

**TOWNSHIP OF CANNON**

**COUNTY OF KENT, MICHIGAN**

At a regular meeting of the Township Board of the Township of Cannon, Kent County, Michigan, held in the Cannon Township Center, 6878 Belding Road, in said Township, on the 9<sup>th</sup> day of August 2010, at 7:00 p.m.

**PRESENT:** Blackledge, Davies, Diepenhorst, Grimm, LaPeer, MacGregor and McBrien

**ABSENT:** None

The following ordinance was offered by Member Deb Diepenhorst and supported by Member Rob McBrien.

**ORDINANCE NO. 2010-6**

**AN ORDINANCE TO AMEND ORDINANCE NO. 2009-6 OF  
THE TOWNSHIP OF CANNON (AN ORDINANCE TO REGULATE  
SOLICITORS, PEDDLERS and TRANSIENT MERCHANTS)**

THE TOWNSHIP OF CANNON ORDAINS:

Section 1. Ordinance No. 2009-6 of the Township of Cannon is hereby amended by the amendment of subsection 3 of Section 5, so as to read in its entirety as follows:

**SECTION 5. PERMIT APPLICATION AND FEES**

(3) A permit issued under the terms of the Ordinance shall be valid for no longer than 45 days from the date of issue. No more than 4 permits per calendar year shall be issued to the same applicant.

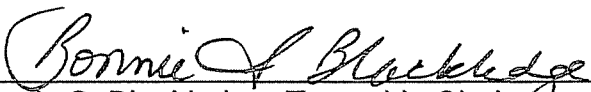
Section 2. This Ordinance shall become effective upon its publication or upon the publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: Blackledge, Davies, Diepenhorst, Grimm, LaPeer, MacGregor, McBrien

NAYS: 7

ABSENT: 0

ORDINANCE DECLARED ADOPTED.

  
\_\_\_\_\_  
Bonnie S. Blackledge, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Cannon at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

  
\_\_\_\_\_  
Bonnie S. Blackledge, Township Clerk

**TOWNSHIP OF CANNON  
COUNTY OF KENT, MICHIGAN**

At a regular board meeting of the Township Board of the Township of Cannon,  
held at the Cannon Township Center, Rockford, Michigan, on the 14th day of  
December 2009 at 7:00pm.

PRESENT: Blackledge, Davies, Diepenhorst, LaPeer, Grimm, and McBrien

ABSENT: MacGregor

The following ordinance was offered by Grimm and  
seconded by LaPeer:

**CANNON TOWNSHIP  
KENT COUNTY, MICHIGAN  
ORDINANCE NO. 2009 - 6  
AN ORDINANCE TO REGULATE  
SOLICITORS, PEDDLERS and TRANSIENT MERCHANTS**

**THE TOWNSHIP OF CANNON ORDAINS:**

**Section 1 PURPOSE**

The purpose of this Ordinance is to protect the public health, safety and welfare of the citizens of Cannon Township by the regulation, licensing and control of solicitors, peddlers, transient merchants and similar sales persons conducting business within the Township.

**Section 2 DEFINITIONS**

**As used in this ordinance:**

"Solicitor", shall mean any person traveling from place to place, who solicits, asks for or invites donations of money or goods, or who takes or attempts to take orders for the sale of goods, wares or merchandise for future delivery, or for services to be furnished or performed in the future. The term solicitor also includes the driver of any conveyance used for or associated with soliciting.

"Peddler", shall mean any person traveling from place to place, carrying goods, wares or merchandise, and offering the same for sale, or making sales and delivering articles to purchasers, or offering to provide services either immediately or in the future. Peddler also includes the driver of any conveyance used for or associated with peddling.

"Transient merchant", shall mean any person who engages in the temporary business of the retail sale and delivery of goods, wares or merchandise within the Township, and who, for the purpose of conducting such business, uses or

occupies any lot, premises, building, room or structure. This definition shall not include merchants having regularly established places of business within the Township if they are operating from their established place of business, persons making sales at any annual fair, street fair, festival, annual celebration or observance, or regularly employed route salespeople.

