

**VILLAGE OF PECATONICA
ORDINANCE NO. 2024-13**

AN ORDINANCE AMENDING TITLE XI, CHAPTER 110 OF THE CODE OF ORDINANCES OF THE VILLAGE OF PECATONICA, ILLINOIS REGARDING BUSINESS LICENSES AND PERMITS

HEREAS, Title XI, §110 of the Code of Ordinances of the Village of Pecatonica, Illinois (“Village”) authorizes the Village Board to regulate business licenses and permits within the Village of Pecatonica; and

WHEREAS, §110.045-§110.048 of the Village Code addresses Commercial Solicitors’ Licenses; and

WHEREAS, the Village desires to amend the provisions contained in §110.045-§110.048 by amending the conditions for issuing a Commercial Solicitor’s License by the Village; and

WHEREAS, the Village finds that it is in the best interest of its citizens to enact the above described ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PECATONICA, WINNEBAGO COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein a made a part hereof.

Section 2. That Title XI, Business Regulations, Chapter 110, Licensing and Permits, of the Village Code is hereby amended to read as follows (additions shown as **bolded** and **underlined** and deletions as ~~strike throughs~~):

COMMERCIAL SOLICITOR’S LICENSE

§110.045 DEFINITIONS.

Every person **or company** who ~~shall~~ **sells**, offers for sale at retail or as a commission merchant, or barter or exchange any goods, wares, or merchandise traveling from place to place along or upon the streets or alleys of the village or at the doors of houses, apartments, or stores **within the village**, ~~or who shall offer for sale shall be considered a commercial solicitor and shall be subject to the requirements of this chapter.~~ ~~or sell and deliver immediately from push-cart, automobiles, other vehicle, or stand, shall for the purposes of this subchapter, be deemed a PEDDLER.~~

§110.046 NECESSITY FOR LICENSE.

(A) It shall be unlawful for any person, firm, or corporation to engage in

the business of commercial solicitation of any merchandise, article, thing, or service without having first obtained a license, for each representative, ~~therefor as herein provided in this chapter.~~ **Companies and each of their representatives must be licensed. No more than four (4) representatives of a company may be issued licenses at a given time.**

(B) ~~Not-for-profit, school and village community religious organizations~~ **must have a permit issued by the village for door to door solicitation but shall not be required to pay a fee for the license. Individuals soliciting on behalf of a Not-for-profit, school or religious organization must display identification from the sponsoring organization.** ~~may be exempt from all costs and fees.~~

§110.047 APPLICATIONS.

(A) Application for a license hereunder shall be made in writing to the Village Clerk and shall state thereon in what manner and what article or articles, and for what length of time, such person desires to sell or offer for sale, barter, or exchange as a ~~peddler~~ **commercial solicitor**, ~~as above defined.~~ **No license under this chapter shall be issued unless the fees set forth herein accompany the application.**

(B) The issuance of such a license in no manner ~~indicates~~ **implies** the approval of the product or ~~peddler~~ **commercial solicitor** by the Village Clerk or President or Board of Trustees.

(C) Licenses hereunder shall be ~~granted and~~ issued by the Village Clerk when the applicant ~~therefor~~ has complied with all provisions of the ~~subchapter~~ **this chapter**; provided, however, that no such license shall be ~~granted~~ **issued** to any person under 18 years of age.

(D) **All individual license applicants under this chapter are subject to background checks before a license is issued which may include, at the applicant's expense, fingerprinting.**

(E) **Licenses issued to individuals under this chapter must be visibly displayed at all times during the solicitation period.**

~~(F) The village reserves the right to revoke any licenses for deceptive, fraudulent, or unlawful business practices or for other similar good cause.~~

§110.048 FEES.

~~The fee for such license shall be \$25 per year or in the case of daily peddlers, \$5 per day.~~

Company license fee is \$100 for the initial monthly license. The company may renew the company license for \$50 per each additional month.

Individual license fee and company representative fee are \$20 per month and may be renewed for \$20 per each additional month.

§110.049 VIOLATIONS.

It is a violation of this chapter for any commercial solicitor to attempt to solicit at any business or residence in the village which displays a sign or placard stating, “No Solicitors.” Violation of this chapter shall result in the immediate revocation of the license of the individual and the company they represent along with a forfeiture of any license application fees they may have paid. Other penalties and fines for violation in this chapter shall be those listed in §110.999.

The village reserves the right to revoke any individual or company licenses for deceptive, fraudulent, or unlawful business practices or for other similar good cause.

Section 3. Other than the changes set forth in this ordinance, no other changes are made to Chapter 110.

Section 4. To the extent this Ordinance contradicts any previous orders, resolutions, ordinances or parts of orders, resolutions and ordinances of the Village, this Ordinance shall control and all other orders, resolutions, ordinances or parts of orders, resolutions, and ordinances in conflict herewith are hereby repealed insofar as such conflicts exist.

Section 5. All other orders, resolutions ordinances or parts of orders, resolutions, and ordinances of the Village of Pecatonica, Illinois not in conflict with this Ordinance shall remain in full force and effect.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the President and Board of Trustees of the Village of Pecatonica this 19th day of November, 2024

APPROVED by the President of the Village of Pecatonica, Illinois, this 19th day of November, 2024

BY: _____
THOMAS HEISTER, Village President
Village of Pecatonica, Illinois

ATTEST:

BY: _____
Darla Stram, Village Clerk
Village of Pecatonica, Illinois

AYES: 5

NAYS: 0

ABSENT/
ABSTAIN: _____ 1 _____

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