

**TOWN OF CORTLAND
DEKALB COUNTY, ILLINOIS**

**TOWN OF CORTLAND
ORDINANCE NO. _____**

**AN ORDINANCE AMENDING TITLE 3, "BUSINESS AND LICENSE REGULATIONS"
CHAPTER 3, "PEDDLERS AND SOLICITORS," OF THE CORTLAND TOWN CODE**

**ADOPTED BY THE MAYOR AND BOARD OF TRUSTEES
OF THE TOWN OF CORTLAND**

**This ____ day of _____, 2026
Effective date: _____, 2026**

Published in pamphlet form by the authority of the Mayor and Board of Trustees of the Town of Cortland, DeKalb County, Illinois, this ____ day of ____ 2026

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CHAPTER 3, "PEDDLERS AND SOLICITORS," OF THE CORTLAND TOWN CODE**

WHEREAS, the Board of Trustees of the Town of Cortland, Illinois, has determined that it is in the best interest and welfare of the citizens of the Town of Cortland to modify the provisions of Title 3, "Business and License Regulations," Chapter 3, "Peddlers and Solicitors"

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the
Town of Cortland, Illinois, as follows:

Section 1. That Title 3, "Business and License Regulations," Chapter 3, "Peddlers and Solicitors," of the Town Code shall be amended by deleting the Section in its entirety and replacing it with the following:

**CHAPTER 3 PEDDLERS, ~~AND SOLICITORS~~, AND POP-UP
FOOD VENDORS**

3-3-1. Peddlers and Solicitors Generally.

- A. *Invitation Required:* It shall be unlawful for any person to go upon the residential premises of another for the purpose of soliciting orders, selling, or peddling without the consent or invitation of the owner or occupant.

3-3-2. Peddlers.

- A. *Definition:* The term "peddler" shall mean any person or persons who sell or offer to sell goods, wares, or merchandise of any kind or character on foot or from any vehicle along any street or public way or in any public space within the town.
- B. *License Required:* It shall be unlawful to engage in peddling or in the business of peddler in the town without a license. A separate license shall be required for every individual engaged in any peddling enterprise within the town.
- C. *License Application:* Applications for peddler's license shall be made to the town clerk along with a nonrefundable fee and shall state thereon the description and registration number of all vehicles, if any, intended to be used; the type of goods, wares or merchandise to be peddled; the permanent address of the peddler; ~~and~~ the Illinois business tax number of the peddler, **and the Certificate of Registration from IL State Department of Revenue, listing Cortland and DeKalb County.**
- D. *License Fee:* The nonrefundable fee for such license shall be twenty-five dollars (\$25.00) per license.

- E. *Period in Effect:* A peddler's license shall be in effect for one year from the date of issuance.

3-3-3. Solicitors.

- A. *Definitions:* For the purpose of this chapter the following words as used herein shall be construed to have the meanings herein ascribed thereto:

REGISTERED SOLICITOR: Shall mean and include any person who has obtained a valid certificate of registration as hereinafter provided, and which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

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.

SOLICITING: Shall mean and include 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; or
 2. Seeking to obtain prospective customers for application or purchase of insurance of any type, kind, or character; or
 3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers, and every other type of publication; or
 4. 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.
- B. *Certificate of Registration:* Every person desiring to engage in "soliciting" as herein defined from persons in residences within this municipality is hereby required to make written application for a certificate of registration as hereinafter provided.
- C. *Application for Certificate of Registration:*
1. *Form, Filing, Contents:* Application for a certificate of registration shall be made upon a form provided by the chief of police of this municipality and filed with such chief along with a non-refundable application fee of twenty-five dollars (\$25.00). (The fee may be waived by approval of the town president/mayor.) The applicant shall truthfully state in full the information requested on the application:
 - a. Name and address of place of business;
 - b. State of Illinois business tax identification number;
 - c. Name and address of the person, firm, corporation, or association whom the applicant is employed by or represents; and the length of time of such employment or representation;
 - d. Description sufficient for identification of the subject matter of the soliciting in which the applicant will engage;
 - e. Period of time for which the certificate is applied (maximum of thirty (30) days);
 - f. The date, or approximate date, of the previous application for certificate under this chapter, if any;

