



RESOLUTION NO. 2017-074

Board of Trustees, Liberty Township
Butler County, Ohio

**RESOLUTION TO PLACE RESTRICTIONS ON DOOR TO DOOR SOLICITATION
PERFORMED BY TRANSIENT VENDORS (“VENDORS”) PURSUANT TO OHIO
REVISED CODE SECTION 505.94**

RESOLVED by the Board of Township Trustees of Liberty Township, Butler County, Ohio that

WHEREAS, the Liberty Township Board of Trustees believes that it is in the best interest of the citizens of Liberty Township and further believes that it will promote and preserve the health, safety, and welfare of the residents of Liberty Township to regulate the time, place, and manner in which Transient Vendors (“Vendors”) may sell, offer for sale, or solicit orders for future delivery of goods;

WHEREAS, the Liberty Township Board of Trustees finds that it is necessary to adopt a regulation to control solicitation in the Township; and

WHEREAS, the Liberty Township Board of Trustees is authorized to regulate solicitation pursuant to Ohio Revised Code (ORC) Section 505.94;

BE IT THEREFORE RESOLVED:

1. Each Vendor, as defined in ORC § 505.94(B)(2), shall register with Liberty Township using a form to be provided by the Township Administrator (see paragraph 8 below). Each Representative of the Vendor will receive a Solicitor Identification Badge and copy of the application form (the “Form”). Per ORC § 505.94(B)(2), a Vendor does not include an entity that is exempt from tax.
2. The application fee is \$50.00 for each Vendor with a \$10.00 fee per additional Representative of the Vendor.
3. The registration will be valid for ninety calendar days after the date the registration is completed.
4. From the date of October 1st until April 30th the permitted hours of solicitation are between 9:00 a.m. and 6:00 p.m.
5. From the date of May 1st until September 30th the permitted hours of solicitation are between 9:00 a.m. and 9:00 p.m.
6. Each Representative of the Vendor must wear the Solicitor Identification Badge where it can be seen and carry a copy of the application form upon his or her person while soliciting. If asked by a Liberty Township resident who is being solicited or Butler County Sheriff’s Office deputy, the Representative of the Vendor must present the badge and Form.
7. No solicitation shall occur at any residence where a No Soliciting decal or sign is displayed.

8. The Township Administrator shall draft, implement, and update from time to time administrative procedures to implement this Resolution.
9. This Resolution shall not apply to the solicitation of goods or services by persons under the age of 18 years who either reside in the Township or a government entity that shares a border with Liberty Township and where the revenue received from goods or services being solicited are less than \$10,000 per year.
10. Whoever violates this Resolution, will be guilty of a misdemeanor as set forth in ORC § 505.99.
11. If any Vendor or Representative of the Vendor has been found by a Court of competent jurisdiction to have violated this Resolution the Vendor license shall be revoked and the Vendor shall not be permitted to receive another permit for one year from the date of such finding.

THEREFORE BE IT RESOLVED that the Liberty Township Board of Trustees hereby adopts the above conditions to regulate solicitation per the authority of the ORC § 505.94 and this supersedes the prior Resolution (Resolution No. 2016-125). This Resolution does not replace requirements needed by the Butler County Sheriff's Office or any other governmental entity.

Trustee Farrell moved to approve the Resolution. Trustee Schramm seconded the motion. Upon call of the roll, the vote resulted as follows:

Trustee Farrell,	yes
Trustee Schramm,	yes
Trustee Maticic,	yes

Adopted: Tuesday, May 2, 2017

Christine Maticic, President

Tom Farrell, Vice President

Steve Schramm, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed, and filed with the Liberty Township Fiscal Officer this 2nd day of May, 2017.

Pamela Quinlisk
Fiscal Officer

APPROVED AS TO FORM:

Scott D. Phillips, Law Director

LIBERTY TOWNSHIP, BUTLER COUNTY, OHIO

7162 Liberty Centre Drive, Suite A

Liberty Township, OH 45069

(513) 759-7500

www.liberty-township.com

Application _____

Good for 90 Days _____

Start Date: _____

End Date: _____

SOLICITORS AND TRANSIENT VENDORS APPLICATION

(ORC § 505.94, Resolution No. 2017-074)

\$50.00 APPLICATION FEE – ADDITIONAL \$10.00 FEE PER SALES PERSON

October 1st until April 30th Hours of Solicitation: 9:00 a.m. to 6:00 p.m.

May 1st until September 30th Hours of Solicitation: 9:00 a.m. to 9:00 p.m.

Name of Business: _____ Tax ID Number: _____

Business Address: _____

Business Telephone: _____ Website: _____

Product / Service Being Sold: _____

Applicant's Name: _____

Applicant's Address: _____

Applicant's Telephone: _____ Email: _____

Applicant's Identification: _____ * Copy of all identifications will be attached to this application

Manager / Supervisor Name: _____

Manager's Telephone: _____ Email: _____

Length of Time in Liberty Township: _____

Please List Any Vehicles Used: (use additional paper if necessary)

License Plate: _____ Make: _____ Model: _____ Color: _____ Year: _____

License Plate: _____ Make: _____ Model: _____ Color: _____ Year: _____

Additional Sales People Along with Identification: (use additional paper if necessary)

* Copy of all identifications will be attached to this application

***** DISCLAIMER: Please be advised this information may be used for WARRANT checks. *****

I confirm that I have received, read, and understood this form including the information on the back.

