

CITY OF MOUNT CARMEL SOLICITOR'S APPLICATION



631 N Market St.
Phone: 618-4822

Greetings from the City of Mount Carmel!

The Department of Code Enforcement welcomes your business into the Mount Carmel community. Our office would like to assist you in operating a successful business and complying with applicable laws and statutes.

This information packet will help you understand the process for obtaining a Solicitor's License.

The full application is attached, along with important contact information and relevant city codes.

Please contact the Department of Code Enforcement at 618-262-4822 for information and assistance in securing the license and the other permissions that may be necessary to operate in the City of Mount Carmel.

RELEASE,HOLD-HARMLESSANDINDEMNIFICATIONAGREEMENT

The undersigned, in consideration for the issuance of a license by the City of Mount Carmel, agrees to the following:

1. The undersigned, in exchange for the issuance of a license by the City of Mount Carmel agrees to release, hold harmless, and forever indemnify the City of Mount Carmel and any and all City employees, officers, and agents from any claim or claims which may arise out of any incident connected with or in any way related to his/her issuance of a license by the City of Mount Carmel or his/her operation of a business which was licensed by the City of Mount Carmel. This includes claims for personal injury, death, property damage, and/or any other type of harm or injury.
2. The undersigned shall, and hereby does, indemnify, defend, and hold harmless the City of Mount Carmel and any and all City employees, officers, and agents from and against any and all actions, costs, claims, suits, losses, expenses or damages, including but not limited to attorneys' fees and court costs, arising out of the undersigned's operation of a business which has been licensed by the City of Mount Carmel.
3. The undersigned understands this release binds him/herself, his/her spouse, and all heirs, executors, partners, co-owners and administrators of those individuals.

The undersigned acknowledges that he/she has read this release and understands all of its terms. The undersigned signs this release voluntarily and with full knowledge of its significance.

Name, Printed

Signature

Date Release Signed

Description of product or service to be sold and any equipment to be used

| | | |
|---|------------------------------|-----------------------------|
| | | |
| Planned hours of operation: | | |
| Place or places where you will conduct business permission from property owner | | |
| Have you had a similar license, either from the City, or a different municipality, revoked? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (If Yes) Provide details | | |

You are required to secure, attach, and submit the following:

| | |
|--------------------------|--|
| <input type="checkbox"/> | Proof of insurance: • Personal Injury: per occurrence • Property Damage: per occurrence |
| <input type="checkbox"/> | Release of liability wherein the Applicant agrees to indemnify and hold harmless the City for losses or expenses arising out of the operation of his/her business. |
| <input type="checkbox"/> | A copy of your business's registration |
| <input type="checkbox"/> | A copy of your Employer ID number |
| <input type="checkbox"/> | A colored copy of your Drivers License |
| <input type="checkbox"/> | Start Date: _____ End Date: _____ |

No certificate of registration or peddler's license shall be issued to any person who has been convicted of the commission of a felony under the laws of the state or any other state or federal law of the United States, within five years of the date of application; nor to any person whose certificate of registration or peddler's license issued hereunder has been previously revoked, as herein provided.

(e)

A peddler's license shall not be issued to any person or persons that have not been properly registered with the state department of revenue, as required by statute.

City of Mount Carmel Office Use Only

| | | | |
|----------------|--------------|----------------|--------------|
| Date Received: | Received By: | Date Approved: | Approved By: |
| | | | |

Prohibited Location and Times Agreement

All signatories to this Agreement are required to review this Agreement prior to signing this Agreement.

As a licensed Solicitor, I understand and agree that I cannot and will not conduct business in a manner that would violate any of the below-listed location restrictions:

- No solicitor shall locate in any parking lot, parking space, or parking facility owned, leased or managed by the City of Mount Carmel unless approval has been given by the City Clerk's office.
- No solicitor shall locate in a street, street median strip or alleyway
- No solicitor shall locate within a one block radius of a Special Event unless prior approval has been granted by either the operator of the Special Event or the City's Board of Public Works
- No solicitor shall be located in a manner which would significantly impede or prevent the use of any City of Mount Carmel property, or which would endanger the safety or property of the public
- No solicitor shall locate in a neighborhood or on property wherein a sign reading "No Solicitation", or something of a similar nature, has been duly erected and displayed
- It is hereby declared to be unlawful for any person, whether registered and licensed under this article, or not, to go upon any premises and ring the doorbell upon or near any door of the residence located thereon, or rap or knock upon any door, or to create any sound in any other manner calculated to attract the attention of the occupant thereof and engage in soliciting or peddling, as herein defined, prior to 8:00 a.m., or after 6:00 p.m., of any weekday, including Saturday, or at any time on a Sunday or a state or national holiday.

