

City of Sylvania Peddler/Solicitor License Application

Non-refundable fees totaling \$100 must be submitted for each person applying for a permit, in advance.

This fee includes a \$50 peddler/solicitor fee and a \$50 Bureau of Criminal Investigation (BCI) background check fee.

Each applicant must appear in person with a valid ID, as fingerprints will be scanned live for the BCI check. Minor applicants must have a parent or guardian present to sign BCI background check in front of our witness. If a previously approved solicitor seeks renewal of a permit, the application process will start over. Individuals or corporations peddling/soliciting on behalf of an educational, religious, civic or charitable organization shall not be required to pay the license fees and must be approved in advance, by the Chief of Police.

The following information must be provided for each person soliciting on behalf of the business and is subject to approval. The applicant must not peddle/solicit until approved by the Chief of Police.

Name of Applicant: _____ Applicant Date of Birth: _____

Applicant local address, if any: _____

Permanent home address: _____ Appl. Phone number: _____

Business Name: _____ Business Phone: _____

Business Address: _____

Business Phone: _____ Business Contact email: _____

Description of the nature of the business and the merchandise/services to be sold: _____

Criminal History: Have you ever been convicted of a crime? _____ If yes, please give complete details such as: location, date, offense, charge(s) filed, outcome of charge(s) against you; give complete details: _____

Upon approval, I will receive a copy of the Codified Ordinance of the City of Sylvania, Ohio, Chapter 735 that details soliciting within the City limits. I understand that I am required to abide by the provisions thereof & to carry a copy of my approved permit when soliciting in the city limits.

Applicant Signature: _____ Date: _____

.....
PERMIT INFORMATION: (for office use only)

\$50 BCI fee rcvd: Y / N

\$50 permit fee rcvd: Y / N (Chief's office: _____ permit fee waived) Receipt #: _____

_____ Date of Approval: _____ OR Denied _____

Danilynn Miller, Chief of Police

The above applicant is hereby granted this license to peddle/solicit within the City of Sylvania, Ohio pursuant to the provisions of SMC, Chapter 735.

This license is good for a maximum of 180 days, valid _____ through _____.

Sylvania Police Division, 6635 Maplewood, Sylvania, Ohio 43560

Records: 419-885-8902 / Fax: 419-885-8914 / e-mail: records@sylvaniapolice.com

Hours to accept applications and to complete BCI checks: M – F 8 a.m. to 7 p.m.

For Dept. Use Only

Badge No. _____

Request for a Background Check via Electronic Fingerprinting

☐ BCI

☐ FBI

☐ BCI & FBI

Personal Information (please print)

Type of Photo ID & ID # _____

Name _____

DOB _____

Address _____

SSN _____

City/State/Zip _____

Email _____ Phone # _____

Complete this portion only if an FBI background check is needed:

Sex _____ Race _____ Height _____ Weight _____ Eyes _____ Hair _____

Reason for Background Check _____

BCI Reason Code _____ **FBI Reason Code** _____

Mail results to: Company Name _____

Attn Name _____ Phone Number _____

Address _____ City/State/Zip _____

Direct Copy to (circle only one):

Ohio Dept. of Public Safety

BMV Dealer License

Ohio State Racing Commission

OH Veterinary Medical Licensing Bd

Ohio Pharmacy Board

Ohio Dept. of Education

Ohio Dept. of Liquor Control

BMV Deputy Registrar

Ohio Dept. of Insurance

OPOTA

Social Work Board

Ohio Board of Nursing

State Speech and Hearing Professionals Bd

Child Care Ctr-Type A-ODJFS

Lottery Commission

Ohio Construction Board

State Vision Professionals Board

I certify that the personal identifiers provided on this form are accurate and I voluntarily and knowingly authorize the Ohio Bureau of Criminal Investigation and/or the Federal Bureau of Investigation to conduct a criminal records check for the information relating to me. I also voluntarily and knowingly authorize BCI to disseminate criminal conviction and juvenile delinquency adjudication records to _____. I voluntarily and knowingly release and discharge the Ohio Attorney General's Office, BCI, the FBI and their employees from all claims and liability related to this authorized criminal record review and dissemination.

Applicant's Name (please print) _____

Witness Name (please print) _____

Applicant's Signature _____

Date _____

Witness Signature _____

Parent/Guardian Name _____

Parent/Guardian Signature (Minor Applicants Only) _____

By signing this form the applicant acknowledges that all information on this form is accurate. Any mistakes or errors on this form are the responsibility of the applicant.

CHAPTER 735

Canvassers and Solicitors

735.01 Definitions.

735.02 Sales on public property prohibited.

735.03 Sales on private property; license; registration.

735.04 Organizational liability.

735.05 Display of license card.

735.99 Penalty.

CROSS REFERENCES

Power to regulate - see Ohio R.C. 715.61 et seq.

