



Solicitor Permit Requirements:

It is crucial that the Application and all required attachments, listed below, are submitted to the Waterville Police Department before the commencement of solicitation or peddling. This is a mandatory step for each individual planning to participate in soliciting in the City of Waterville. Please note that each Application must receive approval from the Chief of Police or their designee.

- Current Peddler's License application fee, per application.
- A clear photocopy of the applicant's driver's license or state ID card is required for identification verification. This ensures that the person applying for the permit is indeed the person they claim to be.
- An electronic colored photograph of the Applicant, similar to a driver's license picture, is to be submitted to the police department electronically. This is for the purpose of creating the solicitor's ID placard, which will be worn during solicitation to identify the person to the general public as an approved solicitor.
- A photo of the solicitor will be posted on the City's Social Media site to advise community members of approved solicitors.
- Ohio WebCheck fingerprinting BCI/FBI (form enclosed with the solicitor's packet) or an online electronic copy at waterville.org. The WebCheck could take up to four weeks to return from the state. The applicant is responsible for any applicable fees for the WebCheck service. Under Ohio Revised Code 4776.10, the City of Waterville has the right to cancel or turn down a solicitor's license application for any crimes of moral turpitude.

City of Waterville

25 North Second Street • Waterville, Ohio 43566 • 419-878-8100 • Fax 419-878-8044 www.waterville.org



Dear Applicant for a Solicitor's License:

Following are two important facts detailing responsibilities for you to review and understand as part of the application process for a Solicitor's License to operate within the City of Waterville. It is important to note the *no solicitation activities may commence prior to issuance of a valid permit from the City*. Also, a permit is not valid until approved by the Municipal Administrator and all appropriate fees and bonds are paid.

ALL SOLICITORS MUST HAVE A VALID PERMIT

Any and all individuals engaged in solicitation activities, as defined by the Waterville Municipal Code of Ordinances, must possess a valid individual Solicitor's License as issued by City staff. *Said permit must be in the immediate possession of the appropriate solicitor and must be available for immediate inspection on request by any and all citizens, City staff, and/or Waterville Police Officers. The Solicitor's Permit shall be in force and effect until December 31 of the year initially issued and must be renewed for each year thereafter.*

\$5,000 PERFORMANCE BOND REQUIRED

In accordance with the provisions of the Waterville Municipal Code of Ordinances, Chapter 723 "Peddlers, Solicitors, and Itinerant Vendors," all applicants for a City of Waterville Solicitor's License must post a performance bond to properly comply with the requirements for said permit:

Section 723.02(a) of the Code states:

"No person shall sell, canvass, solicit, peddle or otherwise dispense merchandise, goods, magazines, or services at the homes of residents of the Municipality or on the streets, highways, roads, paths, or sidewalks of the Municipality, without giving in advance to the Municipal Administrator a valid bond, satisfactory to the Municipal Administrator, in an amount satisfactory to the Administrator, but in no case to exceed \$5,000. The bond shall be valid and in force to guarantee performance for the period of one year from its date of issuance."

In addition to adhering to all City codes and requirements, we encourage you to be courteous and always respect the residents of our community during your time in Waterville. Thank you for your consideration.
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Request for National Webcheck®

Date: _____

To: National Webcheck® Services Company

From: Joe Valvano, Chief of Police

Subject: Request for National Webcheck® Services-Solicitor's Request

Please print legibly

Name of Applicant: _____
(Print Name)

Applicant SSN: _____

Applicant Date of Birth: _____

Applicant's company Name: _____

Each applicant shall be required to have a fingerprint analysis by the Ohio Bureau of Criminal Identification (BCI) and the Federal Bureau of Investigation (FBI). Each applicant will arrange for fingerprint analysis at any of the available web check locations listed on the Ohio Attorney General's website, www.ohioattorneygeneral.gov under "Services" click on Webcheck® Locations."

Webcheck® Services Company: The above-named individual is applying for a Solicitor's Permit with the City of Waterville, Ohio. The applicant must submit electronic fingerprints to the FBI and BCII as part of the background investigation process. The applicant is responsible for any applicable fees for this service. Please submit all completed reports to the Waterville Police Department, Attention: Chief of Police, 25 North Second Street, Waterville, Ohio 43566. If you have any questions, please contact the Waterville Police Department Office at 419-878-8184.

Thank you,

Joe Valvano, Chief of Police
Waterville Police Department

City of Waterville

25 North Second Street • Waterville, Ohio 43566-1491 • 419-878-8100 • Fax 419-878-8044 • www.waterville.org



25 North Second St.
Waterville, OH 43566

CITY OF WATERVILLE

PEDDLER'S LICENSE APPLICATION

OFFICIAL USE ONLY

Application Fee - \$50.00

Date Paid: _____
Vehicle Insp: _____
Approved By: _____
Date: _____

Name _____
Last First Middle

Home Address _____
Street City State Zip

Birthdate Female Male Height Weight Hair Eyes Soc. Security No. Driver's License #

Business Address _____
Street City State Zip

Home Telephone Business Telephone Business Name OR Employer's Name

Type of Business (Including Description of Product or Service) _____

Nature of Business To Be Conducted in Waterville (eg., Door-to-Door Sales; Solicitation, etc.) _____

Vehicle To Be Used In Waterville _____
Year Make Model Color License # / State

Sound Device Used To Get Attention? Yes No If "YES" - Describe _____

Ever Been Bonded? Yes No If "Yes,": Please Explain _____

Ever Denied Bonding? Yes No If "Yes,": Please Explain _____

Have you been convicted of any crime during the past five years? Yes No If "Yes," Please Explain _____

Provide 3 References, Including 1 Reference From Your Current Place of Employment

Name Address Phone #

Name Address Phone #

Name Address Phone #

PEDDLER'S LICENSE EXPIRES ON DECEMBER 31ST OF THE YEAR OF ISSUE

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.