- g. Has a certificate of registration issued to the applicant under this chapter ever been revoked;
 - h. Has the applicant ever been convicted of a violation of any of the provisions of this chapter or the ordinance of any other Illinois municipality regulating soliciting;
 - i. Has the applicant ever been convicted of the commission of a felony under the laws of the state of Illinois or any other state or federal law of the United States;
 - j. Also, such additional information as the chief of police may deem necessary to process the application.
2. **Identification:** At the time of application, the applicant must possess and display a valid identification card or driver's license issued by the state of origin of the applicant. The identification card or driver's license must contain a photo likeness of the applicant and contain an address, date of birth, and physical description of the applicant. This identification shall be photocopied and accompany the application for certificate of registration.
 3. **Age:** All applicants wishing to solicit for other than nonprofit organizations must be at least eighteen (18) years of age.
 4. **Fingerprinting:** The chief of police may require every applicant to submit to fingerprinting by the police department of this municipality in connection with the application for a certificate.
 5. The chief of police shall cause to be kept in his office a record of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this chapter and of the denial of applications.
 6. **Effect of Conviction of Commission of Felony, Violation of Laws, Ordinances:** No certificate of registration shall be issued to any person who has been convicted of the commission of a felony under the laws of the state of Illinois or any other state or federal law of the United States within five (5) years of the date of application; nor to any person who has been convicted of a violation of any provisions of this chapter; nor to any person whose certificate of registration has been revoked as herein provided.

D. Issuance and Revocation of Certificate: The chief of police, after consideration of the application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such certificate as herein required, and if the issuance of a certificate of registration to the applicant would not be in accord with the intent and purpose of this chapter. Endorsement shall be made by the chief of police upon the denial of the application.

When the applicant is found to be fully qualified, the certificate of registration shall be issued forthwith for a maximum period of thirty (30) days. The certificate of registration shall state the expiration date thereof, which shall be a maximum of thirty (30) days from the date of issuance.

Any certificate of registration issued hereunder shall be revoked by the chief of police if the holder of the certificate is convicted of a violation of any of the provisions of this chapter, or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a certificate of registration under the terms of this chapter. Immediately upon such revocation, written notice shall be given by the chief of police to the holder of the certificate in person or by certified U.S. mail, addressed to his or her residence address set forth in the application. Immediately upon giving of such notice the certificate of registration shall become null and void.

- E. *Town Policy on Soliciting:* It is hereby declared to be the policy of the governing body of this municipality that the occupant or occupants of the residences in this municipality shall make the determination of whether solicitors shall be, or shall not be, invited to their respective residence.
- F. *Notice Regulating Soliciting:* Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this chapter shall comply with the following directions:

Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence shall be given in the following manner:

A weatherproof card, approximately three inches by four inches (3" x 4") in size, shall be exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words as follows:

ONLY SOLICITORS REGISTERED IN THE
TOWN OF CORTLAND INVITED
or
NO SOLICITORS INVITED

The letters shall be at least one-third inch ($\frac{1}{3}$ ") in height. For the purpose of uniformity the cards shall be provided by the chief of police to persons requesting these cards.

Such card so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

- G. *Duty of Solicitors:* It shall be the duty of every solicitor upon going onto any premises in the municipality upon which a "residence" as herein defined is located, to first examine the notice provided for in this section, if any is attached, and be governed by the statement contained on that notice. If the notice states "ONLY SOLICITORS REGISTERED IN THE TOWN OF CORTLAND INVITED", then the solicitor not possessing a valid certificate of registration shall immediately and peacefully depart from the premises; and if the notice states "NO SOLICITORS INVITED", then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

- H. *Uninvited Soliciting Prohibited:* It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring a doorbell upon or near any 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

engaging in "soliciting" as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of this chapter.

