

AN ORDINANCE AMENDING TITLE 3, CHAPTER 6

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRDEN, ILLINOIS, AS FOLLOWS:

SECTION 1: AMENDMENT OF TITLE 3, CHAPTER 6

Title 3, Chapter 6 of the City Code of Ordinances is hereby amended to read as follows:

3-6-1: DEFINITION; EXEMPTIONS:

"Peddling and soliciting", as used in this chapter, shall include the selling, bartering, or exchanging, or the offering for sale, barter, or exchange, of any tangible personal property or services, such as home improvements or termite inspection, upon or along the streets, highways, or public places of the city, whether at one place thereon or from place to place or by calling at residences. "Peddling and soliciting" shall be taken to include the solicitation of orders, business of any kind, and services, whether or not the goods are delivered, or the services performed at the time the order is taken. The provisions of this chapter do not apply to telephone solicitations, nor do they regulate or prohibit the delivery of tangible personal property to residents of the city where such delivery has been ordered or requested by such resident.

3-6-2: PERMIT REQUIRED:

No solicitor of contributions or vendor of merchandise or itinerant merchant or solicitor shall sell by peddling or soliciting any goods, wares, merchandise, perishable agricultural commodities or services, or solicit orders, contributions, sales, subscriptions, or business of any kind, along the streets, highways or public places of the city, or by calling at residences within the city, without first procuring a permit to do so from the Office Manager or Mayor.

3-6-3: APPLICATION FOR PERMIT:

The permit application shall include the applicant's name, permanent business address (which must include a street address), residence address of the principal individual involved with the peddling or soliciting (and if the applicant is a corporation, the residence addresses of its officers), the location at which the applicant intends to do business, the nature of the business the applicant intends to conduct, a copy of the applicant's certificate of registration under the retailer's occupation tax act, a complete inventory of the goods the applicant intends to offer for sale, and a list of all licenses or permits to conduct business as a transient merchant or an itinerant vendor obtained by the applicant in the state in the twelve (12) months preceding the date of filing of the application.

Each individual applicant shall submit a \$50 non-refundable fee with their application and be subject to the background check by the Virden Police Department. Applicants

shall submit any and all information and documentation necessary for the Virden Police Department to perform a satisfactory background check.

Each permit, if granted, shall be valid for seven (7) calendar days. A new application shall be required for each applicant upon expiration of their permit.

3-6-4: FORM OF PERMIT AND NAMETAG; SIGNATURES REQUIRED:

A. A permit may be issued, as nearly as may be, in the following form, and shall be signed on behalf of the City by the City Manager or Mayor.

Date

Virden, Illinois

_____, having made application in due form and in all other respects complied with the ordinances of the City in this behalf, therefore, the undersigned representative of the City of Virden does hereby authorize, empower and license the said applicant to engage in peddling or soliciting for a period of 7 days from the issuance of this permit.

Nevertheless, this license is granted upon this express condition, that if the said applicant shall observe and obey all ordinances of this City, which now are, or may be in force, regulating or relating to his said business, then this license shall be valid for the period aforesaid; otherwise, it may be annulled, revoked or forfeited, at the option of the Mayor or Chief of Police.

*City of Virden,
by authorized representative*

City Council approval of the permit application is not required.

B. Each individual shall also wear a nametag visibly displayed on their person during all hours they are soliciting or peddling in City limits. The nametag shall display their name, photograph, business, signature, and a City issued sticker with dates they have been approved to solicit.

3-6-5: HOURS PERMITTED:

No person (including residents and itinerants) shall engage in the business of peddling or soliciting at residences without the prior consent of the occupant except between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M. or sunset, whichever occurs first.

3-6-6: DUTY TO ANNOUNCE NAME AND IDENTIFY PRODUCT:

Any person engaged in peddling and soliciting shall, before entering any residence, identify himself or herself to the occupant by name and state what organization, company and/or product he or she represents.

3-6-7: FAILURE TO LEAVE UPON REQUEST:

No person shall engage in peddling or soliciting at, or remain on the premises of, any residence after having been asked by the occupant thereof to leave said premises or residence. **The failure to leave upon request, in addition to a violation of this Ordinance, shall be deemed a trespass by the City Police.**

3-6-8: POSTED PREMISES; UNINVITED SOLICITING:

- A. It shall be unlawful for any person to engage in peddling or soliciting upon any premises or residence located thereon if such premises or residence is posted against solicitation by means of a notice prominently displayed upon which is printed the legend:

NO SOLICITORS

- B. A residence shall be deemed to be posted against peddling or soliciting 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 (3" x 4") in size, which bears the legend set out in subsection A of this section in letters at least one-third inch (1/3") in height.
- C. A residence will also be deemed to be posted against peddling or soliciting if the owner or resident of the premises has provided the City office with a signature or an electronic acknowledgement to join a DO NOT SOLICIT list maintained by the City.
- D. That list will be maintained by the City office in the interest of public safety, to allow homeowners and residents to feel safe in their own residences, to provide protection of privacy against unwanted intrusion and to provide the Virden Police Department with additional information it can use to maintain peace and safety on the community. The City will make the list available to any one attempting to solicit in the City

3-6-9: FRAUDULENT AND DECEPTIVE PRACTICES:

No person who engages in peddling or soliciting shall use any plan, scheme or ruse to make any statement which indicates or implies that the purpose of such person's visit is other than to obtain orders for or to make sales of goods or services.

No person who engages in solicitation shall misrepresent the right of a buyer to rescind or cancel a sale under the provisions of the applicable law.

3-6-10: FIRST AMENDMENT SOLICITATIONS:

Persons soliciting for causes protected by the first amendment of the United States constitution shall procure a permit and shall not be restricted as to days or hours of solicitation.

3-6-11: PENALTY:

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction, be fined not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00) per violation.

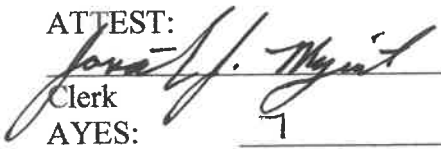
SECTION 2: Effective Date; Publication

This Ordinance shall be effective upon its passage, approval and publication as provided by law. The Clerk shall forthwith publish this Ordinance in pamphlet form.

PASSED this 6th day of July, 2026


MAYOR

ATTEST:


Clerk

AYES: 7

NAYS: 0

PASSED: Yes

APPROVED: Yes

ABSENT: harrieh

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF MACOUPIN)

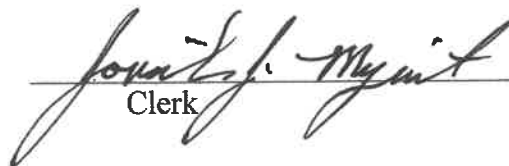
I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the City of Virden, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 26-06, adopted by the City Council of said City on the 6 day of July, 2026, said Ordinance being entitled:

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I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said City, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6th day of July, 2026.


Clerk