



Commercial Solicitor's Application Form

Date of Application: _____

Full Name of the Applicant _____

Permanent Address _____ Length at this Address _____

City/State/Zip _____

Telephone Number _____ Cell Phone Number _____

(List all residences for the last 3 years on a separate sheet of paper)

Driver's License # _____ S.S.# _____

Date of Birth _____ Height _____ Weight _____ Hair Color _____

Eye Color _____ Sex _____

Company Name _____ Length of Time with Company _____

Address of Company Making Request _____

Contact Person _____ Phone Number _____

Nature of Business _____

Illinois Retail Sales Tax Identification Number, if Applicable _____

(Please provide the names and addresses of all officers and directors of the Company, and of the Company's registered agent for service in Illinois and in its state of incorporation, on a separate sheet of paper)

Vehicle Used for Solicitation: Year _____ Make _____ Model _____ Color _____

License Plate Number _____ -

Driver's License Number _____ State of Issuance _____

Purpose of Solicitation _____ Date(s) From _____ to _____

Hours _____ Description of the Subject Matter of the Soliciting _____

Is solicitation taking place in a particular area? _____

If so, what geographical location? _____

How will solicitation be conducted? Door to Door _____ In Hand _____

Permit Fees: 60 Consecutive Days \$250, \$10 for Each Additional Permit Card. _____

Daily Fee \$25 _____

Has the applicant ever received a solicitor's permit from the Village or any other jurisdiction?

Yes _____ No _____

If yes:

Identify the dates and issuing jurisdictions of all permits obtained within the last 12 months.

Have any such permits ever been revoked, and if so, why?

Has the Applicant Ever Been Convicted of a Violation of any of the Provisions of the Lincolnwood Solicitor's Ordinance or a similar law in another jurisdiction?

Have you Ever Been Convicted of a Commission of a Felony Under the Laws of this State or Misconduct Which Constitutes a Class A Misdemeanor Involving Dishonesty or False Statement Under Illinois Law or Similar Violation in any Other State Within five (5) Years? _____

I hereby consent to a background investigation. I also certify that I am not delinquent in paying any tax, fine or other obligation owed to the Village of Lincolnwood.

Signature of Applicant

The undersigned certifies that the information given on this application is true and accurate. Any statements found to be false will result in the loss of the right to solicit in the Village of Lincolnwood.

Signature of Applicant

OFFICE USE ONLY

Permission Granted _____

Permission Denied _____

Reason Denied _____ Payment Received \$ _____

By _____ Title _____ Date _____



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Article 12. SOLICITORS

9-12-1. Solicitation permit required.

- (A) It shall be unlawful for any person to engage in solicitation without securing a required permit therefor pursuant to this article, or in a manner inconsistent with the issuance of the permit.
- (B) Every person desiring to engage in solicitation, as defined in this Chapter 9, from persons in residences, on streets, highways (only as permitted by state law and Village ordinance) or sidewalks located in the Village, is hereby required to make written application for a solicitation permit as hereinafter provided, and obtain such permit prior to engaging in solicitation within the Village.
- (C) Application for solicitation permits shall be made upon a form provided by, and shall be submitted to, the Village Manager, and shall be accompanied by such other documentation as is required pursuant to this article.
- (D) All statements made by the applicant upon the application or in connection therewith shall be under oath and shall be subscribed and sworn to by the applicant.
- (E) The Village Manager and the Chief of Police shall cause to be kept in their offices an accurate record of every application received and acted upon, together with all other information and data pertaining thereto, and copies of all solicitation permits issued under the provisions of this Article 12.

- (F) No solicitation permit shall be issued to any person who has been convicted of the commission of a felony under the laws of this state or any other state or federal law of the United States, or misconduct which constitutes a Class A misdemeanor involving dishonesty or false statements under Illinois law or similar violation in any other state, within five years of the date of the permit application. No solicitation permit shall be issued to any person who has been convicted of a violation of any of the provisions of this Article 12, nor to any person whose solicitation permit issued hereunder has previously been revoked, as herein provided for a period of one year from the date of such conviction or revocation.
- (G) Every applicant shall submit to a background examination, including the taking of the applicant's photograph for purposes of issuing an identification card, to be conducted by the Village, in connection with the application for a permit hereunder.
- (H) Notwithstanding Section 9-12-1(A) through 9-12-1(G) of this Code, an elementary, junior high or high school student soliciting for the benefit of a school- or a community-based not-for-profit organization, activity or program need not obtain a solicitation permit from the Village, but shall instead prominently display his or her student ID or an ID from his or her school or organization stating the student's name and the school or organization for whose benefit the student is soliciting. All persons soliciting under this Section 9-12-1(H) shall comply with all of the requirements of Section 9-12-14 of this Code if the solicitation is to occur on a public highway.

