

CITY OF VILLA GROVE  
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2018-MC06

**AN ORDINANCE AMENDING CHAPTER 113 "PEDDLERS AND SOLICITORS"  
OF THE MUNICIPAL CODE OF THE CITY OF VILLA GROVE  
REGARDING OPERATING HOURS AND PRICE OF LICENSES**

PASSED BY THE CITY COUNCIL AND  
APPROVED BY THE MAYOR OF THE  
CITY OF VILLA GROVE, ILLINOIS  
THIS TWENTY-THIRD DAY OF JULY 2018

---

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY OF  
VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, THIS TWENTY-FOURTH DAY OF JULY 2018.

CITY OF VILLA GROVE  
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2018-MC06

July 23, 2018

**AN ORDINANCE AMENDING CHAPTER 113 "PEDDLERS AND SOLICITORS"  
OF THE MUNICIPAL CODE OF THE CITY OF VILLA GROVE  
REGARDING OPERATING HOURS AND PRICE OF LICENSES**

---

**WHEREAS**, the City of Villa Grove, Douglas County, Illinois, is a municipality as contemplated under Article VII, Section 7 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of City's powers and functions as granted in the same; and

**WHEREAS**, the City allows for the sale of various articles and wares by peddlers and solicitors within the corporate limits; and

**WHEREAS**, those requirements are set forth in Chapter 113, Title XI of the Municipal Code of the City of Villa Grove; and

**WHEREAS**, sections of said Chapter have been enforce since their creation in 1977 and were in need of review and update by the City Council; and

**WHEREAS**, the Mayor and City Council of Villa Grove have determined that it is appropriate and in the best interest of Villa Grove that certain amendments be made to said ordinances.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:**

SECTION 1: That Section 113.02 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby repealed and amended to Chapter 113, Title XI, as follows:

**§ 113.02 LICENSE REQUIRED; EXCEPTIONS.**

- (A) It shall be unlawful for a transient merchant, itinerant merchant, itinerant vendor, peddler, canvasser or solicitor, as defined herein, to engage in the sale of any goods, wares, merchandise, or other article either on foot, with motor vehicle, or wagon, or from an enclosed stand, without having obtained from the City a license to do so.
  
- (B) No person shall solicit door-to-door in any residential area in the City without having first obtained a license. Such license, if issued, shall be valid from 9:00 a.m. until sunset, seven days per week, with no soliciting being allowed outside of those hours.
  
- (C) This chapter shall not be construed as applying to the following situations:
  - 1. Any persons who hold a garage sale as defined herein, if the duration of the sale is not more than three consecutive days and if no sale is held on more than 2 separate occasions in any calendar year on the same premises.
  - 2. Any person under the age of 13.
  - 3. Any person who is soliciting funds or making sales, the entire proceeds and profits for which are legally required to be transferred to an entity which is tax exempt under the Internal Revenue Code of the United States.
  - 4. Any person who is soliciting funds or making sales if the entire proceeds and

profits thereof are legally obligated to go to a political party within the meaning of the word political party as defined in the Illinois Election Code.

5. Any persons in the business of selling newspapers.

SECTION 2: That Section 113.03 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby repealed and amended to Chapter 113, Title XI, as follows:

**§ 113.03 APPLICATION FOR LICENSE; CONTENTS.**

- (A) Any persons wishing to obtain a license for the purpose of soliciting or peddling or a similar occupation shall make application to City Hall stating: the applicant's name, address, and descriptive physical personal information to ascertain identity; employment and commercial affiliations including corporate address and supervisor contact information, vehicle information including make, model, owner and license plate details; what articles, ware, merchandise, or business he/she desires to hawk, solicit or peddle; and for what length of time he/she wishes to conduct such activities. Valid photo identification must also be provided. Upon payment, if required, to the City offices of such fees required, the license shall be issued.
- (B) City staff shall furnish to each person obtaining a license to peddle on foot, from a wagon, motor vehicle, or cart, a peddler's permit number which shall be assigned to such license which shall be on their person to be shown if asked during peddling by foot or placed upon such wagon, motor vehicle or cart in such a manner as to be exposed to view. A new number shall be obtained for each municipal year, provided only one person shall sell under any

license and only one person shall be entitled to use one wagon, vehicle or cart.

SECTION 3: That Section 113.05 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby renamed and amended by the addition of paragraph (C) to Chapter 113, Title XI, as follows:

**§ 113.05 BOND REQUIRED; INSURANCE.**

- (C) Before any license, as provided in this chapter, shall be issued to any transient merchant, itinerant merchant, itinerant vendor, peddler, canvasser, or one of similar occupation, who shall provide such services on public or City-owned property, the applicant shall provide to City Hall proof of liability insurance for the operation of such business transactions during the time period such license would be effective. Said insurance certificate shall indicate the City of Villa Grove as the certificate holder as well as list the City of Villa Grove as additionally insured under the policy.

SECTION 4: That Section 113.07 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby repealed and amended to Chapter 113, Title XI, as follows:

**§ 113.07 DURATION OF PERMIT.**

Licenses issued under this chapter shall be for a period of one day, one week or one month. Licenses shall expire at the date noted on such license unless sooner suspended or revoked.

SECTION 5: That Section 113.08 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby repealed and amended to Chapter 113, Title XI, as follows:

**§ 113.08 LICENSE FEES.**

The fees charged for licenses shall be as follows:

- (A) For a license of one day, there shall be a license fee paid of \$10.00.
- (B) For a license of one week, there shall be a license fee paid of \$20.00.
- (C) For a license of one month, there shall be a license fee paid of \$40.00.

