

Chapter 7

REGULATION OF CERTAIN BUSINESS

Article 1. FILLING STATIONS

Sec. 1. DEFINITION

A filling station is any place of business where gasoline or any highly volatile fuel for motor vehicles or internal combustion engines are sold or offered for sale.

Sec. 2. REGULATION

All filling stations shall comply with the statutes of the State of Illinois, the rules and regulations of the Department of Public Safety of the State of Illinois, and the applicable ordinances of the Village of Gridley, Illinois. All of Ordinance 115 heretofore in force in Gridley, Illinois, with regard to the licensing and regulation of gasoline service stations, is hereby incorporated into and made a part of this code.

Sec. 3.

No gasoline pump shall be placed on any sidewalk, street or alley or within 20 feet of any street. This section shall not apply to existing non-complying installations as of the date hereof.

Article 2. JUNK AND JUNK DEALERS

Sec. 1. PROHIBITED

It shall be unlawful to operate or maintain any junk yard or to carry on the business of junk dealer or to keep any junk shop, store, or place for the purpose of sale of junk, rags, old rope, paper or bagging, old iron, brass, copper, or empty bottles, or any type of auto salvage or machinery salvage.

Sec. 2. KEEPING JUNK PROHIBITED

It shall be unlawful to keep any junk yard in any place in the Village of Gridley. Junk shall be defined as rags, old rope, paper or bagging, old iron, brass, copper, or empty bottles, or any type of auto salvage or machinery salvage or unsightly debris except in such enclosure where the same shall not be open to the view of the public.

Sec. 3. PENALTY

Any person, firm, or corporation violating any provision of this article shall be fined not less than \$25.00 nor more than \$500.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Article 3. KENNELS

Sec. 1. LICENSE REQUIRED

It shall be unlawful to operate a small animal store or kennel anywhere in the Village without first securing a license therefore. The annual fee for such a license shall be \$150.00. No person who has had a license revoked shall be granted a license without approval by the Board.

Sec. 2. DEFINITION

The term "small animal store" shall be defined as any establishment used for the selling of animals or animal supplies.

The term "kennel" shall be defined as any establishment which houses, boards, raises, trains, imports, or sells animals for hire or profit or where more than three (3) dogs or three (3) cats are harbored or kept.

Sec. 3. LOCATION

Small animal stores and kennels shall be operated within an area zoned as an Agricultural District but in no event shall a small animal store or kennel be located within five hundred feet of a residential, school, or religious structure.

Sec. 4. REGULATIONS

All small animal stores and kennels shall have a ten-foot high chain-link fence surrounding each individual exercise area. Such fencing shall be kept in good repair. Each exercise area shall be locked in such a manner so as to prevent the unauthorized entry of any person or the unauthorized release of any animal.

Sec. 5. SANITATION

All small animal stores and kennels shall provide sanitary conditions, which shall include the daily removal of all animal waste. All waste materials shall be removed from the premises and properly disposed of within 24 hours after being collected. Any and all sick animals shall be isolated from other animals and shall receive proper treatment.

Sec. 6. PENALTY

Any person or business violating any provision of this article shall be fined not less than \$100.00 nor more than \$500.00 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Any license holder who violates any provision of this Article shall be subject to revocation or suspension of said license by action of the Board.

**Article 4. PROHIBITION OF TRESPASSES AND
REGISTRATION OF SOLICITORS**

Sec. 1. TRESPASSES PROHIBITED

It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property.

Sec. 2. SPECIFICALLY ENUMERATED TRESPASSES-SUPPRESSION

Without constituting any limitation upon the provisions of section 1 hereof, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of said section 1, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this Ordinance, the aforesaid enumerated acts so included, being as follows, to-wit:

- a. An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or
- b. The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
- c. A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
- d. An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.

Sec. 3. SEVERANCE CLAUSE

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.

Sec. 4. DEFINITIONS

That for the purpose of this Article, the following words as used herein shall be construed to have the meaning herein ascribed thereto, to-wit:

- a. "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 or kind 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 non-profit association, organization, corporation, or project.
- b. "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.
 - c. "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.

Sec. 5. 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. The provisions of Section 5, 6 and 7 shall not apply to residents of El Paso - Gridley School District No. 11 of McLean and Livingston Counties Illinois, and no person residing in said school district shall be required to obtain any license or certificate or to make any application in order to solicit or peddle wares or merchandise in the Village of Gridley.