I, the undersigned, understand that if I conduct business in any of the above-described prohibited locations or manner that I subject myself to fines and possible revocation of my Solicitor License, as so described in Chapter 14 of the Mount Carmel Municipal Code.

Vendor:

Name: _____

Signature: _____

Date: _____



Chapter 14 Definitions.

For the purpose of this application the following words, as used herein, shall be construed to have the meaning herein set forth:

Peddling shall mean and include any activity in which goods, wares, merchandise, candy, confections, non-alcoholic drinks, ice cream, refreshments, or other pre-packaged food items are sold, whether in or out of a building, where there is no bona fide intent to establish a permanent business.

Registered solicitor or peddler shall mean and include any person or persons who have obtained a valid solicitor's certificate of registration or peddler's license, as hereinafter provided and which certificate of registration or license is in the possession of the solicitor or peddler while engaged in soliciting or peddling.

Residence shall mean and include every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

Soliciting shall mean and include any one or more of the following activities:

- (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs or services of any kind, character or description whatever, for any kind of consideration whatever; or
- (2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character unless said insurance company is properly licensed to do business in the State of Illinois; or
- (3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers or any other type or kind of publication; or
- (4) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for support or benefit of any charitable or non-profit organization, association, corporation or project, with the exception of those described in section 14-16(c).

Certificate of registration and peddler's license.

(a) Every person desiring to engage in solicitation from persons in residences, dwelling units, or business establishments within the corporate limits of the city is hereby required to make written application for certification of registration as herein provided.

(b) Every person or persons desiring to peddle any goods, wares, merchandise, candy, confections, non-alcoholic beverages, ice cream, refreshments, or other pre-packaged food items, to persons in residences, dwelling units, or business establishments are hereby required to make written application for a peddler's license, as hereinafter provided.

(c) The following persons, firms or corporations shall be exempted from the requirements of obtaining the certificate of registration or peddler's license as provided above:

- (1) Any person, firm or corporation having a permanent residence or office in the county.
- (2) Any person soliciting or peddling anything which such person has personally manufactured or produced, and who maintains a permanent residence in the county.
- (3) Any farmer, poultryman, or horticulturist soliciting or peddling his own produce. This exemption shall apply only to the county residents and shall not apply to farmers, poultrymen, or horticulturists who buy goods for resale, as well as selling their own produce grown or produced in the county.
- (4) Any county resident soliciting, peddling, or selling tickets for any approved religious, charitable, school, educational, veteran or character-building organization.
- (5) Fraternal or service organizations having established local chapter or centers.
- (6) The provisions of this article shall not apply to salesmen or agents for wholesale houses or firms who solicit orders from, or sell to, retail dealers for resale, or to manufacturers for manufacturing purposes, or to bidders for public works or supplies.
- (7) However, none of the foregoing exemptions shall relieve any person, firm or corporation from complying with any or all of the requirements of the [ILCS] with regard to retail occupational tax requirements.

I, the undersigned, understand and have read the above-described information and I subject myself to fines and possible revocation of my Solicitor License, as so described in Chapter 14 of the Mount Carmel Municipal Code.

Vendor:

Name: _____

Signature: _____

Date: _____



Standard of Conduct Agreement

Mount Carmel Municipal Code Chapter 14 Section 14-23 provides Standards of Conduct for all Solicitors. This Agreement provides a list of said Standards of Conduct and reasons to revoke Solicitor's or Peddler's License. All signatories to this Agreement are required to review this Agreement prior to signing this Agreement.

As a licensed Solicitor I understand and agree that I cannot and will not conduct business in a manner that would violate any of the Standards of Conduct noted below:

- (Fraud, misrepresentation, or any false statement made to the city clerk's office in furnishing the information required in filing application for registration or license.
- Conviction of licensee, or registrant, of any felony or crime involving moral turpitude.
- No solicitor shall conduct themselves in an unlawful manner or in such a manner as to constitute a breach of the peace.
- No solicitor shall expose any person to any undue safety or health hazards nor create a public nuisance.
- No person shall engage in abusive solicitation. Such abusive activity shall mean to do one or more of the following while soliciting or immediately thereafter:
 - Blocking or impeding the passage of the person solicited
 - Repeating the solicitation after the person solicited has indicated an objection to the solicitation.
 - Threatening the person solicited with physical harm by word or gesture
 - Abusing the person solicited with words which are offensive.
 - Touching the solicited person without the solicited person's consent.
- No solicitor shall approach any vehicle driving upon, stopped upon, or parked upon any public or private street or alley.
- No solicitor shall conduct his/her business from a street, alley, traffic island, or median.

I, the undersigned, understand that if I conduct business in violation of any the above described standards of conduct that I subject myself to fines and possible revocation of my Solicitor License, as so described in Chapter 14 of the Mount Carmel Municipal Code.

Vendor:

Name: _____

Signature: _____

Date: _____