

Organization \_\_\_\_\_ Date received \_\_\_/\_\_\_/\_\_\_ Application Fee (\$500) received \_\_\_ or waived \_\_\_

Dates of solicitation \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_ Date issued \_\_\_/\_\_\_/\_\_\_ or Date denied \_\_\_/\_\_\_/\_\_\_

### Village of Island Lake Solicitors Permit

Complete information required to process application.

**Requested solicitation dates** (maximum of 3) \_\_\_/\_\_\_/\_\_\_, \_\_\_/\_\_\_/\_\_\_, \_\_\_/\_\_\_/\_\_\_

Applicant photo  
(submit 2 copies)  
at least 1" x 1 1/2"

#### Applicant Information

**Name** (last, first) \_\_\_\_\_

**Address** (street, city, state, zip code) \_\_\_\_\_

**Daytime phone #** \_\_\_\_\_ **Evening phone #** \_\_\_\_\_ **Email** \_\_\_\_\_

**Date of Birth** (month, day, year) \_\_\_/\_\_\_/\_\_\_

**Driver's License/State ID Number\*** \_\_\_\_\_ **State of issue** \_\_\_\_\_

\* Attach a copy of Drivers License/State ID Number

#### Organization Information

**Name of organization for which applicant proposes to solicit** \_\_\_\_\_

**Address** (street, city, state, zip code) \_\_\_\_\_

**Solicitor supervisor name** \_\_\_\_\_ **Phone #** \_\_\_\_\_ **Email** \_\_\_\_\_

**Describe the nature of business or activities of organization** \_\_\_\_\_

**Describe the proposed solicitation and type of communication/literature involved** (attach sample of literature)

#### Questions

1. Have you ever been issued a Solicitor Permit for the Village of Island Lake: \_\_\_ yes \_\_\_ no  
If yes, has your Village of Island Lake Permit ever been revoked or denied: \_\_\_ yes \_\_\_ no

If yes, explain. \_\_\_\_\_

2. Have you ever been convicted of a felony under the laws of the State of Illinois, any other State, or under Federal Law? \_\_\_ yes \_\_\_ no  
If yes, explain. \_\_\_\_\_

3. Are you a registered sex offender? \_\_\_ yes \_\_\_ no

If yes, explain. \_\_\_\_\_

4. Have you ever been convicted of a violation of any law as a result of your peddling/soliciting activity? \_\_\_ yes \_\_\_ no

If yes, explain. \_\_\_\_\_



## **Title 3, Chapter 4 of the *Village Code***

### **SOLICITATION**

#### **3-4-1 DEFINITIONS**

As used in this chapter, the following words shall have the meanings given them in this section:

**CHARITABLE:** Shall mean and include the words patriotic, philanthropic, social service, welfare, benevolent, educational, civic or fraternal, either actual or purported.

**CHARITABLE ORGANIZATION:** An organization which is registered with the attorney general of the state of Illinois pursuant to 225 ILCS 460/2 or which is exempt from registration with the attorney general pursuant to 225 ILCS 460/3.

**CONTRIBUTIONS:** Shall mean and include the words alms, food, clothing, money, property, financial assistance or other thing of value.

**ORGANIZATION:** Any firm, partnership, corporation, company, association, church, religious sect, religious denomination, society, organization or league.

**PREMISES:** A building or portion of a building including the real estate upon which any such building is located.

**RELIGIOUS:** Shall not mean and include the word "charitable" as defined in this section, but shall be given its commonly accepted definition.

**SOLICIT OR SOLICITATION:** One or more of the following activities:

- A. Selling or offering for sale, or taking or attempting to take orders for the sale of goods or services of any kind, character or description.
- B. Selling or offering for sale, or taking or attempting to take orders for the sale of books, magazines, periodicals, newspapers and any other type or kind of publication.
- C. Requesting directly or indirectly contributions on the plea or representation that such contributions will be used for a charitable or religious purpose; where any such sale, offer, taking, attempt or request is personally solicited.

