

DORR TOWNSHIP SOLICITOR REGISTRATION

Applicable for 90 days

ALL INFORMATION MUST BE COMPLETED FOR THIS REGISTRATION TO BE ACCEPTED

Office Use Only:

\$25.00 non-refundable application fee _____

\$15.00 non-refundable renewal fee _____

Finance: validate payment on back

PERSONAL INFORMATION

Name _____
Last First MI

Home Address _____ How long at this address? _____

Phone _____ City State Zip Cell Phone _____

Date of Birth _____ Place of Birth _____

Drivers Lic. # _____ State _____ Sex _____ Race _____ H _____ Wt. _____ Hair _____ Eyes _____

TEMPORARY RESIDENCE INFORMATION

Where are you currently residing? House ___ Apt ___ Hotel/Motel _____

Address _____

EMPLOYER

Name _____

Employer Address _____

Employer Phone _____

How long have you been with this employer? _____ Crew Manager's Name _____

Crew Manager's Address _____ Crew Manager's Phone _____

VEHICLE INFORMATION

Provide the following vehicle information for your transport to and from the Township:

Make _____ Model _____ Year _____ Color _____ License Plate No. _____ State _____

SOLICITOR INFORMATION

Describe the product/service you will be soliciting _____

Have you ever been convicted of a felony under the law of the State of Michigan or any other State or Federal law of the USA? Yes ___ No ___

Have you ever violated any Ordinances of Dorr Township? Yes ___ No ___

Do you represent a charitable or non-profit organization Yes ___ No ___

Name of organization _____ Phone _____

Are you registered as such with the State of Michigan as required by State Law? Yes ___ No ___

I swear the above information is true and I authorize Dorr Township to investigate the accuracy of the information on this application.

Signature of Applicant _____ Date _____

Dear Applicant:

The attached Solicitor application must be completed prior to receiving authorization to solicit door to door within Dorr Township. The issuance of a Solicitor Permit is conditional upon compliance with Township ordinances and the result of a background investigation into your character and background. All information on the application must be answered completely and legibly.

Any false statement or omission of information will be cause for solicitor permit suspension, revocation or grounds for the Township to refuse to issue the permit/renewal. Your signature on the application certifies that the information you have provided is true and accurate. Application for a permit must be submitted in person. Your current Driver's License or State Identification Card must be presented. A \$25.00 NON-refundable application fee is due at the time of submittal. A copy of any pamphlets or advertising material you distribute when soliciting must also be submitted with your application. All permits are valid for 90 days.

Upon approval, an (photo) identification badge will be issued. The (photo) identification badge must be worn and visible at all times while soliciting in Dorr Township. Registered Solicitors shall not be allowed to conduct solicitation activities between the hours of 7:00 p.m. and 9:00 a.m. EDT and 5:00 p.m. and 9:00 a.m. EST Monday through Saturday. No soliciting is permitted on Sundays or legal holidays. No person shall engage in business as a solicitor if a "No Soliciting" notice is exhibited by a residence or business. A copy of the Township Ordinance as it pertains to Solicitor regulations is attached for your information.

The Office will contact you within 7 business days regarding your Solicitor Application.

Effective 10-1-2018

**DORR TOWNSHIP
(ORDINANCE 03-180)**

The Dorr Township Solicitor Regulation Ordinance

At a regular meeting of the Township Board for Dorr Township held at the Township offices on September 27, 2018 beginning at 7 p.m., a motion was made to adopt this Ordinance by Township Board Member Rios and was seconded by Township Board Member Sewers.

AN ORDINANCE TO SECURE THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF DORR, COUNTY OF ALLEGAN, MICHIGAN, BY REGULATION AND LICENSING OF PERSONS WHO ARE PEDDLING OR OTHERWISE SOLICITING THE SALE OF GOODS, SERVICES AND/OR MERCHANDISE WITHIN DORR TOWNSHIP.

The Township of Dorr ("Township") Ordains:

Section 1. Title:

This Ordinance shall be known and may be cited as the "Dorr Township Solicitor Regulation Ordinance".

Section 2. Purpose:

The purposes of this Ordinance are:

- A. To secure and protect the general welfare and safety of the landowners, visitors and residents of Dorr Township.
- B. To require solicitors to obtain a Township license to solicit within Dorr Township.
- C. To establish an application process for the issuance of a Township solicitor's license and payment of a license fee to the Township.
- D. To set forth the information that must be supplied to Dorr Township before a Township solicitor's license may be granted.
- E. To provide penalties for the violation of the provisions of this Ordinance.

