

VILLAGE OF VOLO

ORDINANCE NO. O-21-24

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 5 OF THE VILLAGE CODE
RELATING TO SOLICITING**

Published in Pamphlet Form: December 7, 2021

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RELATING TO SOLICITING**

WHEREAS, the Village of Volo (“*Village*”) is an Illinois municipality and is a home rule unit pursuant to Article VII, Section 6 of the Constitution of the State of Illinois (1970); and

WHEREAS, the Village recognizes that door-to-door solicitation activities may be a nuisance and may present dangers to residents and property owners by criminals posing as solicitors; and

WHEREAS, the Village regulates solicitation activities pursuant to Title 4, Chapter 5 of the Village Code (the “*Solicitation Regulations*”); and

WHEREAS, in order to clarify the Solicitation Regulations, the President and Board of Trustees have found and determined that the adoption of the amendments set forth in this Ordinance are in the best interest of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Volo, Lake County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as the findings of the President and Board of Trustees.

Section 2: Amendment to Title 4, Chapter 5. Chapter 5, entitled “Peddlers, Solicitors, and Transient Merchants,” of Title 4, entitled “Business and License Regulations,” of the Village Code is hereby amended in its entirety to read as follows:

CHAPTER 5 – SOLICITORS

4-5-1 - Definitions.

For the purposes of this chapter, the following words, as used herein, shall have the following definitions:

Person: Any individual, organization, group, association, partnership, joint venture, corporation, trust, or any combination of the foregoing.

Premises: Any occupied building or structure, or any separate dwelling unit contained within any occupied building or structure, of any type within the Village.

Public Way: Any sidewalk, street, alley, highway, or other thoroughfare held or maintained for the use of the general public.

Roadway: That portion of a public way improved, designed, or ordinarily used for vehicular travel, exclusive of any curb, shoulder, or designated pedestrian crosswalk.

Solicit or Soliciting: The act of engaging in solicitation.

Solicitation: The act of selling, offering for sale, or selling and delivering any goods or services, or the seeking of any gift or contribution, while going from place to place on private property without invitation of the property's owner or while occupying or standing or moving within a public way.

Solicitor: A person who engages in solicitation.

4-5-2 - Regulations applicable to all solicitation.

- A. "No Solicitation" Notices. No person shall solicit at or in any premises that has posted on or near its principal entrance a sign bearing the words "No Trespassing," "No Peddlers," "No Solicitors," or any other similar notice indicating in any manner that the occupants of such premises desire not to be solicited or to have their right to privacy disturbed, unless the occupants have specifically requested such solicitation. No person shall go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as defined in this chapter, in defiance of the notice exhibited at the residence.
- B. Discontinuance on Request. No solicitor shall solicit any person or premises at any time after any such person or the occupant of such premises requests that the solicitor leave the premises or otherwise cease soliciting. Any solicitor who fails to comply with a request to leave the premises or cease soliciting shall be in violation of this Chapter in addition to other violations of the Illinois Criminal Code.
- C. Principal Approach and Entrance Only. Every solicitor shall approach a premises only by using the principal approach route thereto, and no solicitor shall attempt to make contact with the occupants thereof except at the principal entrance to such premises.
- D. Hours when Solicitation Prohibited. No person shall solicit anywhere in the Village at any time between nine p.m. and nine a.m. on any premises used primarily as a residence.

- E. No Excessive Noise or Vibration. No person shall cause any noise or vibration that substantially annoys, injures, or endangers the comfort, health, repose, or safety of the public or occupants of any premises while soliciting or otherwise.
- F. Obstructions and Impeding Traffic Prohibited. No person, while soliciting or otherwise, shall have the exclusive right to any public way, nor the right to establish a permanent stationary location thereon. It is unlawful for any person to:
 - 1. Cause, create, or maintain any obstruction of any public way that impedes the flow of pedestrian or vehicular traffic in, on, or around any public way.
 - 2. Enter the roadway in the area of a vehicle in a manner that creates an immediate safety hazard.
- G. Fraud or Misrepresentation. No person shall perpetrate a fraud or misrepresentation of any kind while engaged in solicitation within the Village.
- H. Liability. Every solicitor engaged in solicitation within the Village and the business or organization represented by the solicitor, shall be liable for all injuries to any person or property that occurs during or as a result of the solicitation and that is causally related to an act of ordinary negligence of the solicitor or the business or organization the solicitor represents.

Section 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED THIS 7TH DAY OF DECEMBER, 2021

Ayes: (6) Wagner, Porter, Johnson, Heuser, Buttita, Northam

Nays: (0) _____

Absent and Not Voting: (0) _____

APPROVED THIS 7TH DAY OF DECEMBER, 2021



[Signature]
Village President

ATTEST:

[Signature]
Village Clerk

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