

Trustees:  
William B. Whidden  
Thomas N. Mercer  
Donald D. Pence

Fiscal Officer:  
Patricia M. Quillen

## **RESOLUTION 2014-05**

### **A RESOLUTION PROHIBITING TRANSIENT VENDORS FROM SELLING OR SOLICITING ORDERS WITHIN UNINCORPORATED CONCORD TOWNSHIP, EXCEPT FOR INDIVIDUALS WHO REPRESENT RELIGIOUS, CHARITABLE, OR SCHOOL GROUPS.**

WHEREAS, the Concord Township Board of Trustees seeks to prevent crime, fraud, and harassment of the citizens of Concord Township and to protect the privacy of the citizens of Concord Township; and

WHEREAS, Ohio R.C. § 505.94 authorizes the Concord Township Board of Trustees to prohibit transient vendors from selling, offering for sale, or soliciting orders for future delivery of goods or attempting to arrange an appointment for a future estimate or sales call.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. As used in this Resolution, "transient vendor", as per O.R.C. 505.94(B) (2), 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.
2. "Transient vendor", per O.R.C. 505.94(B)(2), does not include any person who represents any entity that is exempted from taxation because it is organized and operated exclusively for religious, charitable, scientific, literary, health, hospital, educational, or public purposes, exclusively for the prevention of cruelty to children or animals, exclusively for a home for the aged, or exclusively for contributing financial support to any such purposes (O.R.C.5709.04), that notifies the board of township trustees that its representatives will be 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.

3. "Transient vendor" does not include any person licensed as an auctioneer under Chapter 4707 of the Ohio Revised Code.
4. "Transient vendor" does not include 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.
5. "Goods" does not include noncommercial literature expressing religious or political views.
6. No transient vendor shall sell, offer for sale, or solicit orders for future delivery of goods within Unincorporated Concord Township.
7. Whosoever violates this resolution is guilty of a minor misdemeanor under Ohio R.C. 505.99.

Adopted this 18<sup>th</sup> day of February, 2014 by:

<u>Trustee Name</u>	<u>Yes or No</u>	<u>Signature</u>
Bill Whidden	_____	_____
Donald D. Pence	_____	_____
Thomas N. Mercer	_____	_____

Attest: \_\_\_\_\_  
 Patricia M. Quillen  
 Fiscal Officer

Date: February 18, 2014