### **Section 3 PERMIT REQUIRED**

Except as otherwise provided in this Ordinance, it shall be unlawful for any solicitor, peddler or transient merchant whether a person, firm or corporation to solicit, peddle or engage in business within Cannon Township without first having secured a permit to conduct such business from the Township. The agents or other representatives of an applicant doing business in the Township shall be responsible for compliance with this Ordinance by their principals and by the businesses they represent.

### **Section 4 EXEMPTIONS FROM PERMIT**

- (a) Any person 18 years of age or younger, when engaged in soliciting or selling on foot under the direct supervision of a school or a recognized charitable, religious organization, or 501(c)3 non-profit group, when such soliciting is solely for the benefit of their respective school, classes, activity groups or athletic teams.
- (b) Members of churches, synagogues, mosques and other religious organizations when such soliciting is solely for the benefit of the respective religious organization.
- (c) Persons or their agents engaged in farming that are selling or offering for sale agricultural products grown and harvested on their own farmlands, if such activity is otherwise in compliance with Township ordinances.
- (d) Persons or their agents who display and sell used household goods at their own dwelling (garage/yard sales) if such activity is in compliance with the Township Zoning Ordinance.
- (e) Persons soliciting at private homes to obtain orders for the sale of goods or merchandise, if such persons are on the premises of such homes because of prior invitation by the owner or resident.
- (f) Any person who is exempt from such license under the terms of state or federal law. These persons shall remain subject to the other provisions of this Ordinance except as to those provisions, which may be preempted by state or federal law.
- (g) A person soliciting exclusively to canvass or petition for a public official, political candidate, public policy or initiative being promoted for purposes of public referendum, initiative, or election, or a person canvassing solely for the limited purpose of distributing religious, political or other noncommercial information.

## **Section 5 PERMIT APPLICATION AND FEES**

(1) An application for a permit under this division shall be filed with the clerk, upon forms provided for that purpose, and shall contain the following information:

- (a) Name and description of the applicant (nature of the organization and business, and the goods or services to be sold or solicited), and names of those persons soliciting for the applicant. The driver's license number or other form of personal identification shall be provided for each individual who will be soliciting on behalf of the applicant.
  - (b) The permanent home address and local address, if different, of all persons soliciting on behalf of the applicant.
  - (c) At a minimum, the applicant shall provide a complete description for each vehicle to be used by or on behalf of the applicant; license plate numbers, make, model, and year.
  - (d) A photograph of each person who will be soliciting on behalf of the applicant. Photographs shall have been taken no more than 60 days prior to the date of the filing of the application, and shall clearly depict the head and face of the person.
  - (e) A full disclosure of criminal background of each person who will be associated with the solicitation on behalf of the applicant.
  - (f) If the applicant proposes to handle or sell food or other item for human consumption, the applicant shall provide proof of all required health permit issued by the Kent County Health Department or Michigan Department of Agriculture.
  - (h) The applicant shall provide the address of the place at which any proposed transient merchant sales are to be conducted. If the property owner is different from the transient merchant, written permission of the property owner shall be provided.
  - (i) The hours of the day and the days of the week during which the applicant and all employees, agents and independent contractors will be engaging in the proposed soliciting, peddling or other sales activities. (No person shall travel from place to place, street to street or door to door, within the boundaries of Cannon Township, for the purposes of soliciting, peddling or other sales activity, nor operate a transient business from any location within the Township except; Monday through Saturday not before the hour of 9:00am, and no later than 6:00pm.)
  - (j) Any other information the Township Clerk may reasonably determine is necessary to verify the character and nature of the proposed soliciting, peddling or other sales activity.
- (2) A non-refundable permit fee of \$25.00 for the first solicitor and \$20.00 for each individual thereafter shall accompany the application. Each permit

shall allow up to a maximum of 4 persons to engage in soliciting, peddling or other sales activity within the township.

- (3) A permit issued under the terms of the Ordinance shall be valid for no longer than 45 days from the date of issue. No more than 2 permits per calendar year shall be issued to the same applicant.