9-12-2. Permit issuance and denial.

- (A) The Village Manager, within 30 business days after filing of the application, after consideration, investigation and review of the application and all information obtained relative thereto, shall deny the application if the applicant is not entitled to a permit, pursuant to the provisions of this Article 12, or if the application does not contain all of the information and documentation as required herein. Endorsement shall be made by the Village Manager on the application of the reason for the denial of the application. If the applicant has complied with all the provisions of this Article 12, the solicitation permit shall be issued forthwith. If the application is denied, the license fee shall be deemed to have covered the cost of investigation and shall not be returned.
- (B) When any solicitation is conducted by an organized group, the group shall appoint a group representative who shall provide the Police Department with a list of names of the solicitors and the geographic area of the Village in which the solicitation will be conducted not less than two business days prior to the day of the solicitation.

9-12-3. Display of permit.

Every solicitor shall display, on his or her person while soliciting within the Village, a permit issued by the Village after successful completion of the application and background examination required herein. The permits shall be on an easily readable form provided by the Village and shall contain:

- (A) If for commercial solicitation, the name of the soliciting company and the product being solicited; or
- (B) If for noncommercial solicitation, the name and address of the noncommercial solicitor entity;
- (C) The solicitor's birth date and photograph;
- (D) The effective dates of the permit;
- (E) The name of the Village; and
- (F) The signature of the Village Manager.

9-12-4. Permit revocation.

Any solicitation permit issued hereunder may be revoked by the Village Manager if the holder of the permit or anyone soliciting under the permit is convicted of a violation of any of the provisions of this Article 12, or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a

solicitation permit under the terms of this Article 12. Immediately upon such revocation, written notice thereof shall be given by the Village Clerk to the holder of the permit in person, or by U.S. mail, return receipt requested, addressed to his/her residence address set forth in the application. The permit shall become null and void upon the first to occur of the following:

- (A) Actual notice of revocation to the individual or organization.
- (B) Return of the return receipt of the mailed notice to the individual or organization, whether or not delivered to the permit holder personally.

9-12-5. Permit renewal.

Upon expiration of a solicitation permit, the holder shall be entitled to renew his or her permit, provided that the application for renewal continues to satisfy all conditions and requirements necessary to obtain an original permit and provided any changes in the information originally submitted in the initial application, if any, are made. The applicant for a renewal of a solicitation permit shall also pay the fee required for a permit.

9-12-6. Permit applications.

- (A) Commercial solicitation permits. An application for a commercial solicitation permit shall contain the following information regarding the applicant:
 - (1) Full name as it appears on a driver's license, state ID, birth certificate, birth date and address of present place of residence, and length of residence at such address.
 - (2) Address of place of residence during the past three years, if other than present address.
 - (3) Physical description of the applicant (including height, weight, hair and eye color), make and license number of the applicant's automobile used during soliciting, and applicant's driver's license number and state of origin of applicant's driver's license.
 - (4) Name and address of the person, firm, corporation or association with whom the applicant is employed or represents and the length of time of such employment or representation.
 - (5) The names and addresses of the officers, directors and chief executive officer of the person, firm, corporation, limited liability company or association the applicant represents, if any, and the organization's registered agent for service in Illinois and in the state in which the organization was legally established.
 - (6) Description sufficient for identification of the subject matter of the soliciting which the applicant will engage in.
 - (7) Information as to whether a solicitation permit has been previously issued to the applicant either in the Village or in any other jurisdiction (including the approximate date of the issuance of any such permit), and if so, whether the permit was ever revoked.
 - (8) Information as to whether the applicant has ever been convicted of a violation of any of the provisions of this Article 12 or of similar provisions in any other jurisdiction (local, state or federal).
 - (9) Information as to whether the applicant has ever been convicted of the commission of a felony under the laws of this state or any other state or federal law of the United States, or misconduct which constitutes a Class A misdemeanor involving dishonesty or false statement under Illinois law or similar violation in any other state, within five years of the date of the permit application.
 - (10) Illinois retail sales tax identification number, if applicable.
 - (11) Methods by which the applicant, and the person, firm, corporation, limited liability company or association the applicant represents, if any, will conduct solicitation within the Village.

