



TRANSIENT MERCHANT MERCHANT APPLICATION

DATE SUBMITTED _____

**BACKGROUND CHECK REQUIRED AT THE APPLICANT'S EXPENSE AND
PRIOR TO PERMIT BEING ISSUED**

Business or Personal Info:

Applicant: _____ Phone: (____) ____-_____
D/B/A: (Doing Business As/Name) _____ Phone (____) ____-_____
Address: _____ Fax: (____)____-_____
City: _____ State: _____ Zip _____
Email: _____
Driver's License: _____ State of Issue: _____
Additional Info: _____

Transient of Activities:

Please check any activity that apply to your business and review the Definitions and Deposit Guidelines:

- Charitable Organization (Charity)
- Itinerant vendor
- Mobile merchant
- Transient Merchant

Brief List of Business Products/Services: _____

Please list the dates below you intend to start and finish business in our Village.

Start Date: _____ End Date: _____

Affidavit:

I HEREBY CERTIFY THAT THERE ARE NO WILLFULL OMMISSIONS, MISREPRESENTATIONS IN, OR FALSIFICATIONS OF, THE SUBMITTED STATEMENTS, ANSWERS, AND ATTACHMENTS. I AM AWARE THAT SHOULD INVESTIGATION DISCLOSE SUCH OMMISSIONS, MISREPRESENTATIONS, OR FALSIFICATIONS, MY APPLICATION WILL BE REJECTED, OR IF ALREADY ISSUED, MY LICENSE WILL BE SUBJECT TO REVOCATION. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO NOTIFY THE VILLAGE OF MONEE OF ANY CHANGES TO THE SUBMITTED INFORMATION, IMMEDIATELY AS THEY OCCUR.

I FURTHER ACKNOWLEDGE THAT FAILURE TO OBEY ALL FEDERAL, STATE, AND LOCAL LAWS OR OBTAIN PERMITS AND INSPECTIONS OR MAINTAIN INSURANCE MAY SUBJECT THE BUSINESS TO PENALTIES, REVOCATION OF LICENSES.

Signature of principal owner(s), partners, or corporate president (the persons signing this application must be included in the submitted contact information forms).

Signature

Printed Name and Title

Date



Transient Activity Definition and Deposit Requirements:

CHARITABLE ORGANIZATION:

Not-for profit organization whose primary objectives are philanthropy and social wellbeing for educational, religious, or other activities serving the public interest or common good. Examples as such are Salvation Army, Good Will, United Way and feed the Children. **No permit license fee.**

ITINERANT VENDOR:

Any person who transports tangible personal property for retail sale who does not maintain in an established office, distribution house, sales house, warehouse, service center or residence from which such business is conducted. However, this does not apply to any person who delivers tangible personal property who is fulfilling an order for such property which was solicited or placed by mail or other means. This does not apply to any person holding a valid license, issued by a county or municipality to engage in retail sales. **Permit license fee of \$100.00 for 30 consecutive day permit.**

MOBILE MERCHANT:

Transient merchant or business operator who sells or services prepared, pre-packaged, or unprepared, unpackaged food or foodstuffs of any kind, non-alcoholic beverages, or seasonal items from vehicle upon privately owned property. **A permit license fee of \$100.00 per year for any applicant who maintains a licensed physical location within the Village. Other applicants permit license fee of \$600.00 for 6-month time period or \$1,000 per year shall be paid.**

TRANSIENT MERCHANT:

Engaged temporarily in the retail sale of goods, wares, or merchandise and who, for the purchase of conducting such business, occupies any building, room, vehicle, structure of any kind, vacant lot, mobile merchants and stationary merchants. Does not apply to the person selling goods. **Permit license fee of \$100.00 for 30 consecutive day permit.**

DEPOSIT:

As condition to receiving such license and to secure its return such solicitor shall deposit with the Village the sum of \$50.00. Each solicitor upon expiration of his/her license to solicit in the Village, shall surrender the license to the Village and upon doing so the Village shall refund the \$50.00 deposit. If the license is not returned or is returned in damaged condition to the text that it cannot be reused, said deposit shall be forfeited to the Village. If lost, stolen or destroyed a report of such facts shall be made to the village and the deposit shall be forfeited to the village. Failure to return a license or returning it in a damaged condition shall be cause for the Village to deny a future solicitor for a period of one (1) year and to increase the deposit for future licenses to \$100.00. Failure to report the loss or destruction of a license shall be cause to deny a future **license to solicitor.**



VILLAGE of MONEE
Will County Illinois



ORDINANCE NUMBER 1949

**AN ORDINANCE REGULATING TRANSIENT MERCHANT TYPE OF
ACTIVITIES WITHIN THE VILLAGE OF MONEE, A HOME
RULE UNIT OF GOVERNMENT, WILL COUNTY, ILLINOIS**

**ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF MONEE**

THIS 27th DAY OF May, 2020

**Published in Pamphlet Form by Authority of the
Board of Trustees of the Village of Monee,
Will County, Illinois,**

This 27th day of May, 2020

ORDINANCE NUMBER 1949

**AN ORDINANCE REGULATING TRANSIENT MERCHANT TYPE OF
ACTIVITIES WITHIN THE VILLAGE OF MONEE, A HOME
RULE UNIT OF GOVERNMENT, WILL COUNTY, ILLINOIS**

WHEREAS, the peddlers and solicitors transient business in the Village of Monee "Village" which provide a service to the residents and commercial segment of our community; and

WHEREAS, It is essential that these activities be monitored to safeguard the public health and safety; and

WHEREAS, it has been determined that it is in the best interest of the Village to compose the following regulations pertaining to peddler type activities.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Monee, a Home Rule Unit of Government as follows:

Section One. Preambles. That the preambles above set forth are incorporated herein as if set forth herein in full.

Section Two. Definition. The following words, terms or phrases when used in this Ordinance shall have the following meanings.

Charitable organization or charity is a not-for-profit organization whose primary objectives are philanthropy and social well-being for educational, religious, or other activities serving the public interest or common good. Examples as such are Salvation Army, Goodwill, United Way, and Feed the Children. This list is not an exclusive list but is illustrative.

An itinerant vendor means any person who transports tangible personal property for retail sale who does not maintain in an established office, distribution house, sales house, warehouse, service center or residence from which such business is conducted. However, this does not apply to any person who delivers tangible personal property who is fulfilling an order for such property which was solicited or placed by mail or other means. This does not apply to any person holding a valid license, issued by a county or municipality, to engage in retail sales.

Mobile merchant means a transient merchant or business operator who sells or serves prepared, pre-packaged, or unprepared, unpackaged food or

foodstuffs of any kind, non-alcoholic beverages, or seasonal Items (as defined below) from a vehicle upon privately owned property. The subject property shall contain an existing permanent business that operates in a fixed building with a valid certificate of occupancy or shall contain a business under construction with a valid building permit. A mobile merchant, except registered ice cream vendors, shall not be permitted to operate upon public streets, sidewalks, alleys, or other public ways of the Village. The terms and provisions set forth herein shall not be applicable to a licensed business with a facility located within the Village provided that the Service Fee Payment has been submitted in accordance with the Village Code.

Peddler means any person who shall sell or offer for sale, barter, or exchange any goods, wares, merchandise, or other commodities while traveling from residence to residence on, along or upon the streets and sidewalks of the village.

Solicitation means and includes any one or more of the following activities:

- (1) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs or services of any kind, character, or description whatsoever, for any kind of consideration whatsoever.
- (2) Seeking to obtain prospective customers for application for or purchase of insurance of any type, kind, or character.
- (3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers, or any type of publication.
- (4) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization, corporation, or project.
- (S) Seeking to enlist support for or against a particular religion, philosophy, ideology, political party, issue, or candidate, whether accepting donations of money or not, or distributing handbills or flyers advertising any event or service.
- (6) Seeking to advertise, promote, sell and/or explain any product, service, organization, or cause; and
- (7) Includes hawkers, itinerant vendors, peddlers, and transient merchants.