Section 3. Definitions:

- A. **Person.** The word "person" as used in this Ordinance shall mean any natural person, business, firm, corporation, partnership, limited liability company or other association, organization or entity.
- B. **Solicit, Soliciting, Solicitation.** The terms "solicit", "soliciting" and "solicitation" as used in this

Ordinance shall be construed to mean any act related to or involving traveling from place to place, house to house or from street to street to sell or offer for sale or display for sale any goods, products, wares or merchandise to any person not a dealer therein; or take orders for the purchase of goods, wares or merchandise by samples, lists, catalogs, or subscriptions for magazines and books from any person not a dealer therein; or sell or offer for sale or take orders for the sale of services, except as follows:

- (1) For purposes of this Ordinance, a person solely delivering goods or services to regular customers is not engaged in soliciting and is not a solicitor. A person delivering goods or services to regular customers may take new orders from that customer without engaging in solicitation under this Ordinance.
 - (2) For purposes of this Ordinance, the delivery of goods or services pursuant to a contract or agreement entered into between the owner or occupant of property in Dorr Township and the person selling such goods or providing such services, where the contract or agreement has been entered into at the seller's/provider's place of business, or as the result of a request or order submitted by the property owner or occupant to the seller/provider by telephone, telefax, e-mail, correspondence or similar means, does not constitute soliciting or a solicitation under this Ordinance.
- C. The word "**solicitor**" as used in this Ordinance shall be construed to mean any person soliciting in Dorr Township.

Section 4. License Application Process:

- A. No Person shall solicit within Dorr Township without first obtaining a license from the Township. An application for such license shall be made to the Dorr Township office on a form prepared by Dorr Township.
- B. The applicant shall provide all information listed on the application form before the application may be deemed complete and then be processed by the Township.
- C. All applicants will be subject to a background check, including without limitation, a review by the Allegan County Sheriff's Department, State Police and sex offender records registry. If the applicant has any criminal warrants outstanding at the time of the application, the application may be denied, in the discretion of the Township official designated by the Township Board to process such license applications. After any such denial, the applicant may reapply only after the expiration of sixty (60) days.
- D. If the applicant has been convicted of any felony or misdemeanor involving assaultive behavior, stalking, malicious destruction of property, vandalism, theft, criminal sexual conduct, unlawful entry, or the delivery of or possession with intent to deliver a controlled substance, the application shall be denied. After any such denial, the applicant may reapply after the expiration of sixty (60) days or may appeal the denial as provided in Section 12 of this Ordinance.
- E. Unless the applicant is charged with any criminal violation of a local, state or federal law subsequent to filing the application, all background checks shall be valid for a period of one (1) year following the approval of the application.
- F. During any time period during which a person is licensed by the Township under this Ordinance, that

person must inform the Township of any and all changes to the information on his/her/its application and any event that would result in a change to the information produced in his or her background check before continuing to solicit.

- G. Unless another Township official is designated by the Township Board, the Township Clerk shall issue or deny any solicitation license under this Ordinance.

Section 5. Expiration of License:

All licenses approved under the provisions of this Ordinance shall expire 90 days from the date of issuance.

Section 6. Fees:

All applications submitted pursuant to this Ordinance shall be accompanied by a non-refundable license fee established by the Dorr Township Board. Such fee will apply to each individual applicant and each employee, agent or independent contractor acting on behalf of a corporation, partnership, limited liability company, sole proprietorship, or other business entity. The purpose of the fee is to cover the administrative costs associated with processing the application, including but not limited to conducting and reviewing the background checks, and regulating solicitors within Dorr Township.

Section 7. Prohibitions:

No person shall solicit within Dorr Township without first obtaining a license from the Township under the provisions of this Ordinance. The following provisions apply to any person soliciting within Dorr Township, whether or not a license has been issued to that person under this Ordinance:

- A. No solicitor shall obstruct or block any street, alley, sidewalk, driveway or other public place.
- B. No solicitor shall enter or call upon any property, dwelling or place of business posted "No Soliciting", "No Peddlers", or "No Trespassing" or similar prohibition.
- C. No solicitor shall threaten or annoy any resident or person within Dorr Township in the course of their soliciting or in any way engage in conduct which is or would tend to create a nuisance or breach of the peace.
- D. No solicitor shall engage in soliciting within the Township without carrying and displaying the license issued by the Township pursuant to this Ordinance.
- E. No solicitor shall solicit within any Township park or upon any property owned or controlled by Dorr Township, without specific prior approval of the Dorr Township Board, separate from the Township license.

Section 8. Hours of Operation or Solicitation:

Eastern Daylight Time:

9 a.m. – 7 p.m. Monday – Friday

9 a.m. – 5 p.m. on Saturday

Eastern Standard Time:

9 a.m. – 5 p.m. Monday – Friday

9 a.m. – 5 p.m. on Saturday

No soliciting shall occur on Sundays or legal holidays.