#### **3-4-2 PERMITS REQUIRED; APPLICATIONS**

- A. It shall be unlawful for any person to engage in solicitation in the village without first obtaining a written permit from the village. For the purposes of obtaining such permit, a written application shall be made, in a form prescribed by the village clerk, setting forth the following:
  - 1. The full name, mailing address and telephone number of the individual person who will be engaged in the proposed solicitation.
  - 2. A description of the person who will be engaged in the proposed solicitation.
  - 3. The full name, mailing address and telephone number of the person or organization sponsoring, promoting or conducting the proposed solicitation.
  - 4. The full name, mailing address and telephone number of the person or persons who will have supervision of and responsibility for the proposed solicitation.
  - 5. The nature of the business or activities conducted by the person or organization on whose behalf the proposed solicitation will be conducted.
  - 6. A description of the proposed solicitation, indicating the type of communications to be involved.
  - 7. The dates and hours which the solicitation is proposed to begin, and the expected duration of the proposed solicitation.

8. The purpose of the activities of the solicitation.
  9. A statement of whether or not the individual person or organization who will be engaged in the proposed activities has ever been convicted of any one or more of the following:
    - a. A violation of any law or ordinance concerning canvassing or soliciting;
    - b. A felony; or
    - c. Any crime involving moral turpitude.
  10. The full name, mailing address and telephone number of at least one reputable person or organization, not related to nor affiliated with or employed by the individual person or organization, who will be engaged in the proposed solicitation.
- B. The written application shall be filed no later than thirty (30) days preceding the day on which the proposed solicitation is expected or proposed to be commenced.
  - C. In the event the type of solicitation proposed involves transactions subject to state sales tax, the applicant shall supply a copy of their retail occupation tax certificate.

### **3-4-3 ISSUANCE OF PERMIT; STANDARDS**

Applications for solicitation permits submitted by governmental entities and non-profit organizations shall be subject to approval by the village clerk. The clerk will notify the corporate authorities within 24 hours of issuing the permit. All other solicitation permits are subject to approval by the corporate authorities.

When considering whether to issue a permit, the clerk or corporate authorities, as the case may be, shall consider the following:

- A. Limited Number: No more than two (2) solicitor's permits in residential areas shall be issued for the same month for which the application has been made.
- B. Order Of Preference: Where solicitation is to be conducted in the public places of the village, permits may be issued in the following order of preference with respect to pending application:
 

First: To those applicants whose solicitation request is coordinated with a national or statewide financial drive. The following are illustrative of such drives: Rotary Club, Easter Seals, United Way, Poppy Day, Salvation Army Donut Day, Kiwanis Peanut Day, Lion's Candy Day and Knights of Columbus Tootsie Roll Day.

Second: To such other persons, organizations or groups as may be approved by the clerk or corporate authorities, as the case may be.
- C. Character: Whether the applicant is of good character and has a reputation for honesty and integrity. In the event the applicant is not an individual person, whether every member, managing officer or agent of the applicant is of good character and has a reputation for honesty and integrity.
- D. Supervision: Whether control and supervision of the solicitation will be under a responsible and reliable person. Supervision must be by persons who are at least eighteen (18) years of age.
- E. Fraud: Whether the applicant has engaged in any fraudulent transaction or enterprise.
- F. Permit Fees: Permit fees shall be paid at the time the permit application is filed with the village clerk, and shall be in the amount set forth in the annual fee ordinance schedule contained in section 1-16-3 of this code, unless the village board of trustees waives the applicable fees. Non-profit organizations registered with the state of Illinois and governmental entities shall be exempt from payment of the solicitation fees.
- G. Issued Permits: Issued permits shall be for one consecutive three (3) day period, and no more than four (4) permits will be issued to the same organization within the same calendar year, unless otherwise approved in the solicitation permit.

- H. Annual Permit for Multiple Activities. An organization may apply for and be issued an annual permit to allow the organization to conduct multiple solicitation activities within a one year period.

#### **3-4-4 DENIAL OF PERMIT**

The clerk or corporate authorities, as the case may be, shall not approve the issuance of a permit if:

- A. A statement or statements contained in the application are found to be incorrect, provided that the applicant has been given an opportunity to correct or amend the application.
- B. The person who will be engaged in the solicitation has been convicted of:
  - 1. A violation of any law or ordinance concerning canvassing or soliciting;
  - 2. A felony; or
  - 3. Any crime involving moral turpitude.