Transient merchant means any person who is engaged temporarily in the retail sale of goods, wares or merchandise and who, for the purpose of conducting such business, occupies any building, room, vehicle, structure of any kind, or vacant lot, and includes mobile merchants and stationary merchants. However, this does not apply to any person selling goods, wares or merchandise which are raised, produced or manufactured by him, to any person selling vegetables, fruit or perishable farm products at an established city or village market, to any person operating a store or refreshment stand at a resort, to any person operating a stand or booth on or adjacent to property owned by him or upon which he resides, to any person operating a stand or booth at a state or county fair, or to any person operating a stand or booth at a trade show, exposition, convention or similar event. This does not apply to any person holding a valid license, issued by a county or municipality, to engage in retail sales.

Section Three: Soliciting. All solicitors must comply with the provisions of this Ordinance. It is hereby declared to be the policy of the Village of Monee that the occupants of each residence make the determination to whether solicitors shall or shall not be invited to their respective residence.

Section Four: Posting of Notice by Occupant. Any resident or property owner who does not want to be solicited by a peddler or transient merchant shall post a sign on the main entrance of the property indicating that "NO SOLICITORS INVITED" or "NO SOLICITORS". Said sign shall be posted in a prominent manner.

Section Five: Duty to Comply.

(a) It shall be the duty of every solicitor, upon going onto any premises in the Village upon which a residence is located, to first determine whether the notice provided for in this article, if any, is attached, and to further be governed by the statement contained on the notice. If the notice states, "NO SOLICITORS INVITED" OR "NO SOLICITORS," then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

(b) Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

(c) It is hereby declared unlawful and a trespass for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant

thereof and engage in soliciting, in defiance of the notice exhibited at the residence in accordance with the provisions of this article.

(d) It is hereby declared unlawful and a nuisance for any person, whether or not licensed under this chapter, to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engaging in soliciting, prior to 10:00 a.m. or after 7:00 p.m. Monday through Saturday. Solicitation on Sundays or any holiday is prohibited.

Section Six: License required. Each person soliciting must register with the Village and pay the fees according to the amounts associated with the specific type of soliciting as set forth in Title 3 Chapter 2.

Section Seven: License Issuance.

(a) *Application.* All applicants shall submit a completed application, a certificate of Insurance, a copy of the Department of Treasury ID Number, a Health Department food certificate, if necessary and proof of payment of License Fees in accordance with the Village Code.

(b) *Background Checks.* All applicants are required to complete a background check which will include fingerprinting. The fingerprinting must be completed by a company on a list as provided by the Village.

(c) *Issuance of License.* Within 10 business days after receipt of the application and result of the background check, the Village shall issue a license if a determination has been made the applicant is qualified as set forth in section D.

(d) *Person's ineligible for certificate.* No license shall be issued to any person who, within five years of the date of the application.

- (1) Has made a false material statement in a soliciting application.
- (2) Has been convicted of the commission of (i) a felony, or (ii), a misdemeanor involving dishonesty or false statements, under the laws of the state or any other state, or under the laws of the United States;

- (3) Has violated any of the provisions of this chapter, any other provision of this Code applicable to the activities of a solicitor, or the ordinances of any other municipality regulating soliciting, within one year of the date of the application;
- (4) Has had his license issued under this chapter revoked as provided in this article.
- (5) Is required to register as a sex offender under the Illinois Sex Offender Registration Act, 730 ILCS 150/3, under the laws of any other state, or under the laws of the United States.
- (6) Perpetrated fraud or misrepresentation in the course of Conducting solicitation, distribution of peddling activities;
- (7) Conducted solicitation, distribution, or peddling activities in such a manner as to create a public nuisance; or
- (8) Does not otherwise meet the requirements of this chapter.

