

RESOLUTION #10-0621-03

Approve "No Solicitation" signage Policy

WHEREAS, on June 16, 2008 the Board of Trustees approved Resolution #08-0616-01 prohibiting the solicitation of goods by transient vendors within the unincorporated territory of Liberty Township, and

WHEREAS, a few Homeowner Associations have requested to install "No Solicitation" signs at the entrance of their respective Subdivisions, and

WHEREAS, staff is requesting the Trustees authorize the Road Department to install "No Solicitation" signs if requested by a Subdivision or Homeowners Association located in the unincorporated territory of Liberty Township at any such neighborhood subject to, Township and County standards,

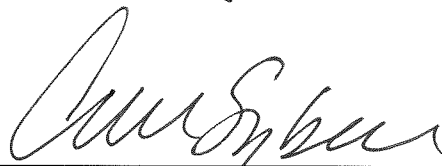
NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO, the Board of Trustees authorizes the Road Department to install a "No Solicitation" sign at the entrance of any Subdivision if requested by the Homeowners Association, and it is located in the unincorporated territory of Liberty Township subject to staff approval.

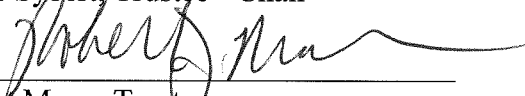
This Resolution shall be in force and become effective immediately upon its execution.

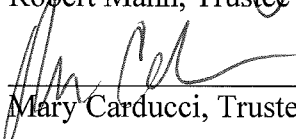
Motion made by Carducci and seconded by Mann.

Vote: yes Ms. Carducci yes Mr. Mann yes Mr. Sybert


6-21-10
Date


Curtis Sybert, Trustee - Chair


Robert Mann, Trustee


Mary Carducci, Trustee

CERTIFIED BY:


Mark S. Gerber, Fiscal Officer

**BOARD OF TRUSTEES
LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO**

RESOLUTION NO. 08-0616-01

A Resolution adopted pursuant to Ohio Revised Code §505.94 prohibiting the sale of goods, offer for sale of goods and solicitation of orders for future delivery of goods by transient vendors within the unincorporated territory of Liberty Township, Delaware County, Ohio.

PREAMBLE

WHEREAS, the Board of Trustees of Liberty Township, Delaware County, Ohio desires to protect the residents of the unincorporated territory of Liberty Township from uninvited door-to-door solicitors in consumer-related transactions;

WHEREAS, the Board of Trustees of Liberty Township, Delaware County, Ohio believes that it is in the best interest of the citizens of Liberty Township and further believes that it will promote the health, safety and welfare of the residents of Liberty Township to prohibit transient vendors from selling, offering for sale and soliciting orders for future delivery of goods within in the unincorporated territory of Liberty Township; and

WHEREAS, Ohio Revised Code §505.94 authorizes the Board of Trustees of Liberty Township to prohibit transient vendors from selling, offering for sale, and soliciting orders for future delivery of goods within the unincorporated territory of Liberty Township.

NOW BE IT RESOLVED BY THE LIBERTY TOWNSHIP BOARD OF TRUSTEES, DELAWARE COUNTY, OHIO:

SECTION 1. DEFINITIONS

A. "Goods" shall be defined as goods, wares, services, merchandise, periodicals, and other articles or publications.

B. "Transient Vendor" shall be defined as any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the township, sells or offers for sale goods, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods, or attempts to arrange an appointment for a future estimate or sales call.

C. "Transient Vendor" shall not include:

(1) Any person who represents a tax exempt business or organization, including but not limited to any entity exempt from taxation under Section 5709.04 of the

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Ohio Revised Code, that notifies the Board of Trustees that its representatives are present in the Township for the purpose of selling, offering for sale, or soliciting orders for future delivery of goods; and

(2) An auction or an auctioneer company licensed under Chapter 4707 of the Ohio Revised Code; and

(4) Commercial travelers or selling agents calling upon commercial establishments in the usual course of business;

(5) Any person invited by an owner or tenant to visit the owner's or tenant's premises to sell, offer for sale, or solicit orders for future delivery of goods; and,

(6) Roadside stands or vendors offering for sale agricultural produce grown on premises.

