

HOME RULE RESOLUTION NO. 2013-003

WASHINGTON TOWNSHIP, MONTGOMERY COUNTY, OHIO

RESOLUTION TO PROHIBIT UNINVITED PEDDLERS AND SOLICITORS

WHEREAS, Washington Township, Montgomery County, Ohio has adopted a limited home-rule form of township government under Chapter 504 of the Ohio Revised Code; and,

WHEREAS, Section 504.04(A) of the Revised Code permits a township that has adopted a limited form of self-government to adopt and enforce within the unincorporated area of the township such local police, sanitary, and other similar regulations as are not in conflict with general laws or otherwise prohibited by R.C. § 504.04(B); and,

WHEREAS, the Board of Trustees of Washington Township has determined that the best interests of the township are served by adopting a resolution that allows private property owners located within the unincorporated area of the township to prevent unwelcomed and uninvited transient peddlers and solicitors from entering upon their premises for the purpose of protecting the uninterrupted peace and tranquility of such private property.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of Washington Township:

Section 1: For purposes of this resolution, the following definitions shall apply:

"Peddler." Any person, as principal or agent, who enters upon private property for the purpose of offering for sale any goods, wares, foods, merchandise, services, magazines, periodicals or other articles of publication, or otherwise obtains orders or commitments for the sale of any goods, wares, foods, merchandise, services, magazines, periodicals or other articles of publication;

"Peddling." The unsolicited selling, obtaining of orders or commitments, or the unsolicited presentation of goods, wares, foods, merchandise, services, magazines, periodicals or other articles of publication for sale;

"Solicitor." Any person who obtains or seeks to obtain funds for any commercial purpose by going onto private property without invitation.

"Soliciting." Obtaining or seeking funds for any commercial purpose by means of going onto private property without invitation.

Section 2: The owners or occupants of any residence or place of business may

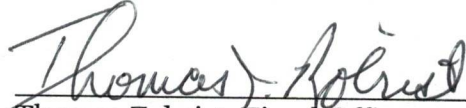
evidence a determination to refuse to receive any uninvited peddlers or solicitors by displaying a weatherproof card, decal or sign not less than three inches by four inches in size nor more than one square foot in total surface area upon or near the main entrance door to the residence or place of business, containing the words "No Peddlers or Solicitors Invited," or other similar language conveying the same message, printed in letters at least one-third inch in height. Any such weatherproof card, decal or sign which complies with the requirements of this section shall be exempt from any additional or different requirements contained in the provisions of the Zoning Resolution.

- Section 3: No person shall go upon any private premises and ring the door bell, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence or place of business to engage peddling or soliciting when a notice displaying the statement "No Peddlers or Solicitors Invited" is displayed.
- Section 4: The practice of going upon private premises located in the unincorporated area of the Township for the purpose of peddling or soliciting in violation of this resolution is hereby declared to be a nuisance.
- Section 5: Whoever violates this resolution shall be fined \$100.00 for the first violation and \$150.00 for each subsequent violation.
- Section 6: This Resolution shall take effect at the earliest time as may be permitted by law. By virtue of the adoption of this Resolution, it is hereby resolved that Resolution No. HR97-002 is rescinded and no longer in effect.
- Section 7: It has been determined that all formal actions of the Board of Trustees of Washington Township concerning the adoption of this Resolution were adopted in an open meeting of the Board of Trustees of Washington Township; and that all deliberations of the Board of Trustees of Washington Township which resulted in formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion made by Scott Paulson, motion seconded by Dale Berry

Vote was as follows:

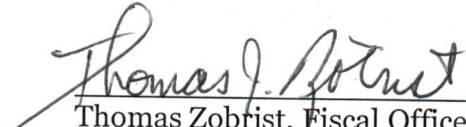
Berry yes Young absent Paulson yes
PASSED AND ADOPTED by the Board of Trustees of Washington Township on this
9th day of September, 2013.


Thomas Zobrist, Fiscal Officer

Approved as to form by
Joshua R. Schierloh, Law
Director

CERTIFICATION

I, Thomas Zobrist, as the Fiscal Officer for Washington Township, hereby certify that
the following Summary of this Resolution was published in the Dayton Daily News on
_____, 2013 and _____, 2013.


Thomas Zobrist, Fiscal Officer

SUMMARY OF RESOLUTION

On the 9th day of September, 2013, the Board of Trustees of Washington Township, Montgomery County, Ohio adopted a Resolution pursuant to Chapter 504 of the Ohio Revised Code to prohibit uninvited peddlers and solicitors on private premises located within the unincorporated area of the township when the owners or occupants of such private premises display as sign prohibiting the same.

Motion made by Scott Paulson; motion seconded by Dale Berry

Vote was as follows:

Berry Aye Young Absent Paulson Aye

A complete text of said Resolution may be obtained or viewed at the offices of the Fiscal Officer of Washington Township, 8200 McEwen Road, Dayton, Ohio 45458 during normal business hours.