

CITY OF COLLINSVILLE, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF COLLINSVILLE IN RELATION TO
DOOR TO DOOR SOLICITATIONS ON PRIVATE PROPERTY**

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF COLLINSVILLE, ILLINOIS

THIS ____ DAY OF OCTOBER, 2025

Published in pamphlet form by authority of the City Council of the City of
Collinsville, Madison County, Illinois, this ____ day of October of 2025.

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DOOR TO DOOR SOLICITATIONS ON PRIVATE PROPERTY**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
COLLINSVILLE, ILLINOIS,** as follows:

Section 1. Sub-section B (Licensing) of Section 4.01.010 (Fees Established) of Title 4 (Fees and Fines) of the Code of Ordinances of the City of Collinsville, is hereby amended by the addition thereto of Paragraph 13 (Door to Door Soliciting), to be read in its entirety as follows:

“Title 4 - FEES AND FINES

Sec. 4.01.010. - Fees established

B. Licensing.

13. *Door to Door Soliciting.*

Per application and permit - \$250.00.”

Section 2. Upon the effectiveness of this Ordinance, Chapter 5.70 (Transient Merchants) of Title 5 (Business Licenses and Regulations) of the Code of Ordinances of the City of Collinsville, is hereby repealed in its entirety.

Section 3. Title 5 (Business Licenses and Regulations) of the Code of Ordinances of the City of Collinsville, is hereby amended by the addition thereto of Chapter 5.46 (Door to Door Solicitations on Private Property) to be read in its entirety as follows:

“CHAPTER 5.46

DOOR TO DOOR SOLICITATIONS ON PRIVATE PROPERTY

Section 5.46.010 Policy on soliciting.

It is hereby declared to be the policy of the corporate authorities of the City that the occupant or occupants of the residences in the City shall make the determination of whether certain solicitors shall be, or shall not be, invited to their respective residences. If no determination is made by a resident as is provided in this Chapter, then in that event and subject to the provisions of this Chapter, the solicitation is permitted.

Section 5.46.020 Definitions.

City. The City of Collinsville, Illinois, and its officers, agents, and employees.

Commercial soliciting. The selling or offering for sale of property or services of any kind, character or description whatever, for any kind of consideration, for future delivery from other than a fixed place of business on private property. Commercial soliciting includes peddling, soliciting, Itinerant Vendors, and Transient Merchants, but does not include Fund Soliciting or Other Soliciting, as defined herein.

Fund soliciting. Soliciting of funds not involving the sale of property, including solicitation where pamphlets are given to a donor of funds but not including the sale of books or pamphlets.

Itinerant Vendor. Any person who transports tangible personal property for retail sale within the City who does not maintain in the City an established office, distribution house, sales house, warehouse, service center or residence from which such business is conducted. However, this chapter does not apply to any person who delivers tangible personal property within this City who is fulfilling an order for such property which was solicited or placed by mail or other means. It shall be prima facie evidence that a person is an Itinerant Vendor if the person does not transact business from a fixed location or if the person does not own, or have a written lease for a term of at least six (6) months, the property from which business is conducted.

Other soliciting. Shall include soliciting support for political, charitable, or other causes, not involving the solicitation of funds.

Person. Any individual, partnership, firm, association, joint stock company, corporation, venture, sole proprietorship, or combination thereof made up of whatever formal or legal character, and any officer, employee, contractor, or agent of such legal entities.

Residence. Residence shall mean and include every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure and the yard or grounds upon which such structure is located.

Seasonal sales. Seasonal outdoor business enterprise that is conducted primarily outdoors and offers for retail sale items that are, by their nature, are in particular demand during a relatively short peak season, including, but not limited to, Christmas trees, pumpkins, produce, flowers, and seasonal consumable (food) items. This definition does not include non-perishable items of a retail nature, including, but not limited to, purses, sunglasses, electronics, publications, artwork, etc.

Soliciting. Soliciting does not include Fund Soliciting or Other Soliciting, but means and includes any one or more of the following activities:

1. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatever, for any kind of consideration whatever;
2. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or
3. Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization, corporation or project.

