

AN ORDINANCE UPDATING  
PEDDLER AND VENDOR PROVISIONS OF THE VILLAGE CODE

WHEREAS, the Village has recently undertaken a review of the peddler and vendor provisions of the Village Code; and

WHEREAS, Section 11-42-5 of the Illinois Municipal Code (65 ILCS 5/11-42-5) authorizes the Village to regulate, prohibit, and license peddler, transient vendors of merchandise, and itinerant merchants; and

WHEREAS, the Village Board now seeks to update and expand the regulation of peddlers and vendors within the Village; and

WHEREAS, the Village Board finds that it is in the best interest of the Village to hereby adopt the following provisions for the Village Code to update and expand the regulation of peddlers and vendors conducting business in the Village;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Princeville, Peoria County, Illinois, that:

SECTION 1. Title 5, Chapter 64 (Peddlers and Itinerant Merchants) of the Princeville Village Code is hereby deleted in its entirety and replaced with new Chapter 5.64 (Peddlers) as follows:

**Chapter 5.64**

**Peddlers**

**Sections:**

- 5.64.010 *Definitions*
- 5.64.020 *License – Required*
- 5.64.030 *License – Application*
- 5.64.040 *License – Application Review*
- 5.64.050 *License – Fee – Duration*

5.64.060	<i>Exemption from Application and License Requirements</i>
5.64.070	<i>Hours of Operation</i>
5.64.080	<i>Residential Peddling Restrictions</i>
5.64.090	<i>Conducting Business with Persons in Motor Vehicles Prohibited</i>
5.64.100	<i>Sales Restriction</i>
5.64.110	<i>Fixed Locations Prohibited</i>
5.64.120	<i>Vehicle Parking</i>
5.64.130	<i>Proximity to Playground or School Prohibited</i>
5.64.140	<i>Food Sales</i>
5.64.150	<i>Daily Check-In</i>
5.64.160	<i>License Validity</i>
5.64.170	<i>Transfer of License</i>
5.64.180	<i>Posting of License</i>
5.64.190	<i>Revocation/Suspension of License</i>

**§5.64.010 Definitions.** *Unless the context otherwise requires, the following terms as used in this Chapter shall be construed according to the definitions given below:*

*“Licensee” means a person issued a license pursuant to the provisions of this Chapter of the Village Code.*

*“Peddler” means any person who shall sell or offer for sale, barter, or exchange, at retail, any produce, food or food products, goods, wares, services, or merchandise of any kind by traveling from place to place in, along, or upon the streets, avenues, alleys, public thoroughfares, or public places of the Village; or who shall sell and deliver from any vehicle goods, wares, services or merchandise by going from place to place in the Village, whether to regular customers or not. The term shall also include any person who moves from house to house or from place to place in the Village selling or taking orders for produce, food or food products, goods, wares, services, or merchandise of any kind for future delivery. This term shall not apply to a person, business, or organization operating out of an enclosed permanent structure within the Village for a period of more than 100 continuous days or can evidence the intent to operate from an enclosed permanent structure within the Village for a period of more than 100 continuous days.*

**§5.64.020 License – Required.** *It is unlawful to do business as a peddler without having first obtaining a license from the Village as is herein provided.*

**§5.64.030 License – Application.** *An application for a peddler's license shall be made at the Village Hall and shall contain the following information:*

1. *Name of the individual applying for the license;*
2. *The applicant's address, telephone number, and driver's license number;*
3. *The address and phone number of the applicant's principal place of business;*

4. *If the applicant is employed by another person, business, or organization, the name, address, and telephone number of the employer;*
5. *The type of goods, wares, services or merchandise to be sold or offered for sale by applicant;*
6. *Whether the applicant has been convicted of any criminal offense or ordinance violation in any jurisdiction, and if so, a list of such convictions with date and prosecuting jurisdiction; and*
7. *Evidence of appropriate insurance coverage.*

**§5.64.040 License – Application Review.** *Upon receipt of an application for a peddler's license, a routine investigation of the application and applicant shall be performed by the Village. If, after such investigation, the Village President determines the application should be denied, the Village shall notify the applicant by letter stating the reasons for such denial. Upon approval of an application for a peddler's license, the Village shall issue the license and immediately notify the Peoria County Sheriff's Deputy assigned as the Village Community Policing Officer*

**§5.64.050 License – Fee – Duration.** *An applicant for a peddler's license shall pay to the Village, when filling an application, a fee of Two Hundred Fifty Dollars (\$250.00). A peddler's license shall be valid for a period of ninety (90) consecutive days from the date of issue. This license fee shall not be prorated for any shorter period of time.*

**§5.64.060 Exemption from Application and License Requirements.** *The following persons shall be exempt for the application and license requirements of this Chapter:*