Home solicitation sales - see Ohio R.C. 1345.21 et seq.

Charitable solicitations - see Ohio R.C. Ch. 1716

Revocation of peddler's or itinerant vendor's license - see Ohio R.C. 2961.03

Frozen desserts - see Ohio R.C. 3717.51 et seq.

Door-to-door solicitation of minors restricted - see Ohio R.C. 4109.21

Trespassing - see GEN. OFF. 541.05

735.01 DEFINITIONS.

(a) "Peddler" means any person who travels door to door either by foot, automobile, truck, or other type of conveyance and calls upon private residences, including any house, apartment or other dwelling within the City, taking or attempting to take orders for profit for the sale of goods, wares, and merchandise or personal property of any nature whatsoever for immediate or future delivery or for services to be furnished or performed immediately or in the future.

(b) "Solicitor" means any person who seeks to obtain funds for any cause whatsoever by traveling door to door either by foot, automobile, truck or any type of conveyance and calling upon private residences including any house, apartment or other dwelling within the City.

(c) "Canvasser" means any person who obtains or influences the opinions of the residents of the City by traveling door to door either by foot, automobile, truck or other type of conveyance and calling upon private residences including any house, apartment, or other dwelling in the City, but does not seek to obtain funds for any cause whatsoever.

(Ord. 104-2002. Passed 11-4-02.)

735.02 SALES ON PUBLIC PROPERTY PROHIBITED.

No person shall on any public street, alley, drive, lane, thoroughfare, right-of-way, court, highway, boulevard or on the sidewalks thereof, solicit the sale of any merchandise, wares, goods, foods, periodicals or other articles of value for present or future delivery.

(Ord. 104-2002. Passed 11-4-02.)

735.03 SALES ON PRIVATE PROPERTY; LICENSE; REGISTRATION.

(a) License or Registration Required. No peddler or solicitor shall peddle or solicit within the City, unless he or she is the holder of a valid license issued pursuant to this chapter.

(b) Application; Fee; License; Registration.

(1) Any person seeking a license in conformity with this chapter shall obtain an application for same from the Chief of Police and shall submit the completed application, along with the appropriate fee, to such office, on a form supplied by the Chief which shall contain the following information:

- A. Full name of the applicant;
- B. Date of birth of the applicant;
- C. Local address, if any;
- D. Permanent home address;

- E. A physical description of the applicant, setting forth age, height, weight, color of hair and eyes, and sex;
- F. Social security number;
- G. A description of the nature of the business and the goods, wares, merchandise, property and/or services to be sold;
- H. Telephone number of the applicant;
- I. Name and address of organization the peddler or solicitor represents;
- J. Whether the applicant has ever been convicted of a crime and, if so, where and the nature of the offense and the punishment or penalty imposed therefor, if any;
- K. Such other information as the Chief may require in order to protect the public health, safety and/or general welfare.

(2) All license applications shall be referred to the Chief who shall, within five (5) days after receipt of the completed application, issue a license unless he finds that:

- A. The applicant has provided false, misleading or deceptive information in his application; and/or
- B. The applicant or any solicitor or peddler named on the license application has been convicted of a felony violation or misdemeanor violation involving weapons, theft, moral turpitude or violence within the past five (5) years.

All licenses issued under this chapter shall be valid for not more than one hundred eighty (180) days. A separate license shall be required for each individual solicitor or peddler even though there may be a single employer. (Ord. 104-2002. Passed 11-4-02.)

~~(3) Each applicant shall pay a nonrefundable license application fee of twenty-five dollars (\$25.00), which fee shall be paid at the time the application is submitted. An additional nonrefundable fee of forty dollars (\$40.00) is required per applicant for criminal background assessments, unless applicant provides criminal background assessments dated within thirty (30) days of the date of application.~~

~~(Ord. 99-2023. Passed 12-8-23.)~~ (Ord. 24-2024. Passed 4/1/24)

(4) Once issued, a license may be used only in conformity with the laws of the City and the State of Ohio; may not be assigned or transferred; must be carried by the licensee at all times; and may be revoked or suspended by the Chief of Police for any of the following causes:

- A. The licensee or person preparing the application on behalf of the licensee provided false, misleading or deceptive information in the license application;
- B. The licensee is convicted of a felony or of a misdemeanor involving fraud or moral turpitude; or
- C. The licensee violates any provision of this chapter or peddles or solicits in an unlawful manner.
- D. Upon written complaint being filed within the Police Department, that the licensee has made himself obnoxious to the public by the use of indecent, profane or insulting language or has made or perpetrated any misstatement, deception or fraud in connection with the solicitation or sale, and if said complaint is found to be true, the license of such solicitor or peddler shall be revoked.

(5) This section shall not apply if the Chief of Police should determine that a license is unnecessary.