Solicitor. A person who engages in Soliciting.

Temporary use. Those legal land uses and structures that are associated with and accessory to the primary use of the property and are in place for only short periods of time and require no permanent structures.

Transient merchant. Any person who is engaged in the retail sale of goods, wares or merchandise in this City and who, for the purpose of conducting such business, legally occupies any building, room, vehicle, structure of any kind, or real estate lot, vacant or otherwise, as a temporary use. However, this definition does not apply to any person selling goods, wares or merchandise which are raised, produced or manufactured by him, to any person selling vegetables, fruit or perishable farm products, grown by him, to any person operating a stand or booth. It shall be prima facie evidence that a person is a Transient Merchant if the person does not transact business from a fixed location or if the person does not own, or have a written lease for a term of at least six (6) months, the property from which business is conducted.

Section 5.46.030 Licensing and Violations.

- A. Unless otherwise provided in this Chapter, it shall be unlawful for any person to engage in Commercial Soliciting, Fund Soliciting, or Other Soliciting without first having obtained a:
 1. license from the City as provided for in this chapter; and
 2. certification of registration, and a copy of the bond if one was required from the State of Illinois pursuant to the Transient Merchant Act (225 ILCS 465/1 et seq.).

- B. Notwithstanding that a group may have several solicitors in the City at one time, a separate application shall be filled out for each individual and each individual shall be required to obtain a separate license.
 - 1. It shall be unlawful for any person to engage in Commercial Soliciting, Fund Soliciting, or Other Soliciting without a prior invitation from the occupant if the residence prominently displays a notice limiting solicitation as otherwise provided for in this Chapter.

Section 5.46.040 Exceptions to Licensing.

- A. The prohibitions and regulations of this chapter shall not apply to the following:
 - 1. Events held at properties owned, leased, or managed by, and granted permission from, the City;
 - 2. Fundraising events sponsored by churches, not-for-profit civic organizations, booster clubs and charities;
 - 3. Events sponsored by the School District, Chamber of Commerce, or as otherwise granted a written permit by the City for the use of public property or right of ways;
 - 4. Yard sales as defined in this Code;
 - 5. Seasonal sales and temporary uses as defined in this Chapter.

Section 5.46.050 Application for license.

- A. The application for a license shall be made under oath upon a form provided by the City. The City may conduct a background on each applicant. Each original application shall be completed by the applicant in full and shall set forth:
 - 1. The applicant's name, address and zip code, date of birth, sex, and a physical description of the applicant;
 - 2. The name, address and telephone number of the person, firm, corporation, association or organization whom the applicant is employed by or represents, and the length of time of such employment or representation;
 - 3. A description sufficient for identification of the subject matter of the soliciting in which solicitor applicants will engage or the wares solicitors will sell or take orders for;
 - 4. The period of time for which the license is applied for, not to exceed one year;
 - 5. The date, or approximate date, of the latest previous application for license under this Chapter, if any;
 - 6. Whether a license issued to the applicant under this Chapter, or its predecessor, has ever been revoked;

7. Whether the applicant has ever been convicted of a violation of any of the provisions of this Chapter, its predecessor, or the ordinance of any other Illinois municipality, or any Illinois Statute, regulating soliciting or peddling;
 8. Whether the applicant has ever been convicted of the commission of a felony under the laws of the State of Illinois or any other state or federal laws of the United States;
 9. Evidence that the applicant is authorized to solicit for the organization represented;
 10. The license plate number and description of vehicles used;
 11. Present a current, valid form of photo identification in the form of a Driver's License, Real ID, or Passport);
 12. Furnish a statement that they shall follow all Center for Disease Control (CDC) guidelines at all times;
 13. Any other information or such documentation as the City may deem necessary to determine the identity of the applicant, or to process the application.
- B. A photograph of the applicant shall be taken by the City, for use in creating a photo ID license badge to be worn by the applicant when taking action in furtherance of any license issued pursuant to this Chapter.
- C. The City Clerk shall cause to be kept in their office an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all licenses issued under the provisions of this Chapter, and of the denial of applications.
- D. No license shall be issued to any person who has been convicted of the commission of a misdemeanor or felony under the laws of the State of Illinois or any other state or federal laws of the United States, within five years of the date of the application, relating to dishonesty, fraud, deceptive practices. ..
- E. No license shall be issued to any person who has been required to register as a sex offender in any jurisdiction in the United States.
- F. No license shall be issued to any person who has violated any of the provisions of this Chapter; or whose license issued hereunder has previously been revoked, as herein provided.
- G. No license pursuant to this Chapter shall be issued to any individual under the age of 16.
- H. Any changes to the information provided on the original application, including but not limited to changes of legal name, employer, vehicle(s) operated in the course of peddling, commercial soliciting, or fund soliciting, felony conviction, or any other information required by the application, shall be reported to the City Clerk within 5 business days. Failure to report any change shall result in revocation of the license.