Section Eight: Display of License. It shall be the duty of any person engaging in soliciting within the Village to wear in a conspicuous place on his or her outer garment the license permit issued by the Village. It shall be unlawful for any person to engage in soliciting within the Village without wearing and displaying such license permit. Every solicitor shall, prior to engaging in soliciting regulated under this Chapter, be issued a license permit bearing the words "Registered Monee" or words similar Impact, together with a serial number, which number shall be registered by the Village. As a condition to receiving such license and to secure its return, such solicitor shall deposit with the Village the sum of Fifty Dollars (\$50.00). Each solicitor, upon expiration of his/her license to solicit in the Village, shall surrender the license to the Village and upon doing so the Village shall refund the Fifty Dollar (\$50.00) deposit. If the license is not returned or is returned in damaged condition to the extent that it cannot be reused, said deposit shall be forfeited to the Village. In the event any such license is lost, stolen or destroyed, a report of such fact shall be made to the Village and the deposit shall be forfeited to the Village. Failure to return a license or returning it in a damaged condition shall be cause for the Village to deny a future solicitor for a period of one (1) year and to increase the deposit for future licenses to One Hundred Dollars (\$100.00). Failure to report the loss or destruction of a license shall cause to deny a future license to solicit.

Section Nine: License revocation. Any license issued under this article shall be revoked by the Village Administrator or his/her designee if the licensee:

- (1) Violates any of the provisions of this chapter;
- (2) Has made a false material statement in the application;
- (3) Perpetrates a fraud or misrepresentation in the course of conducting solicitation, distribution of peddling activities;
- (4) Conducts solicitation, distribution, or peddling activities in such a manner as to create a public nuisance; or
- (5) Otherwise becomes disqualified for the issuance of a license under the terms of this article.

Section Ten: Appeal of license denial or revocation.

(a) Any person aggrieved by the denial or revocation of a license under the provisions of this article shall have the right to appeal to the Mayor or his/her designee within 21 days after the date of denial of the application or revocation of the license. The appeal must be in writing, and shall contain a specific request for or waiver of a hearing.

(b) If a hearing is requested, the hearing before the Mayor or his/her designee shall take place within 30 days of the written appeal. The Mayor or his/her designee shall not be bound by the rules of evidence in the courts of law, but shall, in ascertaining the conditions and practices involved in the decision appealed, take into account all reliable, probative and substantial evidence. The Village President shall issue a written decision within 14 days of the hearing.

(c) Where a hearing is waived, the appealing party shall submit all supporting documentation with the written appeal. The Mayor or his/her designee shall issue a written decision within 14 days of filing of the written appeal.

(d) The Mayor or his/her designee's determination as to the denial or revocation of a license shall be a final administrative decision and subject to review in the Circuit Court of Will County, Illinois. The provisions of the administrative review law, and the rules adopted pursuant thereto, shall apply to and govern.

Section Eleven. Transient Merchants, Peddlers, Itinerant Vendors. Every transient merchant or itinerant vendor desiring to engage in soliciting within the Village is required to obtain a license. Stationary merchants must also obtain a temporary use permit.

Section Twelve: Repealer. That all Ordinances or parts of Ordinances in conflict herewith are expressly repealed.

Section Thirteen: Savings Clause. That in the event any portion of this Ordinance is declared to be void, that such other parts or remainder of this Ordinance shall not be adversely affected and shall otherwise remain effective and valid.

Section Fourteen: Adoption Clause. That this ordinance shall be in full force and effect from and after its approval, adoption and publication as required by law.

Section Fifteen: Exemption From Payment Of Fees. All Village based civic, service, school, religious, Not for Profit organizations based in the Village or federally chartered organizations (i.e., Scouts BSA or Scouts GSA) shall be exempt relative to the payment of the fees due the Village.

