ORDINANCE NO. MC-1004

AN ORDINANCE AMENDING CHAPTER 74 OF THE HOMEWOOD MUNICIPAL CODE CONCERNING REGISTRATION REQUIREMENTS FOR SOLICITORS

WHEREAS, Chapter 74 of the Homewood Municipal Code requires that solicitors must register with the village before engaging in this activity; and

WHEREAS, the President and Village Board find it necessary to update solicitor registration requirements to better protect the public health and safety of village residents.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE – AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Chapter 74 of the Homewood Municipal Code titled "Peddlers, Solicitors, Itinerant Merchants and Canvassers", Division 2 "Registration" is amended by deletion of Sections 74-51 through 74-55 in their entirety and by substitution of the following:

DIVISION 2. REGISTRATION

Sec. 74-51. Certificate--Required; qualifications.

(a) Every person soliciting from persons in residences within this village shall first apply for a registration certificate as provided in this division.

(b) Organizations soliciting donations must be registered with the state as a nonprofit, charitable, educational, religious, fraternal, veterans' or labor organization.

(c) Organizations soliciting donations must furnish financial information for the last three years. This information shall include a breakdown showing how donations are spent, i.e., fundraising costs, administrative costs, etc. The village will make this information available for public inspection.

Sec. 74-52. Application.

Application for a registration certificate shall be made upon a form provided by the Police Department and filed with the Village Clerk's office. Each applicant shall truthfully furnish in full, under oath, the information requested on the application, shall be fingerprinted by the Police Department, and shall pay a $27.00 registration fee.

Sec. 74-53. Records; numbering of applications and certificates; issuance to certain persons prohibited.

(a) The Village Clerk shall maintain a record of every application received and acted upon, together with all other information and data pertaining thereto and all registration certificates issued under this article, and of all application denials. Applications for certificates shall be numbered in consecutive order as filed, and every certificate issued, and any renewal thereof, shall be identified with the duplicate number of the application upon which it was issued.

(b) No registration certificate shall be issued to any person who has been convicted of a felony under state or federal law within five years of the application date, nor to any person convicted of violating any provision of this article, or whose solicitor registration previously has been revoked.

Sec. 74-54. Issuance and revocation of certificate.

(a) The Village Clerk, after consideration of the application and all information obtained relative thereto, including results of a background check, shall issue or deny the application based upon whether the applicant meets the requirements of this division. If the application is denied, the Clerk shall notify the applicant of the basis for the denial. The determination to issue or deny registration shall be made within five (5) business days after a complete application has been filed with the Village Clerk's office and the applicant has been fingerprinted.

(b) Any registration certificate issued under this division shall be revoked by the Village Clerk if the certificate holder is convicted of violating any provision of this article, has made a false material statement in the application, or otherwise becomes disqualified for the issuance for the registration certificate under this article. Immediately upon revocation, written notice shall be given by the clerk to the certificate holder in person or by Certified Mail addressed to his residence address in the application.

(c) The registration certificate shall become void immediately upon personal delivery or mailing of the notice to the certificate holder.

(d) The registration certificate shall state its expiration date.

Sec. 74-55. Exemptions.

The village manager may, upon written request, waive the registration requirements of sections 74-51, 74-52 and 74-53 for designated times and dates to organizations seeking to solicit for civic, religious, political, patriotic, philanthropic or eleemosynary purposes. Should the village manager deny such a request, the president and board of trustees, upon separate written request to them, may grant such waiver.

Secs. 74-56--74-75. Reserved.

SECTION TWO – EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 27th day of November, 2018.

Village President

ATTEST:

Marilyn Thomas

Village Clerk

Ayes: 6 Nays: 0 Abstain: – Absent: –