(c) Individuals or corporations soliciting or peddling on behalf of an educational, religious, civic or charitable organization shall not be required to pay license fees.

(d) Restrictions; Hours; Conduct. Every person to whom a license to peddle or solicit is issued and every canvasser shall be governed by the following rules and regulations:

- (1) No person subject to the provisions of this chapter shall peddle, solicit or canvass except between the hours of 9:00 a.m. and 8:00 p.m. or one-half hour after sunset whichever is later.
- (2) No peddler, solicitor or canvasser shall enter or attempt to enter a residence, house, apartment or other dwelling in the City without an express invitation from an adult occupant of the residence, house, apartment or other dwelling.
- (3) No peddler or solicitor shall engage in any peddling or solicitation other than that specified in the license application.
- (4) No peddler, solicitor or canvasser shall by any device make unlawful noises, nor shall any peddler, solicitor or canvasser remain at the residence, house, apartment or other dwelling in the City without the consent of any adult occupant of the residence, house, apartment or other dwelling in the City.

- (e) Resident Prohibition by Notice. Notwithstanding any other provision of this chapter, no peddler, solicitor or canvasser, while peddling, soliciting or canvassing, shall call upon, knock at the door or ring the door bell of any residence, house, apartment or other dwelling in the City upon which there is posted at the entrance a notice which reads "No Peddlers, Solicitors or Canvassers Allowed", or words of similar import, which clearly prohibit peddlers, solicitors and canvassers on the premises, unless such peddler, solicitor or canvasser has previously been invited upon the premises by the owner, lessee or an adult occupant thereof.

(Ord. 104-2002. Passed 11-4-02.)

735.04 ORGANIZATIONAL LIABILITY.

The organization sponsoring or employing individuals violating any of the provisions of Chapter 735 may be prosecuted and held liable for the criminal penalties contained herein.

(Ord. 104-2002. Passed 11-4-02.)

735.05 DISPLAY OF LICENSE CARD.

Any peddler or solicitor shall, at all times while soliciting or peddling, display said license or registration card on the outside of their person in such a manner so as to be clearly visible to residents. Upon request by any resident, police officer or City official, a solicitor or peddler shall present said license or registration card for further inspection.

(Ord. 104-2002. Passed 11-4-02.)

735.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor and, in addition, may have his license revoked by the Mayor or the Chief of Police.

(Ord. 104-2002. Passed 11-4-02.)

ORDINANCE NO. 24 -2024

AMENDING PART SEVEN – BUSINESS REGULATION CODE OF THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service has recommended that Part Seven – Business Regulation Code be amended as set forth on the attached; and,

WHEREAS, the Committee of the Whole met on February 20, 2024 to review the proposed fee amendments and thereafter recommended that the proposed amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, 11 members elected thereto concurring:

SECTION 1. That Section 711.02 – Deposit Required of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit A” effective April 2, 2024.

SECTION 2. That Section 735.03 – Sales on Private Property; License; Registration of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit B” effective April 2, 2024.

SECTION 3. That Section 743.04 – Issuance of License of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit C” effective April 2, 2024.

SECTION 4. That Section 755.05 – False Alarms; Fees; Exceptions of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit D” effective April 2, 2024.


SECTION 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 Section 121.22 of the Ohio Revised Code.

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendment to these Sections should be provided for immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by this Charter.


Vote on passage as an emergency: Yeas 6 Nays 0

Passed, April 1, 2024, as an emergency measure.




President of Council

ATTEST:



Clerk of Council

APPROVED AS TO FORM:



Director of Law

APPROVED:




Mayor
April 1, 2024

Date

PROOF OF PUBLICATION BY POSTING

I hereby certify that the within, foregoing, above or attached, as the case may be, was published by posting a copy thereof in the office of this Clerk of Council of the City of Sylvania, Ohio, in the Sylvania Municipal Building for a period of not less than 15 days to wit:

FROM 4/2/24 TO 4/18/24
 Januabigeh 4/18/24
CLERK OF COUNCIL DATE

735.03 SALES ON PRIVATE PROPERTY; LICENSE; REGISTRATION.

* * *

(3) Each applicant shall pay a nonrefundable license application fee of Fifty Dollars (\$50.00), which fee shall be paid at the time the application is submitted. An additional nonrefundable fee of Fifty Dollars (\$50.00) is required per applicant for criminal background assessments. (Ord. 24 -2024, Passed 4-1 -2024.)

* * *

“Exhibit B”

735.03 SALES ON PRIVATE PROPERTY; LICENSE; REGISTRATION.

* * *

(3) Each applicant shall pay a nonrefundable license application fee of Fifty Dollars (\$50.00), which fee shall be paid at the time the application is submitted. An additional nonrefundable fee of Fifty Dollars (\$50.00) is required per applicant for criminal background assessments. (Ord. 24 -2024. Passed 4-1 -2024.)

