

**VILLAGE OF PHILO**

**CHAMPAIGN COUNTY, ILLINOIS**

**AN ORDINANCE ESTABLISHING  
OPERATING HOURS AND PRICES OF LICENSES  
FOR PEDDLERS AND SOLICITORS**

**ORDINANCE NO. 2024-664**

Adopted by the

Board of Trustees of the Village of Philo

This 12<sup>th</sup> day of June, 2024.

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Published in pamphlet form by authority of the President and the Board of Trustees of the Village of Philo, Champaign County, Illinois this 12<sup>th</sup> day of June, 2024.

**VILLAGE OF PHILO  
CHAMPAIGN COUNTY, ILLINOIS**

**ORDINANCE NO. 2024-\_\_\_\_\_**

**AN ORDINANCE ESTABLISHING OPERATING HOURS AND PRICES OF  
LICENSES FOR PEDDLERS AND SOLICITORS**

WHEREAS, the Village of Philo, Champaign 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 the Village's powers and functions as granted in the same; and

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

WHEREAS, The Village previously adopted Ordinance no. 306 in 1981 regulating peddlers and solicitors; and

WHEREAS, the Village President and Board of Trustees of the Village of Philo have determined that it is appropriate and in the best interest of the Village of Philo that prior ordinance be rescinded and the within ordinance be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PHILO, CHAMPAIGN COUNTY, ILLINOIS, as follows:

SECTION 1: The within "Peddlers and Solicitors" Ordinance for the Village of Philo is hereby adopted and reads as follows:

SECTION I 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 Village a license to do so.
- B) No person shall solicit door-to-door in any residential area in the Village 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 two (2) separate occasions in any calendar year on the same premises.
  - 2. Any person under the age of thirteen (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 person in the business of selling newspapers.

SECTION II; 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 the Village stating: the applicant's

name, address, and descriptive physical personal information to ascertain identity; employment and commercial affiliation 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 Village offices of such fees required, the license shall be issued.

- B) Village 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 and shall be on their person to be shown if asked during peddling by foot or place upon such wagon, moto 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 t use one wagon, vehicle or cart.

### SECTION III; INSURANCE.

- A) 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 of Village-owned property, the applicant shall provide to the Village 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 Village of Philo as the certificate holder as well as list the Village of Philo as additionally insured under the policy.

### SECTION IV; DURATION OF PERMIT.

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

#### SECTION V; LICENSE FEES.

The fees charged for licenses shall be as follows:

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

#### SECTION VI; POLICE ENFORCEMENT.

The license of any such transient merchant, itinerant merchant, itinerant vendor, peddler, canvasser, or one of similar occupation, can be suspended or revoked by the Village Board President or his/her designee, commissioner, chief or officer at any time for due cause.

#### SECTION VII; 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 Village 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 "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 Village of Philo" sign on the premises, to be unable or unwilling to exhibit his/her license for inspection by the owner or occupant.

SECTION VIII; FINE. Any person violating this ordinance shall be fined the sum of \$400.00 with each day in violation consisting of a separate violation.

#### SECTION IX; FORMS

- A) 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.
- B) There is hereby created a "License for Solicitation Within the Village of Philo" for issuance to approved peddlers, attached hereto as Exhibit B.

SECTION 2: Ordinance number 306 approved in 1981 entitled "Ordinance Pertaining to Peddlers, Salesmen and Solicitors" is hereby rescinded.

SECTION 3: 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 4: That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

SECTION 5: 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.

Motioned for approval by Trustee

Steve Messman

With a second by Trustee David Happ, roll call vote:

AYE VOTES:

Trustees Kelley, Messman, Happ, Grubb & Shipley

NAY VOTES: None

ABSTAIN: None

ABSENT: Trustee Pat Pioletti

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF PHILO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THIS 12<sup>TH</sup> DAY OF JUNE, 2024.

L.R. Franks President

Joe A. Kelly  
Village Clerk

(SEAL)

Recorded in the Municipal Records: June 12, 2024  
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