- (B)** Noncommercial (charitable and political) solicitation permits. An application for a noncommercial solicitation permit shall include or be accompanied by the following:
- (1)** Full name as it appears on a driver's license, state identification card, birth certificate, birth date, and address of present place of residence, and length of residence at such address.
 - (2)** Address of place of residence during the past three years, if other than present address.
 - (3)** The name and address of the organization making the application, its principal address in Illinois, if different, and the name under which it intends to solicit contributions. If the organization does not maintain a principal office, the name and address of the person having custody of its financial records.
 - (4)** The name and address of the person in charge of the organization soliciting in the Village.
 - (5)** Information as to whether the applicant, or the person in charge of the proposed solicitation, has ever been convicted of the commission of a felony under the laws of this state or any other state or federal law of the United States, or misconduct which constitutes a Class A misdemeanor involving dishonesty or false statement under Illinois law or similar violation in any other state, within five years of the date of the permit application.
 - (6)** The names and addresses of the officers, directors, trustees, and chief executive officer of the organization the applicant represents, if any, and the organization's registered agent for service in Illinois and in the state in which the organization was legally established.
 - (7)** The principal address of the organization the applicant represents, if any, and the address of its principal office in Illinois, if different. If the organization does not maintain a principal office, the name and address of the person having custody of its financial records.
 - (8)** For corporate applicants, a copy of the State of Illinois certificate of incorporation, and, if incorporated in a state other than Illinois, the date that the applicant became qualified under the Business Corporation Act of 1983, 805 ILCS 5/1.01 et seq., to do business in Illinois;
 - (9)** Proof of the applicant's tax-exempt status;
 - (10)** The purpose for which the organization the applicant represents, if any, is organized, and the purpose or purposes for which the applicant, or the organization the applicant represents, will conduct solicitation within the Village.
 - (11)** Information regarding whether the applicant, or the organization the applicant represents, is or has been enjoined by any court from conducting solicitation within five years of the date of the application.
 - (12)** Information regarding whether the applicant is a professional fund-raiser who will conduct solicitation in the Village in that capacity on behalf of the organization the applicant represents.
 - (13)** Methods by which the applicant, and the organization the applicant represents, if any, will conduct solicitation within the Village.
 - (14)** Such additional information which the Village Manager may from time to time require to verify that persons who will solicit contributions are eligible for a permit under this Section 9-12-6(B).
 - (15)** The dates and times of day such solicitations are to be made and the geographic area in the Village wherein such solicitation shall be conducted at a particular time and day, provided that the maximum time period for which the permit shall be issued shall not exceed 60 consecutive calendar days, and provided that permit renewals shall not exceed 60 consecutive calendar days.
 - (16)** For noncommercial solicitation permits on behalf of a charitable organization, a written statement of recent date by the Attorney General of Illinois that the organization is in compliance with the

provisions of 225 ILCS 460/2 of An Act to Regulate Solicitation and Collection of Funds for Charitable Purposes, and such statute as may hereafter be amended.

(17) A written statement from the Internal Revenue Service that the organization is a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code of the United States.

(18) Where the solicitation will be conducted on streets or highways, a certificate of insurance issued by an insurance company licensed to do business in Illinois shall be provided, insuring the solicitors and their organization for liability for damages for personal injury and property damage causally related to an act of ordinary negligence of the soliciting agent. The certificate must state that it shall not be canceled during the period of solicitation and will provide at least the following coverage.

Personal injury \$500,000 per person; \$1,000,000 per occurrence

Property damage \$100,000

(C) Intersection solicitation prohibited. Nothing in the foregoing sections shall be construed to give permission to any solicitor to enter into traffic intersections for the purpose of soliciting in contravention of any state or Village ordinance prohibiting such intersection solicitation.

9-12-7. Permit fees.

Editor's Note: See Ch. [A25](#), Fees.

