

VILLAGE OF SEVEN MILE
201 HIGH STREET
P.O. BOX 259
SEVEN MILE, OHIO 45062
PHONE (513)726-5565

RESOLUTION 2023-16

A Resolution Requiring Registration of Transient Vendors and Regulating Sales

WHEREAS, Ohio Revised Code 505.94 authorizes the Village of Seven Mile to require the registration of all transient vendors within the unincorporated territory of the Village and to regulate the time, place, and manner in which these vendors may sell, offer for sale, or solicit orders for future delivery of goods, and to establish a registration period and fee; and

WHEREAS, for purposes of this resolution, a "Transient vendor" means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the Village, sells or offers for sale goods, solicits orders for future delivery of goods, or attempts to arrange an appointment for a future estimate or sales call. "Transient vendor" does not include any person who represents any entity exempted from taxation under Section 5709.04 of the Revised code, or any person invited by an owner or tenant to visit the owner's or tenants premises to sell, offer for sale, or solicit orders for future delivery of goods; and

WHEREAS, for purposes of this resolution, "Goods" means goods, wares, services, merchandise, periodicals, and other articles of publication; and

WHEREAS. The Council believes that due to the proliferation of transient vendors in the Village of Seven Mile, it would be prudent to protect the citizens of the Village of Seven Mile.

NOW THEREFORE IT BE RESOLVED that all transient vendors, as defined above and in Ohio Revised Code 505.94, are herewith subject to the following regulations in order to conduct operations in the Village of Seven Mile.

1. Obligation to Comply with this Resolution. No transient vendor shall fail to register or to comply with regulations established under this resolution.
2. Registration. All transient vendors shall register with the Police Chief of the Village of Seven Mile by appointment at the Seven Mile Police Station prior to conducting any business in the Village of Seven Mile. Registration shall be completed on a form designated by the Village Police Chief, and all information required by the Police Chief shall be supplied by the vendor prior to acceptance of the registration. At the time of the registration each vendor shall provide a copy of the company's valid

current vendor license. Each individual person who will be conducting operations in the Village of Seven Mile must be registered. The Police Chief shall either grant or deny the application within thirty (30) days of receipt of the application.

3. **Proof of Right to Use Property.** All transient vendors shall provide written proof at the time of submission of an application to the Police Chief that the owner of the property on which any sales are to be conducted by the transient vendor has consented to the transient vendor's sales on the property. This requirement includes all operations on private property and public property.

4. **Proof of Compliance.** Each transient vendor shall carry on his person a copy of his/her registration at all times while selling on the street, or while traveling about the Village of Seven Mile for the purpose of selling or soliciting orders. Individuals may not solicit as a team using a permit of another individual, or a company permit for more than one individual.

5. **Registration Fee and Period.** The fee for each individual registration for a transient vendor operating door to door or other than from a fixed location shall be \$150 for a registration period of ninety (90) days. The fee for each individual registration for a transient vendor operating from a fixed location shall be \$100 for a registration period of one hundred eighty (180) days.

6. **Manner of Solicitation.** No transient vendor shall conduct public solicitation in the Village of Seven Mile in such a manner that his conduct is contrary to the public interest. No solicitation tactics shall be employed which are coercive, abusive, or misleading. No effort may be made by any transient vendor to defraud any individual through the solicitation process. Music and voice amplification devices shall be kept at a reasonable level. Except as otherwise approved by the Police Chief in advance, and subject to the requirement that the transient vendor submit proof that the property owner on which sales are to be conducted has consented, no sales or solicitation shall be conducted in the right of way of any public road.

7. **Hours of Solicitation.** Door to door solicitation shall be made only between the hours of 9 a.m. and 6 p.m. during the months of November through April, and between the hours of 8 a.m. and 9 p.m. during the months of May through October.

8. **Prohibited Solicitation at Certain Residences.** No solicitation shall be permitted at any residence at which the owner or tenant has posted a sign on the property prohibiting solicitation or for which the owner or tenant has filed a no solicitation registration form with the Village of Seven Mile, on a form prescribed by the Council.

9. **Fixed Location.** Any sales conducted from a fixed location must be in conformity with any applicable zoning requirements.

10. **Revocation of Registration.** A transient vendor permit may be revoked by the Police Chief for any of the following reasons:

a. Fraud, misrepresentation, or false statement contained in the application for registration or in the course of carrying on sales solicitations;

b. Any violation of the provisions of this resolution;

- c. Conviction of any crime or misdemeanor involving moral turpitude;
 - d. Conducting business in an unlawful manner, or in such a manner as to constitute a breach of the peace or so as to constitute a menace to the health, safety or general welfare of the public.
11. Effective Date. This resolution shall become effective at midnight on 12/13/23.
12. Penalty. Violation of any provision of this resolution shall be a minor misdemeanor. Penalty for violation of a minor misdemeanor shall be in accordance with 2929.21 of the Ohio Revised Code.

This is to certify that this is a resolution which was duly passed and filed with the VILLAGE OF SEVEN MILE CLERK, this 13th day of November, 2023.



Mayor



Clerk Treasurer

APPROVED AS TO FORM



Kyle M. Rapier
Village Law Director

11/13/23

Date

VILLAGE OF SEVEN MILE, BUTLER COUNTY, OHIO
201 High Street
Seven Mile, OH 45062

TRANSIENT VENDOR "NO SOLICITATION REGISTRATION"

The undersigned has the following interest in the resident located at:

_____, Seven Mile, Ohio;

_____ Owner

_____ Tenant

The undersigned prohibits any solicitation by a transient vendor at the above-listed residence.

Owner/Tenant

Date

VILLAGE OF SEVEN MILE, BUTLER COUNTY, OHIO
201 High Street
Seven Mile, OH
513-726-5565

Application _____
Good for 90 Days
Fixed Location Good for 180 Days
Start Date: _____
End Date: _____

**TRANSIENT VENDORS APPLICATION
RESOLUTION _____**

\$150 APPLICATION FEE

\$100 APPLICATION FEE (FOR FIXED LOCATION ONLY)

November 1st until April 30th

Hours of Solicitation: 9 a.m to 6 p.m.

May 1st until October 31st

Hours of Solicitation: 8 a.m. to 9 p.m.

Name of Business: _____ Tax ID Number: _____

Business Address: _____

Business Telephone: _____ Website: _____

Product/Service Being Sold: _____

Applicants Name: _____

Applicants Address: _____

Applicants Telephone: _____ Email: _____

Applicants Identification: _____ *Copy of all identifications will be attached to this application

Manager/Supervisor Name: _____

Manager's Telephone Number: _____ Email: _____

Length of Time in Seven Mile: _____

Please list Any Vehicles Used: (Use additional paper if necessary)

License Plate: _____ Make: _____ Model: _____ Color: _____ Year: _____

License Plate: _____ Make: _____ Model: _____ Color: _____ Year: _____

*****DISCLAIMER: Please be advised this information may be used for WARRANT checks.*****

I confirm that I have received, read, and understood this form.

Applicants Signature: _____ Date: _____

Seven Mile Police Chief Signature: _____ Date: _____