

APPLICANT AUTHORIZATION

I hereby authorize the City of Waterville, Ohio and its agents to make such investigations and inquiries of my personal and employment history and other related matters as may be necessary in determining whether this Solicitor's Permit ought to be issued. I hereby authorize any employer, governmental entity, court or other agency or individual to release such information to the City of Waterville, Ohio, and hereby release said employer, governmental entity, court or other agency or individual from all liability in releasing such information.

Signature

Date

CERTIFICATION

I hereby certify that the answers given herein are true and complete to the best of my knowledge. I understand that any false or misleading information given by me in my application will result in revocation of my solicitor's license. I further understand that I will be required to abide by the rules and regulations governing solicitation within the City of Waterville, Ohio.

Signature

Date

INCOME TAX CERTIFICATION

I, the undersigned, do hereby recognize and agree that I will owe income tax to the City of Waterville, Ohio in the amount of 2% of net income derived from my business within the City of Waterville, Ohio. I further state that I will comply with all applicable income tax regulations and reporting requirements established by the City of Waterville, Ohio.

Signature

Date

WATERVILLE CITY ORDINANCES

Chapter 723

The complete text of these ordinances may be obtained at Waterville City Hall or at www.waterville.org

§723.02: Registration or License Required. No person shall canvas, solicit or peddle within the City without first registering with the Police Department.

§723.03: Furnishing Information; Fee; License; Registration. Each canvasser, peddler and solicitor required to register or obtain a license from the City shall, prior to commencing canvassing, peddling or soliciting, furnish the Police Department with necessary information.

§723.04: Restrictions.

- (a) Circulars or samples to be handed to property occupant or left in a secure place
- (b) Hours of operation from **10:00 AM to 8:00 PM**, only
- (c) May not enter any house, apartment or dwelling without express invitation from the occupant
- (d) False, fraudulent, misleading or deceptive statements or claims prohibited
- (e) May not canvass, peddle or solicit on any property where posted signage prohibits such activity, as provided in §723.05
- (f) Canvassing, peddling & soliciting limited to activities specified on license issued by City of Waterville

§723.05: Trespassing in Violation of Posted Signs. No person while engaged in canvassing, peddling or soliciting shall at any door or ring any bell of any house, apartment, apartment building or other dwelling upon which is displayed at the entrance a notice that reads "No Canvassers, Peddlers or Solicitor's Allowed", or otherwise clearly purports to prohibit canvassers, peddlers or solicitors, unless invited upon the premises by the occupant thereof.

§723.99: Penalty. Whoever violates any provisions of this Chapter is guilty of a minor misdemeanor. Each day a violation occurs shall constitute a separate offense.

RECENT COURT DECISIONS

Cleveland Home Improvement Council v. City of Bedford Heights (1996). 113 Ohio App. 3d 814

The City of Bedford Heights enforces a traditional "Green River" ordinance which prohibits commercial solicitation at a private residence without prior permission of the property owner. The Court of Appeals for the Eighth District upheld the constitutionality of the ordinance. It determined the ordinance passed the four-pronged test for regulating commercial speech set forth in *Cent. Hudson Gas and Elec. Corp. v Pub. Serv. Comm. Of New York* (1980), 447 U.S. 557, 100 S. Ct. 2343, 65 L. Ed 2d 341:

- (1) The commercial expression was lawfully protected under the First Amendment since there was no evidence that information provided by a Solicitor to a consumer was misleading;
- (2) The City of Bedford Heights has a substantial governmental interest in protecting privacy and preventing crime;
- (3) It is recognized that regulating door-to-door solicitation directly advances that interest, and;
- (4) There is a reasonable fit between the legislative purposes and the means chosen to accomplish them.