

VILLAGE OF RUSSIA, OHIO

ORDINANCE NO. 12-____

**AN ORDINANCE PROVIDING FOR THE REGULATION
OF PEDDLERS AND PERMIT REQUIREMENTS FOR
PEDDLERS IN THE VILLAGE OF RUSSIA, OHIO**

WHEREAS, the Council of the Village of Russia, Ohio (“Village”) has determined that it is necessary for public safety and security to regulate peddlers within the Village of Russia; and

WHEREAS, the Village Council has adopted permitting procedures, fees and regulations for peddlers operating within the Village of Russia.

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF RUSSIA, SHELBY COUNTY, OHIO, AT LEAST TWO-THIRDS (2/3) OF THE MEMBERS ELECTED THERETO CONCURRING:

Section One: Permit Requirements for Individual Peddlers.

Every individual intending to solicit door to door or at any public place within the corporation limits of the Village of Russia, Ohio must register with the Village Administrator or his designee, and pay an application fee as listed in Section Three of this Ordinance. A Village issued vendor’s permit must be obtained before engaging in any solicitation activity.

Section Two: Permit Requirements for Companies Employing Peddlers.

In addition to the requirement set forth in Section One of this Ordinance relating to individual peddlers, each company employing such individual(s) must also register with the Village Administrator or his designee, and pay an application fee as listed in Section Three of this Ordinance. A business permit must be obtained by such company from the Village Administrator or his designee before engaging in any solicitation activity within the corporation limits of the Village of Russia, Ohio.

Section Three: Daily Fee Required.

Before the Village Administrator or his designee will process an application for a business or individual solicitation permit, the applicant must pay the required daily individual and business fees listed in this section.

- (a) Daily application fee for each individual applicant.....\$ 25.00
- (b) Daily application fee for each business.....\$100.00

Section Four: Requirement to File Village Income Tax Return.

The Village of Russia has adopted a Village income tax and any income earned within the Village corporation limits by an individual or a company that obtains a solicitation permit must be reported to the Village income tax department. All required Village income tax relating to earnings that occur within the Village corporation limits must be reported and paid prior to the annual due date.

Section Five: Definitions.

For the purpose of this Ordinance, a peddler is defined as any individual who attempts to sell any item or solicit future sales or solicit appointments to demonstrate items for sale regardless of whether such activity is attempted at a fixed location in a public place or if the individual attempts to solicit door to door.

Section Six: Exceptions when Permit is Not Required.

The provisions of this Ordinance shall not apply to any of the following:

- (a) Any individual who by state or federal law or constitutional provision has been exempted from obtaining such permit.
- (b) Any sale under order of a court having jurisdiction.
- (c) Any sale at a public auction.
- (d) Any wholesale transaction to a retail business.
- (e) Any sale by a representative or agent of an organization sponsored by a public school.
- (f) Any sale by a representative or agent of a charitable organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time.
- (g) Any business that has obtained a vendor's license and is attempting to solicit sales at the business location listed on this vendor's license.

Section Seven: Penalties.

Whoever violates Section One or Section Two of this Ordinance shall be guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both.

Section Eight: Enactment of this Ordinance.

This Ordinance is necessary to enable the Village to regulate peddlers and implement a permit fee schedule for peddlers doing business within the Village of Russia, and this Ordinance shall go into effect on the earliest day provided by law.

Passed this 8th day of February, 2012.

Terence Daugherty, Mayor

ATTEST:

Carmen Siefring, Village Fiscal Officer