Applicant's Signature: _____ Date: _____

Township Signature: _____ Date: _____

SOLICITORS AND TRANSIENT VENDOR INFORMATION (ORC § 505.94, Resolution No. 2017-074)

Solicitor & Transient Vendor Registration Process

1. Complete Registration Form and BCSO Form. Each Representative of the Vendor (“Representative” or salesperson) will need a State ID or other approved identification. One application needs to be completed per federal tax identification number. The Applicant (the individual completing the application on behalf of the Transient Vendor or company) must provide the fee with the application.
 - \$50 for the first individual with a \$10 fee per additional Representative affiliated with the same organization up to a maximum of \$150.
2. Liberty Township will photocopy each ID and take a photo of each Representative. Liberty Township will forward the form to the designated BCSO personnel.
3. Liberty Township will inform the Applicant when the badges, application, *Do No Solicit List*, and any additional paperwork are ready to be picked up. These items must be picked up by the Applicant only. No solicitation shall commence until the paperwork and badges are completed, approved, and picked up.

Liberty Township Solicitor & Transient Vendor Requirements

1. Solicitors, Transient Vendor (“Vendor”), and Representative of the Vendor (“Representative”) are limited to the hours of 9 a.m. to 6 p.m. October 1st through April 30th and from 9 a.m. to 9 p.m. May 1st through September 30th.
2. No solicitation shall occur on any residence where a *No Soliciting* decal or sign is displayed.
3. Liberty Township has created a *Do No Solicit List*. The *Do No Solicit List* records the households that do not want solicitors, Vendors to visit, or Representatives. This list will include the most up-to-date households that have enrolled at the time the Vendor registered. It is the responsibility of the Vendor or Representatives to check the Liberty Township website for the up-to-date list. **No solicitation shall occur at any residence that is listed on the *Do No Solicit List*.**
4. Each Representative must wear the Liberty Township provided Solicitor Identification Badge where it can be seen and carry a copy of the application form upon his or her person while soliciting. If asked by a resident or Butler County Sheriff’s Office deputy, the Representative must present the badge and form.
5. Penalty: Whoever violates Resolution No. 2017-074 will be guilty of a misdemeanor as set forth in ORC § 505.99. If a solicitor, Vendor, or Representative has been issued a citation and then either paid the citation or the citation has been adjudicated with a guilty finding than the license will be revoked and the Vendor will not be allowed to get another permit for a period of 1 year.
6. Penalty: In addition, any solicitor, Vendor, or Representative that solicits at a residence with a *No Soliciting Decal*, any residence on the *Do Not Solicit List* on file with their application, or any other sign that indicates no soliciting will be prosecuted for criminal trespassing.

LIBERTY TOWNSHIP RESIDENT INFORMATION
Solicitors and Transient Vendor Information
(ORC § 505.94, Resolution No. 2017-074)

1. **HOURS.** Solicitors, Transient Vendors (“Vendors”), and Representatives of the Vendor (“Representatives”) are limited to the hours of 9 a.m. to 6 p.m. October 1st through April 30th and from 9 a.m. to 9 p.m. May 1st through September 30th.
2. **REGULATION.** Liberty Township provides residential property owners with a means to prohibit certain type of door to door solicitation and canvassing through Liberty Township Resolution No. 2017-074 as permitted by the Ohio Revised Code Section 505.94. **No solicitation shall occur on any residence where a No Soliciting decal or sign is displayed.** It is the responsibility of the homeowner to display a *No Soliciting* decal or sign in a visible location near the front door. Liberty Township decals (either adhesive backed or static cling type) can be obtained at no cost at the Township Administrative Office or by mail by contacting the Township at (513) 759-7500.
3. **DO NOT SOLICIT LIST.** Liberty Township has created a *Do Not Solicit List*. The *Do Not Solicit List* records the households that do not want uninvited Vendors to visit. **No solicitation shall occur at any residence that is listed on the Do No Solicit List.**

To register to be on the *Do Not Solicit List* please visit the Liberty Township website at <http://www.Liberty-Township.com> and complete the brief form and then submit. Homeowners also may go to the Administrative Offices to complete the form. The form will give the homeowners the opportunity to request a *No Soliciting* decal or sign. The administration will review the forms for accuracy and then update the list on our website. **Only addresses (no names) will be listed on the Do Not Solicit List.** A residence will remain on the list for a period of five years. At the end of that time the homeowner will need to re-register. Homeowners can remove their residence from the list by coming into the Administrative Offices.

While the *Do Not Solicit List* will be helpful in preventing uninvited Representatives, *No Soliciting* decals or signs are the most effective legal means of preventing solicitation. A homeowner does not need to be on the *Do Not Solicit List* to be covered by the no solicitation requirement of the resolution if a *No Soliciting* decal or sign is posted.

4. **BADGES.** Each Vendor or Representative must wear the official Liberty Township Solicitor Identification Badge in a visible location and carry a copy of the approved application form upon his or her person while soliciting. If asked by a resident or a Butler County Sheriff’s Office Deputy, the Vendor or Representative must present the badge and form.
5. **RESIDENT RIGHTS.** If an individual comes to your door and you have a *No Soliciting* decal or sign posted, get as much information as possible (full name, name of the company, and description of the solicitor), then immediately call the Butler County Sheriff’s Office non-emergency dispatch number (513) 785-1300 to report the violation. A deputy must be able to identify the individual to issue a citation.

If you witness solicitors without Liberty Township identification badges or observe soliciting activity outside of the permitted hours, get as much information as possible regarding the solicitor and immediately call the Butler County Sheriff’s Office at (513) 785-1300 as described above.



**SOLICITOR
NAME
ABC Corporations**

Expires on: x/x/xx



*For issues call
(513) 785-1300.*

Liberty Township does not endorse any solicitor.