILLAGE OF FORT LORAMIE, OHIO**

**ORDINANCE NO. 2015-1095**

**AN ORDINANCE REGULATING CERTAIN DOOR TO DOOR SOLICITATION  
ACTIVITIES IN THE VILLAGE AND REQUIRING A PERMIT FOR SUCH  
ACTIVITIES WITHIN THE VILLAGE OF FORT LORAMIE, OHIO**

**WHEREAS**, door to door solicitation activities have been taking place within the Village in recent years; and

**WHEREAS**, to provide for the safety and welfare of the citizens within the Village, it is of the opinion of this Council, there is a need to adopt rules regulating certain door to door solicitation activities and requiring a permit for the same; and

**WHEREAS**, it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Revised Code Section 121.22;

**BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF FORT LORAMIE, SHELBY COUNTY, OHIO, TWO-THIRDS (2/3) OF THE MEMBERS ELECTED THERETO CONCURRING, THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:**

**A. DOOR TO DOOR AND PUBLIC PROPERTY SOLICITATION PROHIBITED  
WITHOUT A PERMIT; EXCEPTIONS**

1. No person shall solicit anyone on public property within the Village or call at any residence within the Village without the invitation or previous consent of the owner or occupant to attempt to sell goods or services of any kind, solicit orders or subscriptions for the purchase of goods or services of any kind, or solicit contributions of cash or any other property for any purpose or reason without first having obtained a Solicitation Permit from the Village.
2. In this Ordinance "Public Property" includes all Village buildings, roads, parks, parking lots, rights-of-way or other areas open to the public or to residents of the Village.

**B. THIS SECTION AND PROHIBITION SHALL NOT APPLY TO ANY OF THE  
FOLLOWING PERSONS:**

1. Students enrolled in any school in the Fort Loramie Local School District who are soliciting contributions, sales or orders for the benefit of their school or for any school-related activity or purpose; and
2. Persons seeking contributions or soliciting in any other manner for bonafide local community organizations such as the Fort Loramie Booster Club, GYM Committee, Fort Loramie Area Chamber of Commerce, Fort Loramie Boy Scouts, Fort Loramie Girl Scouts, Fort Loramie Service Organization, Fort Loramie Youth Softball and Baseball Organization Fort Loramie Liberty Days Committee, Fort Loramie Fire Department, Fort Loramie Rescue Squad and other local community service organizations; and
3. Persons seeking contributions by or on behalf of organizations which have been accorded exempt status under Section 501(C)(3) of the United States Internal Revenue Code; and
4. Persons who are providing information, literature or other communication regarding political issues, political candidates or any religious institution or

religion.

### C. PERMIT APPLICATION PROCESS

1. APPLICATION – Applications for Solicitation Permits shall be made on a form provided by the Village. The Application is available by download from the Village website or at the Village Administrative Office. The form must be submitted by mail or in person to the Village Administrator at The Village of Fort Loramie, P.O. Box 10, 14 Elm St., Fort Loramie, Ohio 45845. The application should be submitted ten (10) days in advance of the intended solicitation and Village action on the application will be returned by the Administrator to the applicant by regular U. S. Mail. The Applicant can request that the permit be returned by fax or email. Each application shall contain the name, address and phone number of the person submitting the application, a copy of a valid picture identification for the applicant, and the name, address and telephone number of the organization or employer for which he or she purports to act, if any, the nature of the goods or services for which he or she will attempt to make sales, take orders, offer for sale, or solicit subscriptions, the dates which the applicant expects to be making solicitations within the Village, and such other information as the Village Administrator may reasonably require. No permit will be valid for more than thirty (30) days after it is issued.
2. BACKGROUND CHECK. The applicant authorizes a criminal background check upon himself or herself by the Village by making application for a permit and if the check reveals that the applicant or permit holder has been convicted of a crime or if a misrepresentation is made on an application for a permit, the application may be denied by the Village Administrator.
3. GROUP APPLICATIONS. An organization which desires to place a number of persons in the Village simultaneously or over a period of time may make a group application to cover all of such persons, provided the information required in any application is submitted for each person. Separate Solicitation Permits shall be issued to each such person.
4. FEE SCHEDULE. Said license shall be issued to all applicants who comply with this ordinance upon payment of fee for said license in the amount of \$100.00. This \$100.00 fee shall be good for a maximum of 5 consecutive days, excluding Saturdays and Sundays. After the 5 day period, a new license must be applied for under the same terms and conditions as the original license. The applicant shall also pay the cost of the background check.

### D. TIME LIMIT ON SOLICITATION

No person shall engage in solicitation of any kind within the Village except between the hours of 9:00 a.m. to 5:00 p.m. on weekdays. No business shall be conducted on Saturday or Sunday.

### E. DISPLAY OF PERMIT.

Any person soliciting within the Village pursuant to a permit issued under this Ordinance shall display the permit upon request to the owner or occupant of any property within the Village and to any Village official upon request.

### F. APPEAL.

Any person who has had a Solicitation Permit revoked or for whom the Village Administrator has refused to issue a Solicitation Permit upon application may appeal the decision in writing to the Mayor of the Village within five (5) days following the revocation or disapproval setting forth the reasons such action should not have been taken. The Mayor will notify such appellant within seven (7) days after the date of receipt of the written appeal of his decision.

### G. PENALTIES




Whoever violates of this Ordinance is guilty of a minor misdemeanor for the first offense and a misdemeanor of the fourth degree for any subsequent offense occurring within a twelve (12) month period.


Passed this 8<sup>th</sup> day of June, 2015.

  
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President of Council

APPROVED:

  
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Mayor, Village of Fort Loramie

ATTESTED:

  
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Clerk, Village of Fort Loramie