- A. *Farmers, fruit growers, and gardeners who sell the produce or food product of their farm, orchard, or vineyard.*
- B. *Sellers or deliverers of newspapers.*
- C. *Street and sidewalk vendors licensed by the Village under Chapter 5.66 of the Village Code.*
- D. *Persons selling, peddling, soliciting, or taking orders for any goods or services not prohibited by law on behalf of a nonprofit organization sponsored by or participated in by a nonprofit organization operating from a location in the Village, a local chapter of nonprofit organization located within 50 miles of the Village; or by a national nonprofit organization not represented locally but which has filed a statement of registration with the Village specifying the name of the nonprofit organization, its permanent address, the names of its principal officers and names of those persons who*

are authorized to sell, peddle, or solicit or take orders for goods and services within the Village.

- E. *Persons who sell goods, wares, merchandise or services on Village-owned public grounds as part of an event for which a license has been issued under the Village Code.*
- F. *Persons selling, peddling, soliciting or taking orders for any goods or services not prohibited by law while invited to participate in the Princeville Heritage Days event by the Princeville Civic Association or while invited to participate in any celebration, fair, festival or similar activity sponsored by a nonprofit organization or the Village of Princeville.*
- G. *Route salesmen having established customers to whom periodic deliveries are made and who may make calls upon prospective customers in their regular service area.*
- H. *Persons delivering an item previously ordered either by solicitation or mail order, or selling items to persons who have requested or invited the seller to exhibit his merchandise.*

**§5.64.070 Hours of Operation.** *A Licensee shall only engage in peddling between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday excluding government holidays.*

**§5.64.080 Residential Peddling Restrictions.** *No licensee shall engage in peddling at any residence in the Village at which "NO SOLICITORS" signage is displayed upon or near the main entrance door or any variation of this statement. Further, no licensee shall remain at any residence after being asked by an occupant to leave.*

**§5.64.090 Conducting Business with Persons in Motor Vehicles Prohibited.** *No licensee shall solicit or conduct business with persons in motor vehicles.*

**§5.64.100 Sales Restriction.** *No licensee shall sell anything or provide any service other than that which is set forth stated in the licensee's application*

**§5.64.110 Fixed Locations Prohibited.** *Vehicles, stands and carts used for peddling shall not be operated from fixed locations within the Village.*

**§5.64.120 Vehicle Parking.** *No licensee shall park any motor vehicle other than in a lawful parking place in conformance with Village and State regulations.*

**§5.64.130 Proximity to Playground or School Prohibited.** *No licensee shall engage in peddling within 200 feet of a playground or school during the time that organized recreational activities are in progress.*

**§5.64.140 Food Sales.** A licensee may not sell prepared food or beverages except pre-package foods and beverages in sealed packages or containers without first obtaining a license to do so from the Peoria County Health Department. This provision shall not apply to the sale of fresh farm or garden produce.

**§5.64.150 Daily Check-In.** Peddlers must check into the Village Hall each day prior to peddling within the Village.

**§5.64.160 License Validity.** Only the applicant will be listed on a Village-issued peddler's license and the peddler's license will only be valid for that individual application. Only the person listed on a peddler's license is allowed to peddle with a Village-issued license. Multiple individuals from the same company or business must obtain a separate peddler's license under this Chapter. Licenses shall only be issued to the individual listed on the application and shall not be issued to the name of a business, organization, or other entity.

**§5.64.170 Transfer of License.** No license issued pursuant to the Chapter may be transferred, interchanged, sold, or assigned to another person.

**§5.64.180 Posting of License.** Each peddler shall keep the peddler's license with them and visible at all times when engaged in peddling.

**§5.64.190 Revocation/Suspension of License.** Any peddler's license may be revoked or suspended by the Village President in the following situations:

- A. The licensee violates provisions of this Chapter, the laws of the State, or the ordinances of the Village while engaged in the business of peddling;
- B. The licensee has been or is convicted of any criminal offense or ordinance violation; or
- C. The licensee has knowingly furnished false or misleading information or withheld relevant information on any application for a license or in an investigation regarding any such application.

**SECTION 2.** Title 5, Chapter 66 (Vendors) is hereby added to the Princeville Village Code as follows:

### **Chapter 5.66**

#### **Vendors**

**Sections:**

- 5.66.010 Definitions  
5.66.020 License – Required

5.66.010	<i>Definitions</i>
5.66.020	<i>License – Required</i>
5.66.030	<i>License – Application</i>
5.66.040	<i>License – Application Review</i>
5.66.050	<i>License – Fee – Duration</i>
5.66.060	<i>Exemption from Application and License Requirements</i>
5.66.070	<i>Hours of Operation</i>
5.66.080	<i>Vendor Location</i>
5.66.090	<i>Conducting Business with Persons in Motor Vehicles Prohibited</i>
5.66.100	<i>Sales Restriction</i>
5.66.110	<i>Vendor Stands on Public Ways</i>
5.66.120	<i>Vehicle Parking</i>
5.66.130	<i>Unattended Vendor Stands Prohibited</i>
5.66.140	<i>Food Sales</i>
5.66.150	<i>Protection of Stand Area</i>
5.66.160	<i>Litter.</i>
5.66.170	<i>Number of Licenses</i>
5.66.180	<i>Transfer of License</i>
5.66.190	<i>Posting of License</i>
5.66.200	<i>Revocation/Suspension of License</i>