- I. *Hours For Soliciting*: It is hereby declared to be unlawful and shall constitute a nuisance for any person, whether registered 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 any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engaging in "soliciting" as herein defined, prior to 9:00 a.m. or after either dusk or 7:00 p.m., whichever is earlier, of any weekday, or at any time on a Sunday or on a state or national holiday. (Ord. 2000-18, 10-23-2000)

3-3-4. Pop-Up Food Vendors

- A. *Definition*: The term "pop-up food vendor" shall mean any person or persons who sell or offer to sell foodstuffs of any kind or character from a temporary business and who, in the furtherance of such business uses any approved place within the Town.
- B. *License Required*: It shall be unlawful to engage in pop-up food vending or the business of a pop-up food vendor in the town without a license. A separate license shall be required for every individual engaged in any pop-up vending enterprise within the town.
- a. The provisions of Chapter 1 of this title 3 regarding licenses issued in the Town of Cortland shall be applicable as otherwise may be necessary.
- C. *License Application*: Applications for a pop-up food vendor license shall be made to the chief of police along with a non-refundable fee and shall include the following;
- a. Completed application form listing the permanent address of the vendor.
- b. Current DeKalb County Health Cottage Food certificate.
- c. Certificate of Registration from IL State Department of Revenue, listing Cortland and DeKalb County and the Illinois Business Tax Number of the vendor.
- d. Certificate of Liability Insurance with the Town of Cortland listed as an additional insured.
- D. *License Fees & Period In Effect*: The non-refundable fee for such license shall be;
- a. Special Event: twenty-five dollars (\$25.00) per license per event
- b. Annual License: one hundred fifty dollars (\$150.00) per license and shall include any special events

3-3-5. Location and Hours For Operation of Pop-Up Food Vendors.

- A. Subject to the restrictions and limitations set forth in this ordinance, pop-up food vendors may operate on town-owned property at;
- a. Green Space, 86 S. Somonauk Rd.
- b. Municipal Parking Lot, 85 S. Somonauk Rd.
- c. Cortland Community Park Grounds/Green Space, 70 S. Llanos St. – Special Events Only
- B. Between the hours of 8:00a.m. to dusk.

3-3-6. Specific Regulations For Pop-Up Food Vendors

In addition to any and all other ordinances, laws, rules, and regulations, pop-up food vendors shall:

- A. Display a valid Town of Cortland Pop-Up Vendor license.
- B. Not obstruct traffic or the public right-of-way or public sidewalks or walkways within the approved locations.
- C. Not utilize Town utility connections.
- D. Not exceed a 10ft.x10ft. size pop-up structure.
- E. Deconstruct all pop-up tent structures at the conclusion of each event. Structures may not be left overnight or be unattended at any time.
- F. Provide a trash receptacle for use by customers and continuously contain and police waste and refuse. Licensees should not leave any location without first picking up, removing and disposing of all waste and refuse remaining from sales made by the pop-up vendor.
- G. Not permit unnecessarily loud or attention-attracting sound, including operating any loudspeaker, public address system, radio, music player, sound amplifier or similar device to attract attention of the public.
- H. Comply with all health inspection requirements of State and County regulations and display proof of compliance as may be necessary.
- I. Report sales taxes where required by applicable law and submit an ST1 Form to the Town of Cortland Finance Department at the conclusion of each event.

3-3-7. Penalties.

- A. *Fine:* Any peddler, ~~or~~ solicitor, or pop-up food vendor who violates any provision of this chapter shall be fined not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00).
- B. *Settlement:* Any person accused of a violation of this chapter may settle the claim by delivering to the town hall the violator's copy of the town ordinance citation and cash or money order made payable to the Town of Cortland. If the fifty dollar (\$50.00) fine is not received within seven (7) days the fine will increase to one hundred dollars (\$100.00). If that fine is not received within the next seven (7) days, the accused will be summoned to court and may be fined up to five hundred dollars (\$500.00).

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance shall be in full force and effect after its passage and publication as provided by law.

PASSED BY THIS BOARD OF TRUSTEES of the Town of Cortland, Illinois, at a regular meeting thereof held on the _____ day of _____ 2026, and approved by me as Mayor on the same day.

AYE:

NAY:

ABSENT:

Mark Pietrowski, Mayor

ATTEST:

Cheryl Aldis, Town Clerk