

**SPRINGPORT TOWNSHIP
JACKSON COUNTY, MICHIGAN**

**SOLICITORS ORDINANCE
ORDINANCE NO. 38**

DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SOLICITOR, SOLICITATION, and SOLICITING. Any person (which includes any individual, firm, corporation, or organization or its agents), traveling either by foot, wagon, automotive vehicle, or other conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for the sale of goods and merchandise or personal property of any nature; or attempting to collect monies, pledges, or donations for charitable or religious causes; or for services to be furnished or performed, whether or not the person has, carries, or exposes for sale a sample of the subject of the sale or whether the person is collecting advance payments on the sales or not; or any similar actions or activities including those persons who call themselves transient merchants; canvassers, peddlers, and other similar terms.

LICENSE REQUIRED.

Except as otherwise provided in this chapter, no person shall solicit within the township (“Township”) without first obtaining a license. No license shall be granted without prior approval by the Township Clerk. All licenses shall expire 30 days after approval, unless renewed by the Township Clerk.

LICENSE APPLICATION.

- (A) The license application may be obtained during normal business hours at the township offices, and the application, shall be applied for at least 7 days prior to the date of conducting the solicitation. The Springport Township Board shall establish a license fee to cover the cost of registration.
- (B) The application shall contain the following information:
1. Name and description of the applicant, and names of those persons soliciting for the applicant. Each individual solicitor must supply his or her driver’s license number or other form of personal identification to the township;
 2. Permanent home address and local address of the applicant, and for all other persons soliciting for the applicant;
 3. A brief description of the nature of the organization and business, and the goods or services to be sold or solicited;
 4. The length of time for which the solicitation is desired;

5. A statement as to approximate locations within the township where the solicitations will take place;
6. Applicant(s) shall provide a photograph of each person who will be soliciting under the applicant;
7. A statement as to whether or not any persons, firm, corporation, or organization have been convicted of a felony, misdemeanor, or ordinance violation involving a violent crime, theft, burglary, breaking and entering, fraud or concerning canvassing or solicitation within the past 7 years, and if so, the nature of the offense;
8. The township shall prepare and issue a solicitor authorization document to each person soliciting under the applicant. The document shall be displayed by the solicitor at all times while soliciting in the township and shall be presented by that person to any resident requesting identification prior to any attempt to sell a product or service to that resident; and
9. Any denial of a license application shall be made in writing specifying the reasons for denial within 3 days of the filing of the application. An appeal of a denial shall be made to the Township Board which shall decide the appeal within 30 days of filing of the appeal.

EXEMPT PERSONS.

(A) *Generally.* The following persons soliciting are exempt from licensing requirements under this chapter. Except as provided in this section, all solicitation exempt under this section shall still comply with general regulations and prohibitions.

(B) *Neighborhood soliciting.* Any person who is soliciting within 1 mile of his or her residence and under the direct supervision of any school, state, or federally registered or recognized charitable, nonprofit or religious organization does not need to be registered or licensed. Any such person shall provide identification or the affiliation upon request.

(C) *Non-neighborhood soliciting.* Any person who is soliciting for a school, state, or federally registered or recognized charitable, nonprofit, or religious purposes but who is not within 1 mile of their residence, must register with the township and provide the Township Clerk, in writing, his or her name, address, and drivers license number. No license shall be required, but the person shall provide evidence to the township that the organization for which the solicitation is taking place is a school, recognizable charitable, nonprofit, or religious organization. The Township Clerk shall prepare and issue an authorization document to each person soliciting under the applicant. The document shall be displayed by the solicitor

at all times while soliciting in the township and shall be presented by that person to any resident requesting identification prior to any attempt to sell a product or service to that resident.

GENERAL REGULATIONS AND PROHIBITION.

Unless otherwise expressly permitted by another ordinance or law:

(A) No person shall engage in any solicitation on any property against the wish or desire of the property owner or the tenant or occupant of the property;

(B) No person engaged in any solicitation shall visit any dwelling or residence without an appointment where a sign is displayed stating “no peddlers”, “no solicitors”, “no sales”, “no trespassing”, or words of similar meaning; and

(C) No persons shall travel from door to door, street to street, or place to place within the township while engaged in solicitation between the hours of dusk and dawn.

ADDITIONAL ENFORCEMENT REMEDIES.

In addition to any remedies available at law, the township may bring an action for an injunction or other process against any person to restrain, prevent, or abate any violation of this chapter.

Penalty for violation of article.

Any person violating a provision of this article is guilty of a misdemeanor punishable by not more than a \$500.00 fine and/or imprisonment for not more than 90 days. A person found to be in violation shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan law. The term **person** shall be deemed to include partnerships, limited liabilities, corporations and other legal entities.

Effective Date.

This Ordinance shall become effective thirty (30) days after publication as required by law.

Severability.

This ordinance and its various sections, subsections, sentences, phrases, and clauses are severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Clerk's Certification

I hereby certify this ordinance was adopted by the **Springport Township Board** of Trustees at a regular meeting held on February 13, 2017, and the vote was as follows:

FOR: Sebastian, Mitchell, Losey, Riehle

Schmidt - Absent

AGAINST: NA

I further certify this ordinance was published in the Springport Signal on March 23, 2017.

Jaclyn K. Riehle
Springport Township Clerk