SECTION 6: That Section 113.09 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby repealed and amended to Chapter 113, Title XI, as follows:

**§ 113.09 POLICE ENFORCEMENT.**

Copies of all peddling/solicitors applications and license documentation shall be provided to the police department personnel at their request. The license of any such transient merchant, itinerant merchant, itinerant vendor, peddler, canvasser, or one of similar occupation, can be suspended or revoked by a City of Villa Grove police commissioner, chief or officer at any time for due cause.

SECTION 7: That Section 113.10 of Chapter 113, Title XI **Business Regulations**, of the Municipal Code of the City of Villa Grove is hereby repealed and amended to Chapter 113, Title XI, as follows:

**§ 113.10 UNINVITED SOLICITING UPON PRIVATE PREMISES PROHIBITED; NUISANCE.**

Any transient merchant, itinerant merchant, itinerant vendor, peddler, canvasser, or one of similar occupation, shall be declared to be a public nuisance and in addition to any other such penalties imposed herein, shall be punished by a fine in the following situations:

- (A) It shall be unlawful for any peddler to enter any private residence in the City after the owner or occupant thereof has requested the person to leave.

- (B) It shall be unlawful for any peddler to enter upon a private property when the owner or occupant thereof has displayed a “No Solicitors Invited” sign on the premises.
- (C) It shall be unlawful for any peddler, when the owner or occupant has displayed an “Only Solicitors Licensed In the City of Villa Grove” sign on the premises, to be unable or unwilling to exhibit his/her license for inspection by the owner or occupant.

SECTION 8: There is hereby created an “Application for Solicitation License” for use by transient merchants, itinerant merchants, itinerant vendors, peddlers, canvassers, or ones of similar occupations, attached hereto as Exhibit A.

SECTION 9: There is hereby created a “License for Solicitation Within the City of Villa Grove” for issuance to approved peddlers, attached hereto as Exhibit B.

SECTION 10: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 11: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 12: That all ordinances, resolutions and order, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

SECTION 13: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law, and shall be published in pamphlet form pursuant to law.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its regular meeting on this twenty-third day of July, A.D., 2018, by a roll call vote as follows:

Allen, Bruce D.   yca  

Griffith, Darrel M.   present  

Blaney, Thelma I.   yca  

Leon, Michael S.   yca  

Cheely, Jennifer J.   yca  

Stipp, Robert L.   no  

Eversole-Gunter, Cassandra A. \_\_\_\_\_

APPROVED:



\_\_\_\_\_  
CASSANDRA A. EVERSOLE-GUNTER  
Mayor

ATTEST:



\_\_\_\_\_  
MICHELLE L. OSBORNE  
City Clerk

SEAL







**APPLICATION FOR SOLICITATION LICENSE**

For business conducted by transient merchants, itinerant merchants, itinerant vendors, peddlers, canvassers, or ones of similar occupations as defined in Chapter 113, Title XI of the Municipal Code

Applicant's Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Date of Birth \_\_\_\_\_

Sex \_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eye Color \_\_\_\_\_ Hair Color \_\_\_\_\_

**ATTACH COPY OF PHOTO IDENTIFICATION IF DRIVER'S LICENSE NOT PROVIDED AS BELOW**

Location of lodging \_\_\_\_\_

Employed By \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Supervisor's Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Dates of Solicitation Requested \_\_\_\_\_

Items or Description of Solicitation \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed Surety (Bond/Insurance) \_\_\_\_\_

Type of Vehicle Used \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_ Color \_\_\_\_\_

Vehicle Owner \_\_\_\_\_

Vehicle Plate Number \_\_\_\_\_ Registration Expiration Date \_\_\_\_\_

Driver's License Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

**ATTACH COPY TO AVOID DELAY IN PROCESSING OF APPLICATION**

License Number \_\_\_\_\_ Issued By \_\_\_\_\_

**EXHIBIT A**



**SELLING LICENSE FOR SOLICITATION**

*This license shall not be construed as an endorsement from the City of Villa Grove for any product, person or entity holding the license.*

LICENSE NUMBER \_\_\_\_\_

Amount Paid \_\_\_\_\_ Date Paid \_\_\_\_\_

The City of Villa Grove does hereby grant to \_\_\_\_\_,

Address \_\_\_\_\_,

for the purpose of selling \_\_\_\_\_

\_\_\_\_\_

on the dates of \_\_\_\_\_,

upon having paid to the City of this license the sum of \$ \_\_\_\_\_.

**Therefore, the holder of this license shall observe and obey all Ordinances of the City of Villa Grove which are or may be in force, regulating or relating to said license and shall be valid for the period stipulated, including §113.10 UNINVITED SOLICITING UPON PRIVATE PREMISES PROHIBITED; NUISANCE which states what specific activities are prohibited; if not obeyed or observed the License can be suspended or revoked at the option of the Villa Grove Police Department personnel and/or in any manner provided by Ordinance, or can subject you to fines under §113.99.**

In witness whereof, I hereto affix my signature in City of Villa Grove, Douglas County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THIS LICENSE IS VALID ONLY FROM 9:00 A.M. UNTIL SUNSET ON THE DAYS LISTED ABOVE. NO SOLICITING IS ALLOWED OUTSIDE OF THOSE HOURS AND DAYS.**

**EXHIBIT B**