#### **3-4-5 APPLICATION IS PUBLIC RECORD**

The application for a permit to engage in solicitation shall be a matter of public record and shall be available for inspection by members of the public during business days.

#### **3-4-6 PERMIT**

Upon approval of the application for a permit to engage in solicitation, the village clerk or the clerk's representative shall issue the applicant a permit for each individual who will be soliciting, and the permit form shall contain the following:

- A. Full name, mailing address and telephone number of the person engaged in solicitation;
- B. Full name and mailing address of the person or organization on whose behalf the solicitation is being conducted;
- C. The dates and hours for which the permit is valid.
- D. Each individual solicitor must be in possession of the village issued permit at all times while engaged in solicitation.

#### **3-4-7 PERMIT REVOCATION**

A permit to engage in solicitation shall be revoked if:

- A. The person engaged in solicitation engages in any conduct prohibited by this chapter.
- B. The village becomes aware of facts which would have served as a basis for denying a permit.

#### **3-4-8 POSTED PERMISSION**

No person shall engage in solicitation upon any premises without a prior invitation from the occupant thereof, if such premises is posted against such solicitation by means of a notice prominently displayed, upon which is printed the legend: "No Solicitors" or "No Trespassing". For the purpose of this section, the premises shall be deemed to be posted if there is exhibited, on or near the main entrance to the premises or on or near the main door to the premises located thereon, a sign at least three inches by four inches (3" x 4") in size which bears either of the above legends in letters at least one-third inch ( $\frac{1}{3}$ " ) in height.

#### **3-4-9 FAILURE TO LEAVE PREMISES**

No person shall engage in solicitation upon any premises or in any dwelling house, apartment or other structure after having been asked by the owner or occupant to leave such premises.

#### **3-4-10 PROHIBITED PRACTICES**

- A. Hours: There shall be no solicitation upon any premises, other than upon prior invitation of the occupant of any such premises, prior to ten o'clock (10:00) A.M. or after six o'clock (6:00) P.M., local time, of any day.
- B. Maximum Number of Solicitors upon One Premises: Not more than two (2) individuals shall engage in solicitation upon any premises at the same time for the same goods or services, or religious or charitable purposes. Each individual member of a group engaged in solicitation in violation of this provision shall be deemed to have violated such provision.
- C. Maximum Number of Visits: No person shall make more than one solicitation call at the same premises for identical goods or services or for the same religious or charitable purpose within any consecutive one hundred twenty (120) day period, without receiving a prior invitation therefor from the occupant of any such premises.
- D. Identification Required: Any person engaged in solicitation shall have the village issued permit in their possession at all times. The permit must be presented for inspection at the request of any solicited resident, village employee or official. No person engaged in solicitation shall at the time of initial contact with a prospective customer fail to verbally identify himself/herself and the specific organization he/she represents.
- E. False Statements or Misrepresentations: No person or organization engaged in solicitation shall misrepresent the purpose of his solicitation or use any false, deceptive or misleading misrepresentation to induce a sale or contribution, or use any plan, scheme or ruse which misrepresents the true status or mission of a person making the call.
- F. Use of Obscene Language Prohibited: No person engaged in solicitation shall use abusive, vulgar, obscene or offensive language during his contact with a prospective customer or donor.
- G. Use of Threat or Force: No person engaged in solicitation shall threaten to use force or use force against a prospective customer or donor, his family or his property.
- H. Use of Disturbing Sounds or Noises: No person engaged in solicitation shall use any sound or voice amplification system or any other device which causes loud or disturbing noises while engaged in solicitation.
- I. Public Solicitations: No person who is not a charitable organization or representing a charitable organization shall solicit on any public street or sidewalk within the village.

**Title 1, Chapter 16 of the *Village Code***

Sec. 3-4-3F	Solicitation Fee	Basic fee (per 3 day permit): \$500.00 Additional fee for each solicitor (per 3 day permit): \$200.00. Notwithstanding the above, no permit fee shall be required for a governmental entity or an organization that provides evidence to the village of registration with the state of Illinois as a non-profit organization.
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