Sec. 6. APPLICATION FOR CERTIFICATE REGISTRATION

Application for a Certificate of Registration shall be made upon a form provided by the Village Clerk of this Municipality and filed with such Clerk. The applicant shall truthfully state in full the information requested on the application, to-wit:

- a. Name and address of present place of residence and length of residence at such address; also business address if other than residence address: also Social Security number;
- b. Address of place of residence during the past three years if other than present address:
- c. Age of applicant and marital status; and if married the name of spouse;
- d. Physical description of the applicant;
- e. Name and address of the person, firm or corporation or association whom the applicant is employed by or represents: and the length of time of such employment or representation;
- f. Name and address of employer during the past three years if other than the present employer;
- g. Description sufficient for identification of the subject matter of the soliciting which the applicant will engage in;
- h. Period of time for which the Certificate is applied for;

- i. The date, or approximate date, of the latest previous application for Certificate under this Ordinance, if any;
- j. Has a Certificate of Registration issued to the applicant under this Ordinance ever been revoked;
- k. Has the applicant ever been convicted of a violation of any of the provisions of this Ordinance, or the Ordinance of any other Illinois Municipality regulating soliciting;
- l. 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.
- m. Also such additional information as the Clerk may deem necessary to process the application;
- n. All applications shall be accompanied by a fee of \$25.00 for each individual solicitor who comes to town to sell door-to-door.

All statements made by the applicant upon the application or in connection therewith shall be under oath.

The Village Clerk shall cause to be kept in his office an accurate 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 Ordinance, and of the denial of applications. Applications for Certificates shall be numbered in consecutive order as filed, and every Certificate issued, and any renewal thereof, shall be identified with the duplicate number of the application upon which it was issued.

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 years of the date of the application; nor to any person who has been convicted of a violation of any of the provisions of this Ordinance, nor to any person whose Certificate of Registration issued hereunder has previously been revoked as herein provided.

Sec. 7. ISSUANCE AND REVOCATION OF CERTIFICATE

The Village Clerk, 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 that the issuance of a Certificate of Registration to the applicant would not be in accord with the intent and purpose of this Ordinance. Endorsement shall be made by the Village Clerk upon the application of the denial of the application. When the applicant is found to be fully qualified, the Certificate of Registration shall be issued forthwith.

Any Certificate of Registration issued hereunder shall be revoked by the Village Clerk if the holder of the Certificate is convicted of a violation of any of the provisions of this Ordinance, 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 Ordinance. Immediately upon such revocation written notice thereof shall be given by the Village Clerk 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 the giving of such notice the Certificate of Registration shall become null and void.

The Certificate of Registration shall state the expiration date thereof.

Sec. 8. VILLAGE 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.

Sec. 9. NOTICE REGULATING SOLICITING

Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this Ordinance, shall comply with the following directions, to-wit:

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 manner following:

A weatherproof card, approximately three inches by four inches 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 _____ INVITED"
or
"NO SOLICITORS INVITED".

The letters shall be at least one-third inch in height. For the purpose of uniformity the cards shall be provided by the Chief of Police to persons requesting, at the cost thereof.

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.

Sec. 10. DUTY OF SOLICITORS

It shall be the duty of every solicitor upon going into any premises in the Municipality upon which a residence as herein defined is located to first examine the notice provided for in Section 185 of this Ordinance, if any is attached, and be governed by the statement contained on the notice. If the notice states, "ONLY SOLICITORS REGISTERED IN GRIDLEY INVITED", then the solicitor not possessing a valid Certificate of Registration as herein provided 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.

Sec. 11. 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 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 engage in soliciting as herein defined in defiance of the notice exhibited at the residence in accordance with the provisions of Section 9 of this Ordinance.

Sec. 12. TIME LIMIT ON SOLICITING

It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this Ordinance or not to go upon any premises and ring the door bell upon or near any door of a residence located thereon, or rap or knock upon 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 engage in soliciting as herein defined, prior to 9:00 o'clock a.m. or after sundown of any week day, or at any time on a Sunday or on a State or National Holiday.

Sec. 13. SEVERANCE CLAUSE

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.

Sec. 14. PENALTY

Any person violating any of the provisions of this Article shall, upon conviction. be subject to a fine of not more than \$500.00 for each offense.