ORDINANCE NUMBER 1949

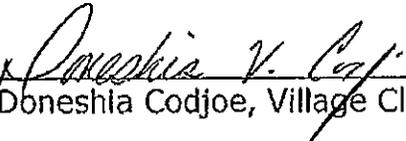
**AN ORDINANCE REGULATING TRANSIENT MERCHANT TYPE OF
ACTIVITIES WITHIN THE VILLAGE OF MONEE, A HOME
RULE UNIT OF GOVERNMENT, WILL COUNTY, ILLINOIS**

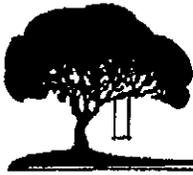
<u>AYES:</u>	<u>NAYS:</u>	<u>ABSTAIN:</u>	<u>ABSENT:</u>	<u>PRESENT:</u>
Blue				
Wilson				
Horne				
Youdris				
Raczek				
Gonzalez				

PASSED and APPROVED this 27th day of May, 2020.


James Popp, Village Mayor

ATTEST:


Doneshia Codjoe, Village Clerk



VILLAGE of MONEE
Will County Illinois



ORDINANCE NUMBER 1950

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, SECTION 1, OF THE
VILLAGE CODE OF THE VILLAGE OF MONEE, A HOME RULE UNIT OF
GOVERNMENT, WILL COUNTY, ILLINOIS**

**ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF MONEE**

THIS 27th DAY OF May, 2020

**Published in Pamphlet Form by Authority of the
Board of Trustees of the Village of Monee,
Will County, Illinois,
This 27th day of May, 2020**

ORDINANCE NUMBER 1950

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, SECTION 1, OF THE
VILLAGE CODE OF THE VILLAGE OF MONEE, A HOME RULE UNIT OF
GOVERNMENT, WILL COUNTY, ILLINOIS**

WHEREAS, the Village of Monee ("Village") adopted an Ordinance pertaining to Transient Merchants and other similar activities; and

WHEREAS, In said Ordinance, there were certain fees Imposed with respect to various activities; and

WHEREAS, the fee schedule in Title 3, Chapter 2, Section 1 should be amended to encompass the fees as outlined In the Transient Merchant Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Monee, a Home Rule Unit of Government, Will County, Illinois, that Title 3, Chapter 3, Section 2, Section 1 of the Village Code be amended as follows:

Section One - Preambles. That the preambles above set forth are incorporated herein as if set forth in full.

Section Two - License Fees. That the following license fees are hereby imposed and shall be paid at the time a license is requested.

- a) **Charitable Organization.** That no fee shall be due.
- b) **Itinerant Vendors, Peddlers, Solicitors and Transient Merchants.** That a license fee of One Hundred (100) Dollars shall be paid for a thirty (30) consecutive day permit.
- c) **Mobile Merchant.** That a license fee of One Hundred (100) Dollars per year shall be paid for any applicant who maintains a licensed physical location within the Village. For all other applicants, a license fee of Six Hundred (600) Dollars for a six (6) month time period or One Thousand (1000) Dollars per year shall be paid.

Section Three - Repealer. That all Ordinances or parts of Ordinances in conflict herewith are expressly repealed.

Section Four - Savings Clause. That In the event any portion of this Ordinance Is declared to be void, that such other parts or remainder of this

Ordinance shall not be adversely affected and shall otherwise remain effective and valid.

Section Five - Adoption Clause. That this Ordinance shall be in full force and effect from and after its approval, adoption and publication as required by law.

ORDINANCE NUMBER 1950

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, SECTION 1, OF THE
VILLAGE CODE OF THE VILLAGE OF MONEE, A HOME RULE UNIT OF
GOVERNMENT, WILL COUNTY, ILLINOIS**

<u>AYES:</u>	<u>NAYS:</u>	<u>ABSTAIN:</u>	<u>ABSENT:</u>	<u>PRESENT:</u>
Blue				
Wilson				
Horne				
Youdris				
Raczek				
Gonzalez				

PASSED and APPROVED this 27th day of May, 2020.


James Popp, Village Mayor

ATTEST:


Doneshia Codjoe, Village Clerk