* * *

“Exhibit B”

CITY OF SYLVANIA

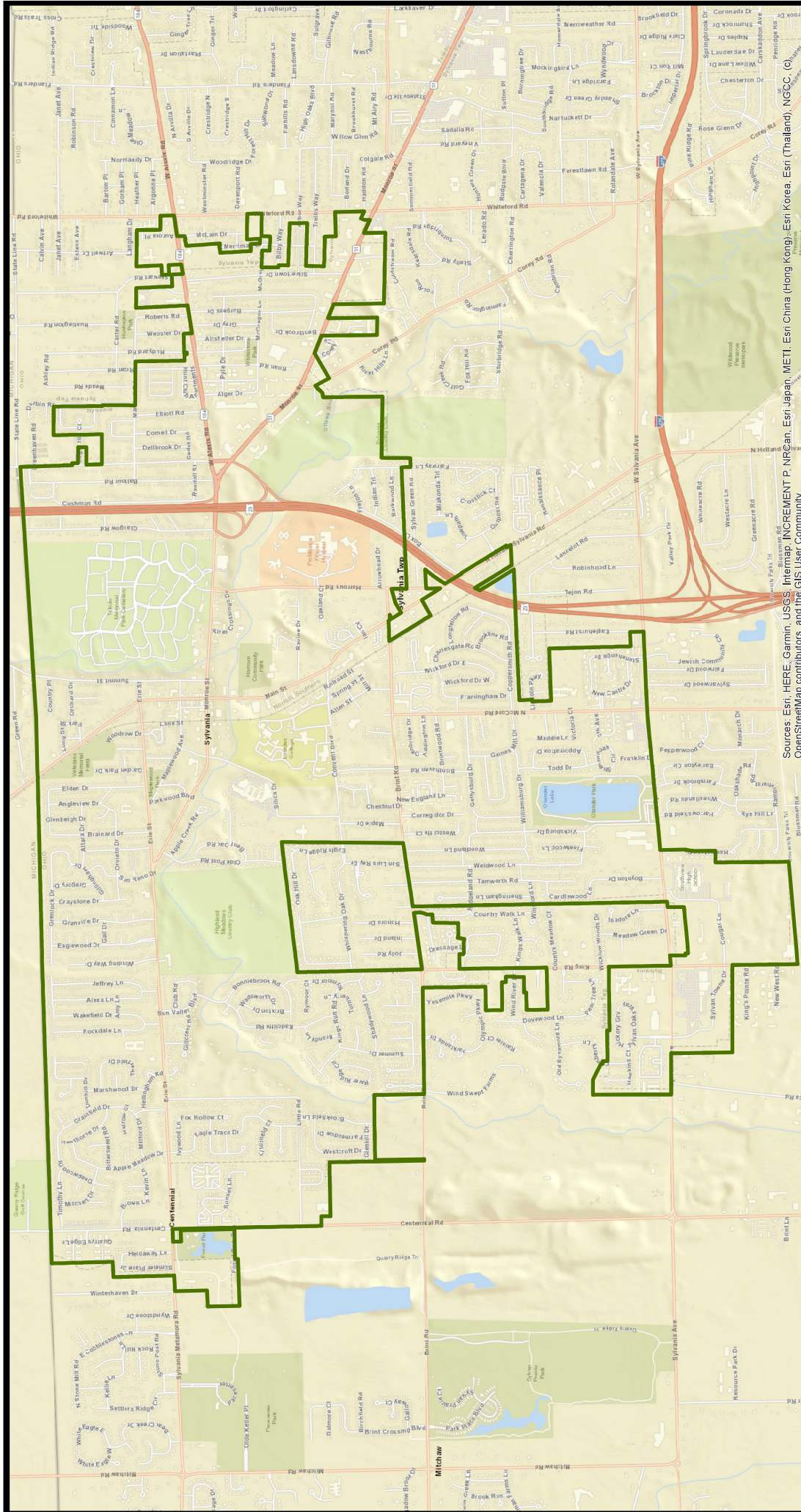
NOTICE to Peddlers/ Solicitors/ Canvassers

It is a violation of Sylvania Municipal Code 735.03 (e) to peddle, solicit or canvass at any residence, house, apartment, business, or other dwelling in the city upon which there is posted a notice indication – no peddlers, solicitors, canvassing or similar import.

The notice below is provided to city residents and businesses. Do not approach any residence, house, apartment, business or other dwelling that has this or any other notice posted which indicated the property resident does not want peddlers, solicitors, or canvassers.

Violation of this or any other provision of Chapter 735 will result in the revocation of your permit and/or criminal charges filed.





Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

DEPARTMENT OF PUBLIC SERVICE

CITY OF SYLVANIA BOUNDARY MAP

