**Ordinance No.** 092 **-2025**

**Repealing Ordinance 093-2022 And Amending Chapter 729 Of The Oregon Municipal Code Titled "Peddlers And Solicitors"; And Declaring An Emergency**

**Summary And Background**

In order to comply with constitution requirements, Oregon City Council adopted Ordinance No. 197-1996 enacting a new Chapter 729 entitled "Peddlers and Solicitors" which was amended by Ordinances 068-2020 and 093-2022 for updates to the language.

It has been determined that it is in the best interest of the citizens of the City of Oregon to update the language within Chapter 729 to prohibit peddling and soliciting within the City of Oregon as provided in "Attachment A"; **Now, Therefore,**

**Be It Ordained by The Council of The City of Oregon, Ohio, That:**

**Section 1.** The Council hereby amends Ordinance 093-2022 by updating the language in Chapter 729 titled "Peddlers and Solicitors" as provided in "Attachment A".

**Section 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio and that the reading and adoption of this ordinance complies with the provisions of Article III, Section 9, of the City Charter, as amended.

**Section 3.** This ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and signature by the mayor. The reason for the emergency is to prevent any new permit applications from being filed with the City of Oregon given peddling and soliciting is prohibited within the City limits as of the signing of this Ordinance.

Vote on passage as an emergency: Yeas 6 Nays 0 Abs. 0

Passed as an emergency measure on: May 12, 2025

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Attachment A

# CHAPTER 729
## Peddlers and Solicitors

729.01 Definitions.
729.02 ~~Registration required.~~ Canvassing, Soliciting, or Peddling Prohibited
~~729.03 Application for certificate; exemptions.~~
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## CROSS REFERENCES

Power to inspect food products - see Ohio R.C. 715.46
Power to regulate - see Ohio R.C. 715.61 et seq.
Home solicitation sales - see Ohio R.C. 1345.21 et seq.
Charitable solicitations - see Ohio R.C. Ch. 1716
Frozen desserts - see Ohio R.C. 3717.51 et seq.
Littering - see GEN. OFF. 521.08
Trespassing - see GEN. OFF. 541.05

729.01 DEFINITIONS.

As used in this chapter:

(a) "Canvassing," "soliciting" or "peddling," unless expressly provided for otherwise, means traveling from residence to residence within the City, without having a previous appointment to visit the residence or residences visited for the purpose of exposing or offering for inspection or sale, goods, wares, merchandise, foodstuffs or any other property, tangible or intangible, of any nature whatsoever, or services, or for the purpose of taking or attempting to take orders for the purchase of goods, wares, merchandise, foodstuffs, or other property, tangible or intangible, of any nature whatsoever, for future delivery, or of services to be furnished or performed in the future whether directly for the resident or on an indirect or "group" basis. "Canvassing," "soliciting" or "peddling" also means the soliciting of funds, including money, or other property for charitable or other purposes, including for personal gain, anywhere within the City ~~except at business establishments~~. The solicitation by a newspaper carrier of customers for a newspaper which he regularly delivers or will regularly deliver shall not be included in this definition.

729.02 ~~REGISTRATION REQUIRED~~. CANVASSING, SOLICITING, PEDDLING PROHIBITED

(a) No person shall canvas, solicit, or peddle within the Municipality, except for the exemptions listed in 729.03. ~~without first registering at the office of the City Administrator or his authorized representative. A separate "Application for License" registration must be made for every solicitor,~~

~~agent or employee soliciting within the Municipality, except that with respect to a charitable organization only one registration for the organization is required.~~

~~729.03 APPLICATION FOR CERTIFICATE; EXEMPTIONS.~~

~~(a) Each applicant for a certificate of registration shall furnish the City Administrator or his authorized representative with the following information on "Application for License" forms provided by the Municipality.~~

~~(1) Name, age and physical description of applicant.~~

~~(2) Complete permanent and local address of applicant along with his social security number or tax I.D. number of his employer, driver's license number, and license plate of vehicle.~~

~~(3) Name and address of the person, firm, corporation or association for whom the solicitation is presently being made and any other person, firm, corporation or association for whom the applicant has solicited during the past three years.~~

~~(4) A description of the nature of the business and the goods, services or wares to be sold or otherwise sufficient to identify the subject matter of the soliciting in which the applicant will engage.~~

~~(5) Whether the applicant has ever been convicted of a felony violation or a misdemeanor violation involving moral turpitude, force or violence including the time and place of such conviction.~~

~~(6) The proposed dates and times of the solicitations and the routes to be followed in conducting same.~~

~~(7) Two photographs of applicant taken within three years of the application of appropriate size (approximately two inches by two inches), one of which shall be attached at all times to the certificate of registration and the other for the records of the Police Division.~~