(A) Original permit; commercial solicitation. The fee to be charged for a commercial solicitation permit shall be in the amount set forth in the Annual Fee Resolution, which fee shall entitle the applicant to one permit card. Additional permit cards, for use by additional solicitors operating under the commercial solicitation permit, shall be issued by the Village upon payment of the fee set forth in the Annual Fee Resolution.

(B) Original permit; noncommercial solicitation. No fee shall be charged for the first permit card issued in connection with a noncommercial solicitation permit. Additional permit cards, for use by additional solicitors operating under the noncommercial solicitation permit, shall be issued by the Village upon payment of the fee set forth in the Annual Fee Resolution. The permit period shall be for 60 consecutive days from the date of issuance.

(C) Replacement permit card. The fee to be charged for the issuance of a replacement card shall be in the amount set forth in the Annual Fee Resolution.

9-12-8. Notice regulating soliciting.

(A) Any occupant of a residence located within the Village may prohibit solicitors from entering upon the residential property by posting a notice upon or near the main entrance door to the residence containing such language as "No Solicitors," "No Solicitors Invited," or such other language as would indicate that solicitors are not to enter or engage in solicitation on the premises.

(B) Such card so exhibited shall constitute notice to any solicitor of the determination by the occupant of the residence of the information contained thereon. Any person or solicitor who enters upon a property on which a "No Solicitors" notice is posted, and who does not immediately and peacefully depart from the property, shall be deemed a trespasser.

9-12-9. Duty of solicitors to obey notices or to leave when requested.

Any solicitor who has gained entrance to any residence or residential property, whether or not invited, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

9-12-10. Uninvited solicitors prohibited.

It shall be unlawful and shall constitute a nuisance and a trespass for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in solicitation, when notice is exhibited at the residence in accordance with the provisions of Section 9-12-8 of this Code.

9-12-11. Time limit on soliciting.

- (A) It shall be unlawful and shall constitute a nuisance for any person to go about any residence and ring the doorbell, or rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in commercial or noncommercial solicitation before the hour of 10:00 a.m., or after the hour of 9:00 p.m.
- (B) It shall be unlawful to engage in solicitation on sidewalks, streets, highways (only as permitted by state law and Village ordinance) or other public places within the Village before the hour of 7:00 a.m. or after the hour of 9:00 p.m.

9-12-12. Prohibited acts.

- (A) It shall be unlawful for any individual to solicit on any highway or street within the Village without wearing a high-visibility vest.
- (B) It shall be unlawful for any person to file an application for permit which contains false, misleading or untrue information.
- (C) Nothing contained in this Article 12 shall release or relieve any person from complying with any additional license requirement established by the Village.

9-12-13. Appeal of permit denial or revocation.

- (A) The Village President shall hear appeals on the denial of an application for a solicitation permit or revocation of a permit by the Village Manager. A written appeal must be filed in the Village President's office within 21 days after the date of denial of the application or revocation of the permit by the Village Manager.
- (B) Where a hearing is waived, the appealing party shall submit what documentation it desires to have the Village President consider with the written appeal, and the Village President shall render a decision within 30 days after the filing of the written appeal.
- (C) The written decision of the Village President shall be made available to the appealing party not later than 10 days after the hearing on the appeal is concluded.

9-12-14. Solicitation on public highways.

No person shall stand on a roadway for the purpose of soliciting contributions from the occupant of a vehicle unless such person shall comply with the provisions of this Article 12 and the following requirements:

- (A) Solicitation on roadways will be permitted only at the discretion of the Village Manager after receipt of a written application submitted 30 days prior to the day requested for such solicitation. All such applications shall be filed with the Village Manager, who shall forward a copy thereof to the Board of Trustees with a recommendation by the Police Department. The Board shall consider the location, the number of solicitors and the various other factors which relate to the safety of the solicitors and the traveling public. The decision shall also take into account the orderly flow of traffic and may not allow interference with the operation of official traffic-control devices.
- (B) The soliciting agency shall be registered with the Attorney General as a charitable organization in accordance with applicable state law.

- (C) Any person engaged in the act of solicitation shall be 16 years of age or more and shall be wearing a high-visibility vest.
- (D) Solicitation on roadways shall not be permitted except at intersections where all traffic is required to come to a full stop.
- (E) Any individual agency desiring to solicit on roadways shall be liable for injuries to any person or property during the solicitation which is causally related to an act of ordinary negligence of the soliciting agent.

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