**§5.66.010 Definitions.** *Unless the context otherwise requires, the following terms as used in this Chapter shall be construed according to the definitions given below:*

*“Licensee” means a person issued a license pursuant to the provisions of this Chapter of the Village Code.*

*“Motor Vehicle” means any vehicle used for the displaying, storing, or transporting of articles offered for sale by a vendor and which is required to be licensed and registered with the State of Illinois (or other state). The term includes trailers, trucks, and automobiles.*

*“Street and Sidewalk Vendor” (or “Vendor”) means any person engaged in the selling, or offering for sale, of food, beverages, goods, wares or merchandise on the public streets, sidewalks, rights-of-way or any other property from a stand or motor vehicle or from their person by locating the stand, motor vehicle or themselves in a fixed location for a period of time rather than by going from place to place within the Village. This term shall not apply to a person, business, or organization operating out of an enclosed permanent structure within the Village for a period of more than 100 continuous days or can evidence the intent to operate from an enclosed permanent structure within the Village for a period of more than 100 continuous days, provided that the person, business, or organization can demonstrate the legal right to be on property where the permanent structure is located.*

*"Site" means the total area occupied by a street and sidewalk vendor, including the stand and auxiliary tables, the place where the employees stand, and the place where goods and equipment are stored or displayed.*

*"Stand" means any table, showcase, display rack, bench, rack, pushcart, wagon or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered with the Illinois Secretary of State.*

**§5.66.020 License – Required.** *It is unlawful to do business as a street and sidewalk vendor without having first obtaining a license from the Village as is herein provided.*

**§5.66.030 License – Application.** *An application for a street and sidewalk vendor's license shall be made at the Village Hall and shall contain the following information:*

1. *Name of the individual applying for the license;*
2. *The applicant's address, telephone number, and driver's license number;*
3. *The address and phone number of the applicant's principal place of business;*
4. *If the applicant is employed by another person, business, or organization, the name, address, and telephone number of the employer;*
5. *The type of goods, wares, services or merchandise to be sold or offered for sale by applicant;*
6. *The location where the applicant plans to sell goods, wares. or merchandise;*
7. *For sites abutting property upon which there is located a structure which is occupied by a single business, a signed consent by the occupant that the occupant approves of the vendor being outside that business; and for other sites, a signed consent by the owner of the property comprising or abutting the requested location that the owner approves of the vendor being on or outside the owner's property;*
8. *For sites that are located on private property, documentation demonstrating the right to conduct business as a vendor on the property;*
9. *Whether the applicant has been convicted of any criminal offense or ordinance violation in any jurisdiction, and if so, a list of such convictions with date and prosecuting jurisdiction; and*
10. *Evidence of appropriate insurance coverage.*

**§5.66.040 License – Application Review.** *Upon receipt of an application for a vendor's license, a routine investigation of the application and applicant shall be performed by the Village. If, after such investigation, the Village President determines the application should be denied, the Village shall notify the applicant by letter stating the reasons for such denial. Upon approval of an application for a vendor's license, the Village shall issue such license.*

**§5.66.050 License – Fee – Duration.** *An applicant for a vendor's license shall pay to the Village, when filling an application, a fee of Fifty Dollars (\$50.00) per*

day, except that the licenses fee shall be Fifteen Dollars (\$15.00) per day when issues in conjunction with a special event as designated by the Village.

**§5.66.060 Exemption from Application and License Requirements.** *The following persons shall be exempt for the application and license requirements of this Chapter:*

- A. *Farmers, fruit growers, and gardeners who sell the produce or food product of their farm, orchard, or vineyard.*
- B. *Sellers or deliverers of newspapers.*
- C. *Peddlers licensed by the Village under Chapter 5.66 of the Village Code.*
- D. *Persons selling, peddling, soliciting, or taking orders for any goods or services not prohibited by law on behalf of a nonprofit organization sponsored by or participated in by a nonprofit organization operating from a location in the Village, a local chapter of nonprofit organization located within 50 miles of the Village; or by a national nonprofit organization not represented locally but which has filed a statement of registration with the Village specifying the name of the nonprofit organization, its permanent address, the names of its principal officers and names of those persons who are authorized to sell, peddle, or solicit or take orders for goods and services within the Village.*
- E. *Persons who sell goods, wares, merchandise or services on Village-owned public grounds as part of an event for which a license has been issued under the Village Code.*
- F. *Persons selling, peddling, soliciting or taking orders for any goods or services not prohibited by law while invited to participate in the Princeville Heritage Days event by the Princeville Civic Association or while invited to participate in any celebration, fair, festival or similar activity sponsored by a nonprofit organization or the Village of Princeville as so designated by the Village.*
- G. *Route salesmen having established customers to whom periodic deliveries are made and who may make calls upon prospective customers in their regular service area.*