Section 5.46.060 Bond Required.

- A. The applicant shall file with the City a surety/compliance bond in the amount of \$10,000.00. The City Council may, by ordinance, waive the requirement of posting a surety/compliance bond.
- B. At the City's discretion, it may transfer said surety/compliance bond to the Illinois Attorney General after the applicant ceases to do business in the City; and in such event the Attorney General shall hold such bond for the benefit of any person who suffers loss or damage as a result of the purchase of merchandise from said person licensed under this Chapter or as the result of the negligent or intentionally tortious act of the person licensed under this Act. The Attorney General may pay any portion of the bond to any person in accordance with the order of a Court without making an independent finding as to the amount of the bond that is payable to that person. Any balance of said bond held by the Attorney General 2 years after the expiration of a license of a person under this Act shall be refunded to the person.

Section 5.46.070 Issuance and denial of licenses.

- A. The City Clerk, upon receipt of a properly completed application, but in no event later than thirty (30) working days after the receipt of the application, shall either issue a license, or notify the applicant in writing that the application has been denied because of the applicant's failure to comply with the requirements of this Chapter or with the requirements of any other provision of the Collinsville Code of Ordinances which is applicable to the activities of the applicant. Each license to be valid for no more than one (1) year from the date of issuance.
- B. A license issued pursuant to this Chapter shall be valid for no more than one (1) year from the date of issuance. There shall be no automatic renewal of a license. Each applicant must apply for a new license after its expiration.

Section 5.46.080 License fees.

The fee for the license issued pursuant to this Chapter shall be as provided for in Title 4 of the Collinsville Code of Ordinances.

Section 5.46.090 Regulation of solicitors for funds.

- A. Persons engaged in Fund Soliciting or Other Soliciting on public right of ways must comply with the Illinois Solicitation for Charity Act (225 ILCS 460/0.01 et seq.) and as provided for in Chapter 5.44 of the Collinsville Code of Ordinances, as applicable.

Section 5.46.100 Restrictions applicable to all soliciting.

A. It shall be unlawful for any person:

1. To continue to engage in solicitation upon any premises or in any dwelling house, apartment or other residence located thereon after having been requested by the owner or occupant thereof to leave such premises or residence.
2. To engage in solicitation, or particular types of solicitation, upon any premises or residence located thereon if such premises or residence is posted against solicitation, or against certain types of solicitation, by means of a notice, prominently displayed upon which is printed in substantial form, one or more of the following:

"Only City of Collinsville Licensed Solicitors or Peddlers
Invited"

or

"No Solicitors or Peddlers"

or

"Charitable Organization
Solicitors Only"

or

"Not For Profit Organization
Solicitors Only"

For purposes of the preceding sentence, a dwelling house, apartment or other place of residence shall be deemed to be posted against solicitation, or posted against certain types of solicitation, if there is exhibited, on or near the main entrance to the premises or on or near the main door to any residence located thereon, a sign at least three inches by four inches in size and with letter at least three-eighths (3/8) inch in height, which bears one of the above legends printed in English.

3. Who engages in solicitation to use any plan, scheme or ruse, or to make any statements, which indicates or implies that the purpose of such person's solicitation is other than to obtain orders for or to make sales of goods or services.
4. Who engage in r soliciting to misrepresent the right of a buyer to rescind or cancel a sale under the provisions of applicable law.
5. Who engages in soliciting to cheat, deceive, or fraudulently misrepresent, whether through themselves or through an employee, while acting as a or solicitor in the City, or to barter, sell or peddle any goods, merchandise or wares other than those specified in their application for a license.