~~(8) The applicant shall have their fingerprints completed for both FBI and BCI records. The applicant will be required to submit their results in their entirety to the Records Section of the Oregon Police Division. The applicant is advised that their fingerprint results could be received in a matter of days, but may take up to six (6) months. The Oregon Police Division does not have any control on the length of time it will take for the applicant to receive their results. The Oregon Police Division will offer to complete the applicant's BCI and/or FBI fingerprints at the Police Division for the fee established on the fee schedule at the time the fingerprints are taken from the applicant. An applicant may submit fingerprint results for both BCI and/or FBI to the Records Section of the Oregon Police Division that were taken at another location if the fingerprint results have a date of within one (1) year from the take the fingerprints were taken. An applicant must submit results from both BCI and FBI. Submit to a National Web Check (Police Record Check) including FBI & BCI. The results of the National Web Check could take between 72 hours and several weeks. Generally, clean record checks are returned within a few days to the Oregon Police Division; others could take several weeks, depending on the offenses and infractions. There is no guarantee when a Certificate of Registration can be issued.~~

~~(9). The applicant shall pay a yearly fee, in addition to the fingerprint fee if needed, for each solicitor based upon the duration of the solicitation period and such registration shall automatically terminate upon the expiration of such time period. The annual fee is $75.00 per applicant per twelve (12) month period of time from the date of permit being issued. based on the cost of completing the National Web Check (Police Record Check) which is currently sixty dollars ($60.00)~~

729.04 ISSUANCE OF CERTIFICATE.

(a) Issuance of Certificate. Not more than three days after a complete records check has been received from the National Web Check (Police Record Check), the City Administrator or his authorized representative shall, except as otherwise provided herein, issue a Certificate of Registration to each applicant unless it is determined by the City Administrator or his authorized representative:

(1) That the applicant has misrepresented his identity or intention, or made a false, misleading or deceptive statement in providing the information required under Section 729.03.

(2) That the applicant has been convicted, during five years preceding the date of application, of any felony offense, any escalating misdemeanor, or any offense of violence as listed in Ohio Revised Code 2901.01(A)(9), failure to comply with order or signal of a police officer (ORC 2921.331), or a misdemeanor involving theft, fraud, moral turpitude, force, or violence; which include but are not limited to offenses described in Exhibit A.

(3) That the applicant has not supplied all requested information.

(4) That the applicant has previously violated any provision of this chapter.

(b) Transfer. The certificate of registration issued hereunder shall not be transferred or assigned or used by any person other than the one to whom issued.

729.05 DISPLAY OF REGISTRATION CERTIFICATE; RETURN.

Each registrant shall carry the registration certificate at all times when in the Municipality and shall exhibit it to any resident or Municipal official upon request.

729.06 RESTRICTIONS.

Every person to whom a registration certificate is issued under the terms of this chapter shall be governed by the following rules and regulations:

(a) All circulars, samples or other matter shall be handed to an occupant of the property or left in a secure place on the premises.

(b) No person subject to the provisions of this chapter shall canvass or solicit, except on weekdays (Monday through Friday only) between the hours of 9:00 a.m. and 6:00 p.m. No person may canvass on national holidays or Sundays.

(c) No canvasser or solicitor shall enter or attempt to enter the house or apartment of any resident in the Municipality without an express invitation from the occupant of the house or apartment.

(d) No canvasser or solicitor shall request to view customer's utility billing statements or copy account information from statement.

(e) No person subject to the terms of this chapter shall make any false, fraudulent, misleading or deceptive statement during the course of that person's soliciting activity within the Municipality.

(f) No person subject to this chapter shall make any solicitation where municipal residents have registered with the City Administrator or his authorized representative stating that such residents do not want any solicitor or canvasser to solicit at their residence.

729.061 TRANSFERABILITY

No certificate shall be assigned or transferred. No registrant shall authorize any person, firm, or corporation other than the one named to do business. No registrant shall conduct any other business than is listed on his or her application to be transacted.

729.07 TRESPASSING IN VIOLATION OF POSTED SIGNS.

No person, while engaged in any profit or nonprofit solicitation, shall leave any written or printed material or knock at the door or ring a bell of any home, apartment, apartment building or other dwelling unit in the Municipality upon which is displayed at the entrance a notice which reads, "No Peddlers or Solicitors Allowed," or which otherwise clearly purports to prohibit peddlers or solicitors on the premises, including residents registering with the City Administration pursuant to Section 729.06(e), unless such peddler or solicitor is, or has been invited upon the premises by the owner, lessee or occupant thereof.
(Ord. 197-1996. Passed 10-28-96.)