**§5.66.070 Hours of Operation.** *A Licensee shall only engage in business between the hours of 8:00 a.m. to 8:00 p.m., unless otherwise prior approval is given by the Village Board.*

**§5.66.080 Vendor Location.** *No licensee shall sell, or offer for sale, goods, wares or merchandise other than at the location approved by the Village.*

**§5.66.090 Conducting Business with Persons in Motor Vehicles Prohibited.** *No licensee shall solicit or conduct business with persons in motor vehicles.*



**§5.66.100 Sales Restriction.** No licensee shall sell anything or provide any service other than that which is set forth stated in the licensee's application

**§5.66.110 Vendor Stands on Public Ways.** No licensee shall store, park, or leave unattended any vendor stand on any street, sidewalk, or public right-of-way.

**§5.66.120 Vehicle Parking.** No licensee shall park any motor vehicle other than in a lawful parking place in conformance with Village and State regulations.

**§5.66.130 Unattended Vendor Stands Prohibited.** No licensee shall leave any stand unattended.

**§5.66.140 Food Sales.** A licensee may not sell prepared food or beverages except pre-package foods and beverages in sealed packages or containers without first obtaining a license to do so from the Peoria County Health Department. This provision shall not apply to the sale of fresh farm or garden produce.

**§5.66.150 Protection of Stand Area.** All stains from cooking, wheels, spillage or any other cause resulting from a licensee's activities shall be removed from any street, sidewalk, or public right-of-way within 24 hours. All stands shall provide a protective pad under their site to protect the street, sidewalks, or public right-of-way.

**§5.66.160 Litter.** All licensees selling food and beverages for immediate consumption shall have available litter receptacles for their patrons' use. No licensee shall leave their location without first picking up, removing, and properly disposing of all trash, garbage, and refuse from sales made by them. No licensee shall dispose of that trash, garbage or refuse in public receptacles.

**§5.66.170 Number of Licenses.** No person may obtain, directly or indirectly, more than one license per location.

**§5.66.180 Transfer of License.** No license issued pursuant to the Chapter may be transferred, interchanged, sold, or assigned to another person.

**§5.66.190 Posting of License.** Every license issued under this Chapter shall be permanently affixed to the stand or vehicle of the street and sidewalk vendor in a prominently visible location.

**§5.66.200 Revocation/Suspension of License.** Any vendor's license may be revoked or suspended by the Village President in the following situations:

- A. The licensee violates provisions of this Chapter, the laws of the State, or the ordinances of the Village while engaged in the business of peddling;
- B. The licensee has been or is convicted of any criminal offense or ordinance violation; or

- C. *The licensee has knowingly furnished false or misleading information or withheld relevant information on any application for a license or in an investigation regarding any such application.*

SECTION 3. Title 5, Chapter 28 (Charitable Solicitations) of the Village Code is hereby deleted in its entirety.

SECTION 4. This Ordinance shall be in full force and effect upon its passage and approval as required by law.

SECTION 5. This Ordinance is hereby ordered to be published in pamphlet form by the Princeville Village Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

SECTION 6. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2020.

AYE: EHNF, DELBRIDGE, HUGHES, PETERSON, GILROY, WILSON

NAYES: ∅

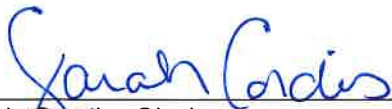
ABSENT: ∅

APPROVED THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2020.



Jeff Troutman, President  
Village of Princeville, Illinois

ATTEST:



Sarah Cordis, Clerk  
Village of Princeville, Illinois

**CERTIFICATE OF PUBLICATION**

I, Sarah Cordis, and the undersigned, do hereby certify that I am the duly qualified and Village Clerk of the Village of Princeville, a municipal corporation of and in the County of Peoria, Illinois, that the foregoing Ordinance No. 2020-09-01 is a true and accurate copy of the Ordinance passed by the Village Board and President of the Village of Princeville on the meeting date set forth therein, and that Ordinance No. 2020-09-01 was published by me in pamphlet form this 8<sup>th</sup> day of SEPTEMBER, 2020, by making three (3) copies thereof available on that date at the Village Hall for the Village of Princeville for public inspection.

  
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Sarah Cordis, Village Clerk

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