### **Section 6 REVIEW OF APPLICATION**

- (1) Upon receipt of a completed application, the Township Clerk shall determine whether all requirements of the application have been submitted. If all required contents of the application have been submitted and the application fee has been paid, the Clerk will determine, in his/her discretion whether to investigate the applicant, the applicant's business and other matters as the Clerk deems necessary for the protection of the public with respect to soliciting, peddling and any other sales activity governed by this Ordinance.
- (2) If as a result of such investigation the applicant and application are found to be in compliance for purposes of issuing a permit under the provisions of this ordinance, such approval shall be endorsed on the application by the Township Clerk. Permits issued shall be subject to all terms and conditions contained in this Ordinance. The Clerk shall then issue the permit on the prescribed form and forward it to the applicant.
- (3) Upon issuance of a permit, each person actively soliciting, peddling or engaging in sales activity shall have a copy of the endorsed permit in their possession and readily available for inspection, if requested to do so by law enforcement, township enforcement officers, or the resident.

### **Section 7 CONDUCT BY SOLICITORS, PEDDLERS AND TRANSIENT MERCHANTS**

- (1) No solicitor, peddler or transient merchant shall enter a dwelling or place of business under false pretenses or remain upon the premises of a private residence or place of business after the owner or occupant has requested the solicitor, peddler or transient merchant to leave.
- (2) No solicitor, peddler or transient merchant shall call upon, without an appointment, at any dwelling or place of business where the owner or resident has displayed signage indicating the owner's or residents' desire not be solicited.
- (3) No solicitor, peddler or transient merchant shall, while conducting their business, obstruct any street, alley, sidewalk or driveway.
- (4) Permit shall not be assigned or transferred.

### **Section 8 PENALTIES AND ENFORCEMENT**

- (1) This ordinance shall be enforced by the Township Enforcement Officials.
- (2) Any person, firm or corporation who violates any provision of this Ordinance shall be responsible for a civil infraction to be fined as listed.
  - (a) 1<sup>st</sup> offense not less than \$100.00, plus court costs.
  - (b) 2<sup>nd</sup> offense not less than \$250.00, plus court costs.
  - (c) 3<sup>rd</sup> offense not less than \$500.00, plus court costs.
- (3) Each day that an offense continues to occur shall constitute a separate offense and be subject to the repeat offense civil fines defined in section(1)(b) and 8 (1)(c).
- (4) The Township may suspend or revoke any permit upon finding of any violation of this Ordinance by any applicant or any agent or representative thereof.

AYES: Blackledge, Davies, Diepenhorst, LaPeer, Grimm, and McBrien


NAYS: None

ABSENT: MacGregor

ORDINANCE DECLARED ADOPTED.

  
Bonnie S. Blackledge, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Cannon at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

  
Bonnie S. Blackledge, Township Clerk

## CANNON TOWNSHIP APPLICATION FOR SOLICITATION

Company Name		Phone		Today's Date	
Company Address			City		State
Local Address, if different			City		State
Zip					
Products/Services the company represents:					
Duration of solicitation: (Max. 45 days)					
Beginning Date: _____		Ending Date: _____			
month/day/year		month/day/year			
Applicant requesting solicitation permit(s): (Required for each individual)					
Name		Driver's License #		Has this person been convicted of A crime or felony in the past 7 years	
1. _____		_____		N Y...if yes, describe below.	
2. _____		_____		N Y...if yes, describe below	
3. _____		_____		N Y...if yes, describe below	
4. _____		_____		N Y...if yes, describe below	
If convicted of a crime: Date of crime/felony _____ (use back of this page if necessary)					
Name: _____		Charge: _____			
Penalty: _____					
Vehicle descriptions:					
Make	Model	Color	Plate Number	State Issued	
_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	

For Township use only	
This application has been reviewed and investigated by the Cannon Township Clerk and has been:	
<input type="checkbox"/> Accepted- <input type="checkbox"/> Denied...Explanation: _____	
Solicitation application fee has been paid, totaling: \$ _____ (\$25 for 1st, \$20 for 2nd—4th)	
_____	_____
Cannon Township Clerk	Date



## Cannon Township Permit for Solicitation

Required for each solicitor

Name of Solicitor:
Company they are representing:
Goods/Services:
<b>Vehicle Information</b> Plate number: _____ State: _____ Make: _____ Model: _____ Color: _____
The above named person has applied and been approved by Cannon Township to solicit in this area, between the hours of 9:00 AM-6:00 PM, Monday-Saturday; through the following dates: _____ To _____
_____ Cannon Township Clerk
_____ Date of Issuance

**Copy of Driver's License:**