Section 9. Suspension and Revocation:

In addition to the penalties which may be imposed under Section 11 of this Ordinance, a license issued pursuant to the provisions of this Ordinance may be revoked or suspended by the Dorr Township Board for any of the following reasons:

- A. Any fraud, misrepresentation, or false statement made in connection with the selling of goods, wares, services or merchandise.
- B. Any fraud, misrepresentation, or false statement contained in the application for a license submitted under the provisions of this Ordinance.
- C. Any violation of federal, state or local laws and/or ordinances which would allow Dorr Township to deny a license under Section 4 (C) of this Ordinance.

Section 10. Exemptions and Exempted Persons:

The following persons and transactions are exempt from the provisions of this Ordinance:

- A. Solicitation for religious or charitable institutions. Any person who is soliciting for a school, state or federally registered or recognized charity, a nonprofit corporation or entity, or a church or religious society shall not be required to obtain any permit or pay any permit fee pursuant to this Ordinance. The solicitor for any group listed under this Subsection A must still register with the Township and provide the Township Clerk or other Township official designated by the Township Board with his/her name, address, and a copy of his/her driver's license before such exempt solicitation can occur within the Township. The applicant shall provide evidence [i.e., 501(c)(3) status, etc.] to the Township that the organization for which the solicitation is taking place is a school, recognizable charitable, nonprofit, church or religious organization.
- B. Political speech or canvassing. Solicitations exclusively intended to canvass or petition for a public official, political candidate, public policy or initiative being promoted for purposes of a public referendum, initiative, millage, or election does not require any registration, permit or permit fee.
- C. Any person age eighteen (18) or younger soliciting for the benefit of any public or private school, youth activities such as but not limited to Girl Scouts, Boy Scouts, Church youth groups, or youth

athletic leagues shall be exempt from the provisions of this Ordinance. Any parent or other responsible adult accompanying such a person age eighteen (18) or younger shall also be exempt from the provisions of this Ordinance.

- D. Any person selling the products of the person's own farm, home, orchard or garden shall be exempt from the provisions of this Ordinance.
- E. Any veteran of the armed forces of the United States who has a license under P.A. 359 of 1921 as amended, MCL 35.441 et seq., allowing the veteran to sell his or her own goods within the state is exempt from the provisions of this Ordinance.
- F. Any person exempt from the permitting requirements of this Ordinance by virtue of state or federal law.

Section 11. Violations and Penalties:

A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and any person who violates this Ordinance shall be subject to the provisions of the Dorr Township Municipal Civil Infractions Ordinance including the imposition of fines and costs. A violation of this Ordinance shall also constitute a basis for injunctive relief to compel compliance with this Ordinance and/or to restrain or prohibit continuation of the violation, as well as other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction contained in this Ordinance or allowed by law.

Section 12. Right to Appeal:

(A) Any person aggrieved by the action of the Township official designated in Section 4 of this Ordinance in connection with the grant or denial of an application for a license under this Ordinance shall have the right to appeal to the Dorr Township Board. Such an appeal shall be filed in writing with the Dorr Township Board within twenty-one (21) days after the notice of action complained of has been mailed to the person's last known address or delivered to the person. The Dorr Township Board shall set a time and place for a hearing on such an appeal and shall give written notice of the hearing to the applicant, license holder and/or aggrieved party.

(B) The Dorr Township Board may reverse the decision to deny a license under this Ordinance if the Township Board determines: (a) that the denial was based upon inaccurate information; (b) that the denial constituted an abuse of discretion on the part of the Township official designated in Section 4 of this Ordinance; or (c) if the Board determines that the applicant or license holder poses no significant risk to the health, safety and welfare of the community despite the conviction of a felony or misdemeanor or the existence of a warrant as described in Section 4 of this Ordinance.

(C) The decision of the Dorr Township Board on such an appeal shall be final and conclusive. Appeals from the decision of the Dorr Township Board regarding the approval or denial of an application for a license under this Ordinance or the revocation of a license under this Ordinance may be filed with the Allegan County Circuit Court as provided by law.

Section 13. Severability:

The provisions of this Ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the Ordinance, which shall continue in full force and effect.

Section 14. Effective Date; Repeal:

This Ordinance was approved and adopted by the Dorr Township Board September 26, 2018 and shall be effective upon the expiration of 30 days after its publication. This Ordinance repeals the prior solicitation ordinance for Dorr Township adopted on July 26, 2018.

The vote to adopt this Ordinance was as follows:

YAYS: Miling, Sewers, Martin, Otto, Tuinstra, Rios, Weber,

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.



Jeff Milling, Township Supervisor




Debbie Sewers, Township Clerk

* * *

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the Township Board for Dorr Township at the time, date and place specified above pursuant to the required statutory procedures.

Respectfully submitted by:



Debbie Sewers
Dorr Township Clerk