6. To interfere with vehicular, bicycle, or pedestrian traffic on any public right-of-way, or display any goods, merchandise or wares on any City property or right-of-way, or within 100 feet of the intersection of any public right-of-way or driveway.
- B. It shall be unlawful for any person, whether licensed under this Chapter or not, to go upon any premises and ring the doorbell upon or near any door of a residence located thereon or rap or knock upon the 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 soliciting, or fund soliciting, as herein defined:
 1. prior to 9:00 a.m. or after 5:00 p.m. on Monday through Sunday;
 2. at any time on a Sunday or on a state or national holiday.
- C. The photo ID license badge issued by the City shall be displayed conspicuously on the outer garment of any person engaging in commercial soliciting, or fund soliciting in the City of Collinsville, at all times while engaging in commercial soliciting or fund soliciting.
- D. Who as a solicitor or , has gained entrance to any residence, whether invited or not, fail to immediately and peacefully depart from the premises when requested to do so by the occupant.
- E. To knowingly engage in commercial soliciting with a minor.

Section 5.46.110 Revocation of licenses.

Any license under this Chapter may be revoked by the City Manager because of any violation of any provisions of this chapter or of any other ordinance of the City, or of any state or federal law, but not before the licensee has been given at least ten (10) days' notice of hearing on the violations and revocation of the license. At said hearing the licensee and their attorney may present and submit evidence and witnesses in licensee's defense.

Section 5.46.120 Soliciting for contributions on a highway.

Soliciting for contributions (Fund Soliciting) from the occupants of motor vehicles, while standing on a highway, shall be governed by Chapter 5.44 of the Collinsville Code of Ordinances.

Section 5.46.130 Compliance with this Code.

Nothing in this chapter shall be deemed to waive any other provisions or requirements of the Collinsville Code of Ordinances.

Section 5.46.140 Maintaining public nuisance.

Any business, building, or real estate used by a person in violation of this chapter, together with all fixtures and other property used in violation of this chapter, are hereby declared to be a public nuisance which may be abated in the manners prescribed by this Code or the Illinois Municipal Code, as revised and amended, and/or by injunctive relief by a court of competent jurisdiction. The owners or lessors and their agents of any business, building, or real estate that is a public nuisance shall also be subject to the declarations and remedies provided for in this chapter.

Section 5.46.150 Appeal.

Any person aggrieved by the decision of the City in regard to the denial, suspension, or revocation of license as provided for in this chapter, shall have the right to appeal to the Hearing Officer. Such appeal shall be taken by filing with the City Clerk, within ten (10) days after the notice of a denial, suspension, or revocation of a license, by way of a written statement under oath setting forth specifically the grounds for appeal. The Hearing Officer shall thereupon set the time and place for a hearing on such appeal, and notice of such hearing shall be given to the applicant/licensee in the same manner as provided in Section 5.04.150 of the Collinsville Code of Ordinances.

Section 5.46.160 Penalties.

In addition to and concurrent with the remedies provided for in this chapter or otherwise in the City Code of Ordinances, any person found violating any of the provisions of this chapter shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day or event during or on which a violation occurs or continues.”

Section 4. In the event any section or provision of this Ordinance shall be held unconstitutional or invalid by any Court, in whole or in part, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance, other than the part held unconstitutional or invalid.

Section 5. All ordinances, or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

Section 6. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other ordinance of the City or the requirements thereof

whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

Section 7. This Ordinance shall be effective on and as of January 1, 2026, after its passage by the City Council, approval by the Mayor, and publication according to law.

Passed by the City Council and approved by the Mayor this ____ day of October, 2025.

Ayes: _____

Nays: _____

Absent: _____

Approved: _____

APPROVED: _____

JEFF STEHMAN, MAYOR

ATTEST: _____

KIMBERLY WASSER, CITY CLERK

RECORDED: _____, 2025.