

**ORDINANCE NUMBER: 2024-16**

**AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE, ILLINOIS AMENDING  
TITLE 2 CHAPTER 3 OF THE VILLAGE OF POPLAR GROVE CODE OF  
ORDINANCES REGARDING PEDDLERS, HAWKERS, AND SOLICITORS**

WHEREAS, the Village of Poplar Grove, Illinois (“Village”) has adopted a Village Code of Ordinances (“Code”); and

WHEREAS, Title 2 of the Code governs Business and License Regulations; and

WHEREAS, Chapter 3 of Title 2 governs General Business and Licensing Regulations;  
and

WHEREAS, Chapter 3 of Title 2, Section 6, governs the Peddlers, Hawkers, and Solicitors;  
and

WHEREAS, the Village desires to amend Section 2-3-6 concerning Peddlers, Hawkers, and Solicitors to place time restrictions on when peddlers, hawkers, and solicitors, may operate within the Village; and

WHEREAS, the Village desires to amend Section 2-3-2 concerning Definitions to broaden the definition of solicitor; and

WHEREAS, the Village has determined such amendments are in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. That Title 2, Chapter 3, Section 2-3-2 of the Code regarding Definitions; is hereby amended to read as follows: (deletions identified by ~~strikethroughs~~ and additions by **bold and underline**):

The following words and phrases as used in this chapter shall have the following meanings, unless a different meaning is required by the context.

[...]

*Peddler/Hawker.* Any person who travels about selling small wares which he or she carries with him or her.

*Person.* Any individual, **organization, group,** firm, association, partnership, corporation, limited liability company, trust, ~~or other legal entity,~~ **or any combination thereof.** ~~except for such person or persons as may be organized as an Illinois not for profit corporation or governmental bodies properly organized under the law of the State of Illinois.~~

**Residence. Any separate living unit in the Village of Poplar Grove occupied for residential purposes by one or more persons, contained within any type of building or structure.**

*Solicitor.* Any person who engages in the door to door **requesting or** seeking to sell goods, wares, merchandise, foodstuffs, **printed materials, subscriptions,** services of any kind, **character, or nature; or any person who engages in the door to door requesting or seeking to obtain gifts or contributions of money, clothing or any other thing of value or the pledge of any type of future donation for the support or benefit of any charitable, political, religious or nonprofit association, organization, project, corporation, partnership, trust or joint venture, or any combination thereof.** ~~or character for any kind of consideration for delivery at the premises where sold; or seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatever for any consideration whatsoever for delivery at a future date; or seeking to obtain prospective customers for application or purchase of insurance of any type or character; or seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.~~

*Temporary Vendor.* Any person engaging or intending to engage in business as a merchant in a temporary, stationary structure in the Village of Poplar Grove. Peddlers/Hawkers shall not be considered temporary vendors.

3. That Title 2, Chapter 3, Section 2-3-6 of the Code regarding Peddlers, Hawkers, and Solicitors; is hereby amended to read as follows: (deletions identified by ~~strikethroughs~~ and additions by **bold and underline**):

2-3-6. – Peddler/Hawker/Solicitor

**(a) No person shall go upon any residential property and ring the door bell 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/or** engage in the business of solicitor, hawker or peddler, **as defined by this Chapter, prior to 8:00 a.m. or after 7:00pm.** ~~of any merchandise, article or thing in the Village of Poplar Grove unless said business is performed on behalf of a school, religious institution, licensed not for profit organization, or falls under the definition of non-commercial activity. Non-~~

~~commercial activity shall be defined as activities that are not commercial in nature, such as activities that do not involve sale of any commercial item, but rather which are solely consisting of: (a) religious or political free speech without any corresponding financial or commercial activity; (b) solicitation of gratuitous donations for non-commercial entities or undertakings such as charities, political organizations, churches or similar matters without the provision of any non-gratuitous consideration, product or service; or, (c) other similar activities not involving commerce or trade or the sale of any commercial item. If there is any element of commercial activity, a given activity shall not qualify as non-commercial activity (e.g. the solicitation of payments in exchange for a commercial item shall be deemed commercial activity).~~

**(a)(b) Any occupant of a residence or commercial building may give notice of a desire to refuse solicitors by displaying a “No Solicitation” or “No Trespassing” or similar sign which shall be posted on or near the main entrance door or near the property line adjacent to the sidewalk leading to the residence or the commercial building. Such sign shall not exceed the size parameters specified in the Village’s land use ordinance regulating to signs. The display of such sign shall be deemed to constitute notice to any solicitor that the inhabitant of the residence or commercial building does not desire to receive and/or does not invite solicitors. It shall be the responsibility of the solicitor to check such residence or commercial building for the presence of any such notice.**

**(c) Penalty.** A violation of any provision of this section shall be an unlawful ordinance violation, with a minimum penalty of \$300.00. Each day that said violation is permitted to persist shall be a separate violation, punishable by fine. In the case of recurrent conduct on a single day, in the event a person is issued a citation for unlawful activity and, following the issuance of said citation, re-engages in the same or substantially similar unlawful conduct on that same day, each incident of conduct occurring after the issuance of the original citation shall be a separate offense, punishable by an individual fine.

4. Except as amended in this Ordinance, all other provisions and terms of the Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
5. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

BY ROLL CALL VOTE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

AS FOLLOWS:

VOTING "AYE": \_\_\_\_\_

\_\_\_\_\_

VOTING "NAY": \_\_\_\_\_

\_\_\_\_\_

ABSENT, ABSTAIN, OTHER \_\_\_\_\_

\_\_\_\_\_

APPROVED \_\_\_\_\_, 2024

ATTEST:

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
VILLAGE PRESIDENT