SECTION 2. PROHIBITIONS

The sale of goods, offer for sale of goods, and solicitation of orders for future delivery of goods by a transient vendor within the unincorporated territory of Liberty Township is hereby prohibited.

SECTION 3. REGULATIONS

A. All organizations as defined by Section 1C(1) ("tax-exempt organization") shall notify the Liberty Township Zoning Inspector prior to soliciting any home or residence within the unincorporated territory within Liberty Township.

B. The notification under Sections 3A shall be valid for a period of 180 days from the date received by the Liberty Township Zoning Inspector.

SECTION 4. PENALTIES

A. Violations of this Resolution shall be punishable as a minor misdemeanor, by virtue of Ohio Revised Code Section 505.99(A). Penalties shall be imposed in accordance with Ohio Revised Code Chapter 2929, and shall include a fine up to one hundred fifty dollars (\$150) for each offense. Each day of violation constitutes a separate offense.

B. In accordance with Ohio Revised Code, Section 505.94, the Liberty Township Administrator is hereby authorized and directed to notify the Delaware County Prosecutor of the Township's registration and regulatory requirements by providing a copy of this Resolution.

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SECTION 5. ADOPTION

All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. PRIOR RESOLUTIONS

This Resolution supersedes any Transient Vendor Resolution adopted prior to the effective date of this Resolution.

SECTION 7. EFFECTIVE DATE

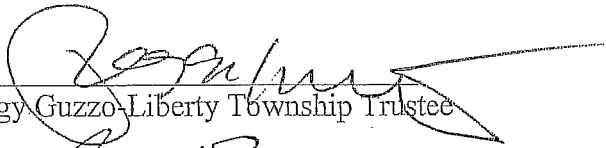
This Resolution shall take effect immediately upon adoption.

Voted on and signed this 16 day of June, 2008 in Liberty Township, Delaware County, Ohio.

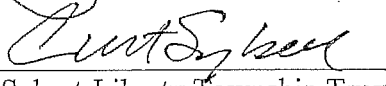
APPROVED AND ADOPTED THIS 16 DAY OF June, 2008 BY:

BOARD OF TRUSTEES, LIBERTY
TOWNSHIP, DELAWARE COUNTY, OHIO,


By:



Peggy Guzzo-Liberty Township Trustee



Curtis Sybert-Liberty Township Trustee



Robert Mann-Liberty Township Trustee

505.94 Registration and regulation of transient vendors.

(A) A board of township trustees may, by resolution, require the registration of all transient vendors within the unincorporated territory of the township and may regulate the time, place, and manner in which these vendors may sell, offer for sale, or solicit orders for future delivery of goods, or the board may, by resolution, prohibit these activities within that territory. If the board requires the registration of all transient vendors, it may establish a reasonable registration fee, not to exceed one hundred fifty dollars for a registration period, and this registration shall be valid for a period of at least ninety days after the date of registration. Any board of township trustees that provides for the registration and regulation, or prohibition, of transient vendors under this section shall notify the prosecuting attorney of the county in which the township is located of its registration and regulatory requirements or prohibition. No transient vendor shall fail to register or to comply with regulations or prohibitions established by a board of township trustees under this division.

This division does not authorize a board of township trustees to apply a resolution it adopts under this division to any person invited by an owner or tenant to visit the owner's or tenant's premises to sell, offer for sale, or solicit orders for future delivery of goods.

(B) As used in this section:

(1) "Goods" means goods, wares, services, merchandise, periodicals, and other articles or publications.

(2) "Transient vendor" means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the township, sells or offers for sale goods, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods, or attempts to arrange an appointment for a future estimate or sales call. "Transient vendor" does not include any person who represents any entity exempted from taxation under section 5709.04 of the Revised Code, that notifies the board of township trustees that its representatives are present in the township for the purpose of selling or offering for sale goods, or soliciting orders for future delivery of goods, or attempting to arrange an appointment for a future estimate or sales call, and does not include a person licensed under Chapter 4707. of the Revised Code.

Effective Date: 03-30-1999; 09-21-2006