

# *The City of East Cleveland*

## OFFICE OF THE MAYOR

### APPLICATION FOR TEMPORARY PEDDLER'S LICENSE

Chapter 729 East Cleveland Codified Ordinance

Date\_\_\_\_\_

This application for a temporary annual solicitors or peddler's license must be filled out completely and returned to the East Cleveland City Hall. This License expires on last date of event, not to exceed five (5) days. Valid identification required.

(Please print below)

Name of Applicant	_____
Name of Business	_____
Owner of Business	_____
Owner's Address	_____
Contact Telephone Number	_____
Type of Merchandise or Service	_____
Date(s) of operation	_____
Start and Ending time	_____
Location	_____
Type of event (Carnival, festival, ect..)	_____

Applicant's Signature	_____
Date	_____

**Approved:**

Chief of Police	_____
Date	_____

Mayor	_____
Date	_____

Tax Department: Registration number \_\_\_\_\_ Issue date: \_\_\_\_\_

Finance Department: Vendor Permit/License number \_\_\_\_\_ Issue date: \_\_\_\_\_

Original to: Finance Department  
xc: Police Department  
Mayor's Office

From the Codified Ordinances of the  
*City of East Cleveland Ohio*  
**CHAPTER 729**  
Solicitors, Peddlers and Canvassers

**729.01 SOLICITOR DEFINED**

“Solicitor” as used in this chapter, unless a different meaning clearly appears from the context, includes and means all persons, firms, associations or corporations, including those known as peddlers, canvassers, hawkers and junk dealers, who sell, barter, exchange or offer for sale, barter or exchange, for immediate or future delivery, any goods, wares, merchandise or other articles of personal property, or take, or attempt to take orders for the sale of goods, wares, merchandise or other articles of personal property, and all persons, firms, associations or corporations who canvass or solicit gifts, donations, subscriptions or pledges of cash or other articles of value.

**729.02 LICENSE REQUIRED; EXHIBITION AND SIGNATURE UPON DEMAND**

No person shall engage in the business of a solicitor within the City of East Cleveland without first having procured a license therefore from the Mayor. Each licensee shall have his license with him at all times while engaged in the business of soliciting in the City and shall exhibit it to any police officer or other City official upon demand. Each licensee shall, upon demand by any police officer or other City official. Each licensee shall, upon demand by any police officer or other City official, sign his/her name for comparison with the signature upon his license or license application.

**729.03 APPLICATIONS; INVESTIGATION; LICENSE ISSUANCE AND TERM**

Any person desiring to engage in the business of a solicitor shall make application in person for a license at the City Hall, upon a form provided by the Mayor. The Mayor, after a thorough investigation and upon being furnished with sufficient proof that such person is of good moral character and that there is no misrepresentation about, or fraud, flaw or imperfection in his application or in the article or purpose of his solicitation, shall, within a reasonable time, issue to such applicant a license for the remainder of the calendar year in which such license is issued.

**729.04 GENERAL Licenses FOR NONPROFIT ORGANIZATION; INDIVIDUAL AUTHORIZATION CARD**

The Mayor, is hereby given the option of issuing one license to cover all solicitors who, without compensation or remuneration, solicit only in behalf of and for any locally or publicly recognized religious, educational, civic or other charitable organization, instead of requiring an individual license for each solicitor. Where a general license is issued for one organization instead of an individual license for each solicitor, such organization may be required by the Mayor to issue to each such solicitor doing business in the City a written and uniform authorization and identification in such form as shall be satisfactory to the Mayor. Each such solicitor shall have such written authorization with him at all times while exercising the calling, and shall exhibit it to any police officer or City official upon demand.

## **729.05 LICENSE FEES; INSURANCE**

A solicitor or peddler shall pay to the City the fee hereinafter designated for a peddler or solicitor's license for each calendar year or fraction thereof:

- (a) Subject to the exceptions hereinafter specified any solicitor or peddler shall pay a fee of twenty-five dollars (\$25.00) if the solicitor or peddler engages in the activity of soliciting or peddling for a period of five (5) days or less during any portion or period of the year from January 1 to December 31.
- (b) Except as otherwise hereinafter qualified, any solicitor or peddler who engages in the activity of soliciting or peddling within the Municipal boundaries of the City for a period exceeding five (5) days or on a continuous, seasonal or annual basis, to avoid repeated payment of the fee as prescribed in subsection (a) hereof, shall pay a one-time annual solicitor or peddler's fee in the amount of one hundred fifty dollars (\$150.00).
- (c) An ice cream peddler or solicitor shall pay the annual fee of one hundred fifty dollars (\$150.00) plus twenty-five dollars (\$25.00) for each truck when the activity of soliciting or peddling is engaged in for any period and notwithstanding the provisions of subsections (a) and (b) hereof.
- (d) Any solicitor or peddler seeking a license under this section shall be required to submit an application for said license accompanied by a policy of public liability insurance indicating that the applicant is insured to the extent of fifty thousand dollars (\$50,000) for personal injury to one person, one hundred thousand dollars (\$100,000) for personal injury to more than one person, and property damage to the extent of at least five thousand dollars (\$5,000) for damage to one article of property and not less than ten thousand dollars (\$10,000) for damage to more than one article of property.
- (e) If such application is disapproved, the Mayor shall notify the applicant of such disapproval. One-half of the fees paid with the applicant shall be retained by the City to defray the costs of the inspection and the balance shall be returned to the applicant.
- (f) For purposes of this section, a "peddler" or "solicitor" shall have the meaning as defined in Section 729.01. (Ord. 70-94. Passed 6-21-94)

## **729.06 LICENSE REVOCATION**

The Mayor may at any time revoke the license of any person who fails or refuses to comply with the terms of, or violates any provision of this chapter or who is guilty of any misconduct, fraud, cheating or misrepresentation in his application for a license, or who, in the conduct of his business as a solicitor, is found guilty of violating, or fails or refuses to comply with any regulation or ordinance of the City or of any State law.

## **729.07 LICENSING EXCEPTIONS**

No license provided for herein shall be required for solicitors engaged in the following activities:

- (a) For solicitors under the age of eighteen years who sell soap, candy or other wares of a religious, educational, civic or other charitable organization.
- (b) For solicitors who solicit only for wholesale delivery to merchants, manufacturers or other businessmen at their places of business, or who solicit only from professional men, merchants, manufacturers or other businessmen at their offices or places of business or factories, the sale of equipment or other articles of personal property used in the conduct of their respective professions, businesses or manufacturing establishments.

## **729.09 LIMITATION ON HOURS AND DAYS**

No solicitor shall solicit on the streets of the City, or in or upon private property before the hours of 9:00 A.M. or after the hour of 5:00 P.M. or on Sundays or any legal holiday.

## **Steps for filling application for Solicitors/ Peddlers License in the City of East Cleveland.**

{New or renewal}

1. Apply for Solicitors/Peddlers package at the Office of the Mayor.
2. Return with all completed applications, and proper identification (state ID) to Office of the Mayor.
  - 2a. Completely fill out Business Registration Form 48 and take to the **Tax Department to obtain a certificate of business registration and return to Office of the Mayor.**
3. Final step submit all approved forms for Annual Solicitors/ Peddlers License, along with application fee of \$150.00, to the **Finance Department.** {Please allow for the complete licensing process time, approximately 8 to 10 working days}

### **Who needs a Solicitors/ Peddlers License? (729.01)**

No person shall engage in the business of a solicitor within the City of East Cleveland without first having procured a license therefore from the Mayor. "Solicitor" is defined as, all persons, firms, associations or corporations, including those known as peddlers, canvassers, hawkers and junk dealers, who sell, barter, exchange or offer for sale, articles of personal property, and all persons, firms, associations or corporations who canvass or solicit gifts, donations, subscriptions or pledges of cash or other articles of value.

Sales made in city (191.0702) include:

- (A) All sales of tangible personal property which is delivered within the City, regardless of where title passes, if shipped or delivered from a stock of goods within the City.
- (B) All sales of tangible personal property, which is delivered within the City, regardless of where title passes, even though transported from a point outside the City if the taxpayer is regularly engaged through its own employees in solicitation or promotion.
- (C) All sales of tangible personal property which is shipped from a place within the City to purchase outside of the city, regardless of where title passes, if the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.

### **Licensing exceptions (729.07)**

No license shall be required for solicitors engaged in the following activities:

- (A) For solicitors under the age of eighteen years who sell soap, candy, or other wares of a religious, educational, civic or other charitable organization.
- (B) For solicitors who solicit only for wholesale delivery to merchants, manufacturers or other businessmen at their place of business, or who solicit only professional men, merchants, manufacturers or other businessmen at their offices or places of business or factories, the sale of equipment or other articles of personal property used in the conduct of their respective professions, businesses or manufacturing establishments.

### **729.09 Limitations on Hours and Days**

No Solicitor shall solicit on the streets of the City, or in or upon private property before the hours of 9:00 A.M. or after the hour of 5:00 P.M. or on Sundays or any legal holiday.

**This license shall expire on December 31, of every year and must be renewed if soliciting shall continue.**