

Chapter 250

SOLICITORS AND CANVASSERS

[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron 11-12-1984 by Ord. No. 84-11-12; amended in its entirety 12-9-2002 by Ord. No. 02-09-12A (Title 2, Ch. 2, Art. 1, of the 1993 Code). Subsequent amendments noted where applicable.]

§ 250-1. Registration required. ¹

It shall be unlawful for any person to engage in business as a canvasser or solicitor, calling at residences and/or businesses without the previous consent of the occupant for the purpose of soliciting orders, sales, subscriptions or business of any kind, or seeking information or donations, without first having registered with the office of the Village Clerk. The registrant shall give his or her complete identification, including name, address, date of birth, phone number and any other information required by the Village, his or her signature, the name of his or her employer, the address and phone number of his or her employer, the nature of the product or services in which they are interested, the names of the manufacturers of such products or of the organization which they are representing, and the proposed method of operation in the Village.

§ 250-2. Definitions. ²

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

REGISTERED SOLICITOR — Any person who has obtained a valid certificate of registration as hereinafter provided, and which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

SOLICITING — Any one of more of the following activities:

- A. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatsoever, for any kind of consideration whatsoever; or
- B. Seeking to obtain prospective customers for application, consideration or appointment of any type, kind or character; or
- C. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

². Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

- D. Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization, corporation or project.

§ 250-3. Fee.³

Each registrant shall pay to the City Clerk a registration fee as set by the Board of Trustees from time to time for the period expiring one year after the date of said registration. Any organization which is exempt from taxation under the Internal Revenue Law of the United States as a bona fide fraternal, charitable, benevolent or nonprofit organization shall be excepted from the payment of the registration fee.

§ 250-4. Certificate.

- A. Each applicant who shows evidence of good character and who pays the fee provided for herein, or who has been exempted from the payment of said fee, shall be furnished a certificate indicating that he or she has registered and showing the dates covered by such registration after the Village Clerk has had opportunity to investigate all information furnished to said Clerk by the applicant, said period of investigation not to exceed 14 days.
- B. Each registrant shall notify the Village Clerk before making any solicitations in the Village and shall, at all times while soliciting or canvassing in the Village, carry upon his or her person the registration certificate, and said certificate shall be exhibited by such registrant whenever he or she is required to do so by any law enforcement officer or by any person solicited.

§ 250-5. Exceptions.

The provisions of this chapter shall not apply to officers or employees of the Village, county, state or federal government, or any subdivision thereof, when on official business.

§ 250-6. Revocation.

Any such registration may be revoked by the President of the Board of Trustees or law enforcement department because of any violation by the registrant of this chapter, or of any other ordinance of the Village, or of any state or federal law, or whenever the registrant shall cease to possess the qualifications and character required in this chapter for the original registration.

§ 250-7. Violations and penalties.⁴

Violations of this chapter shall be punishable by a fine of not less than \$25 nor more than \$750.

³. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

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