729.08 REVOCATION OF CERTIFICATE.

A certificate of registration issued under this chapter may be revoked by the City Administrator or his authorized representative upon determination that:

(a.) The licensee directly or indirectly makes or perpetrates any misstatement, deception, or fraud in connection with any solicitation or peddling for any purpose in the City or in any application or report filed under this chapter.

(b) The registrant is convicted of a felony violation or misdemeanor violation involving moral turpitude, theft, fraud, force or violence, which include but is not limited to offenses described in Exhibit A.

(c) The registrant violates any provision of this chapter.

(d) Who is under the age of eighteen (18) years of age

(e) The licensee has altered the information set forth on the face of the license or has used the license with knowledge that it has been altered;

(f) The licensee has failed to use good judgment in addressing residents and has used inappropriate and unacceptable language when engaging in door-to-door solicitation.

(g) The licensee has entered upon the premises of a residence for the purpose of proposing a commercial transaction at hours other than those permitted by the express terms of the license.

(h) The licensee has entered upon the premises of a residence with actual or constructive knowledge that the occupant of that residence does not invite solicitors or peddlers to the premises;

(i) The licensee permitted another to use the license

(j) The licensee has been convicted of a felony offense or of a misdemeanor offense involving moral turpitude subsequent to the issuance of the license.

(k) The licensee has entered upon the premises of a residence for the purpose of proposing a commercial transaction when not in possession of the license or has failed or refused to display the license when requested to do so by the occupant of that residence

(l) The licensee has failed or refused to exhibit the license to a law enforcement officer when requested to do so at any time during which the licensee is engaged in door-to-door solicitations

(m) The licensee has operated the business in a manner which demonstrates a disregard for the ordinances of the City and laws of the State and such disregard creates a condition which is offensive to the preservation of public health, safety, morals, peace or general welfare;

~~(n) For any good cause shown~~

~~729.09~~ 729.03 EXCEPTIONS.

The following canvassers, peddlers or solicitors shall be exempt from the provisions of this chapter:

(a) A person making sales of the following items for daily household consumption:
  (1) Baked goods;
  (2) Fruits, vegetables, eggs and similar agricultural products; and
  (3) Dairy products.

(b) A minor under ~~fourteen~~ eighteen (18) years of age.

(c) A member working without consideration or individual profit for or on behalf of a charitable organization. The term "charitable organization" includes any educational, patriotic, philanthropic, social service, benevolent, civil or fraternal organization, civic and religious organization. A member of a charitable organization organized pursuant to Ohio R.C. Chapter 1716 need only register with the City Administrator once and need not obtain a certificate of registration.

~~729.10 APPEAL~~

~~The City Administrator may suspend, revoke or refuse to renew any certificate issued to any person. Written notice shall be given by the City Administrator to the holder of the registration or certificate in person or by certified U.S. mail addressed to his or her residence address as set forth in the application.~~

~~A written request for an appeal hearing shall be submitted to the Administrator within ten (10) days after receipt of the application denial notice. Any individual or organization who has been refused a license or renewal of a license or revoked under this chapter or has had a license issued under this chapter suspended or revoked, may appeal to the Mayor. The Mayor shall have the power to affirm or reverse the decision of the Administrator. Any such decision made by Mayor shall be final.~~

729.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the second degree. The court shall impose a minimum fine of $250.00 up to a maximum of $750.00 and the offender may be sentenced up to 90 days in jail for the offender's first conviction within twelve (12) months. Each subsequent conviction within twelve (12) months is a misdemeanor of the first degree. The court shall impose a minimum fine of $500.00 up to a maximum of $1,000.00 and the offender may be sentenced up to 180 days in jail.

Exhibit A

# DISQUALIFIERS FOR PEDDLERS AND SOLICITORS – CHAPTER 729

1) Aggravated murder, murder, voluntary manslaughter, involuntary manslaughter
2) Felonious assault, aggravated assault, assault
3) Failing to provide for a functionally impaired person
4) Aggravated menacing
5) Patient abuse or neglect
6) Kidnapping, abduction, child stealing, criminal child enticement
7) Rape, sexual battery, corruption of a minor, gross sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring, prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in nudity oriented material or performance
8) Aggravated robbery, robbery
9) Aggravated burglary, burglary
10) Unlawful abortion, endangering children
11) Contributing to unruliness or delinquency of a child
12) Domestic violence
13) Carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school
14) Corrupting another with drugs
15) Trafficking in drugs
16) Illegal manufacture of drugs or cultivation of marijuana
17) Funding of drug or marijuana trafficking
18) Illegal administration or distribution of anabolic steroids
19) Drug abuse: Shall not obtain, possess or use a controlled substance
20) Placing harmful objects in or adulterating food or confection
21) Any other felony
22) Any violation of any other municipalities solicitor's ordinances