



## **Prairie Township Zoning Office**

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### **TRANSIENT VENDOR REGULATIONS FOR PRAIRIE TOWNSHIP**

**APPLICABILITY:** All “Transient Vendors” who do business within the unincorporated area of the Township of Prairie, Franklin County, Ohio shall register with the Township, at the Prairie Township Zoning Department, 25 Maple Drive, Columbus, Ohio 43228, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except holidays.

**TRANSIENT VENDOR IS DEFINED AS:** “Transient Vendor” 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, either 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. “Transient Vendor” does not include any person who represents any entity exempted from taxation under Section 5709.04 of the Revised Code, that notifies the Board that its representatives are present in the Township for the purpose of either selling or offering for sale goods, or soliciting orders for future delivery of goods, and does not include an auction or an auctioneer company licensed under Chapter 4707 of the Revised Code nor does it include newspapers which shall be defined as a publication of a type to which the general public resorts for the passing of events of a political, social and/or religious nature, happenings, announcements, miscellaneous reading matter and other notices. A newspaper must bear a title or name, be regularly issued as frequently as once a week, be published continuously during the immediate preceding one-year period and circulated generally within the Township. “Transient Vendor” does not apply to any person invited by an owner and/or occupant to visit the owner’s and/or occupant’s premises to sell, offer for sale, or solicit orders for future delivery of goods.

**GOODS IS DEFINED AS:** “Goods” means goods, wares, services, merchandise, periodicals, and other articles or publications.

**PERMIT AND REGISTRATION:** The Prairie Township Zoning Department shall maintain a registration log where all Transient Vendors shall register. All transient Vendors shall register with the Prairie Township Zoning Department and obtain a Transient Vendor permit prior to their coming into the Township to sell, offer for sale, or solicit orders for their goods.

1. All Transient Vendors must complete a Transient Vendor application in order to register and obtain a Transient Vendor permit.
2. All Transient Vendors must submit a BCI background check.
3. The Prairie Township Zoning Department shall, except as otherwise provided herein, within seventy-two (72) hours of the filing of the Transient Vendor application, issue or deny the application for registration and permit. Incomplete Transient Vendor applications will not be accepted. If the Transient Vendor submits an application on a Friday, the Transient Vendor will be required to wait until the following Tuesday; or provided that, if the following Monday is a holiday, the Transient Vendor shall be required to wait until Wednesday until the application for registration and permit is either approved or denied by the Prairie Township Zoning Department.
4. No Transient Vendor shall enter the Township until registered and a permit is issued.
5. The Transient Vendor log shall be a public record open for inspection.
6. Where applicable, no Transient Vendor shall open a temporary place of business that is derogation or violation of the Township Zoning Resolution.
7. All Transient Vendors shall appear in person at the Prairie Township Zoning Department or otherwise notify the Zoning Department when activity under their registration is completed and terminated.
8. No Transient Vendor shall together with, or in combination with, twelve (12) or more persons who are Transient Vendors, operate within the Township at any one time, whereby they are selling, offering for sale, or soliciting the same goods.

**EXEMPTED BUSINESSES OR ORGANIZATIONS:** Notification is required to be made by any entity exempted from taxation under the pursuant to the provisions of Section 5709.04 of the Revised Code, that its representatives are present in the township for the purpose of either selling or offering for sale goods, or soliciting orders for future delivery of goods. Such notification shall be addressed to the Board of Trustees marked –

**ATTENTION: PRAIRIE TOWNSHIP ZONING DEPARTMENT.** The Zoning Department shall make a log and record of all such notices of exempted businesses or organizations for the Trustees.

**DOOR-TO-DOOR REGULATIONS:** Transient Vendors, not working at a fixed location, shall be permitted to sell, offer for sale, or solicit orders, door-to-door, or location-to-location as follows:

1. Between the hours of 9:00 a.m. to 6:00 p.m. on weekdays.
2. Between the hours of 9:00 a.m. to 4:00 p.m. Saturdays, and no solicitations are to be made Sundays or holidays.
3. Information brochures, pamphlets, fliers or any other written materials distributed by a Transient Vendor shall not be placed and/or left on the ground, including but not limited to, any driveway, yard, lawn, curb or sidewalk, of any property located in the Township, including any individual parcel and/or lot. Placement of any informational brochures, pamphlets, fliers or other written materials upon the front porch or stoop of a dwelling, building or structure is permitted. Transient Vendors are also specifically prohibited from placing or affixing any informational brochures, pamphlets, fliers or any other written materials on or in the actual mailbox.

**FIXED LOCATION REGULATIONS:** All individuals or organizations conducting business as a Transient Vendors and working at a fixed location who sell, offer for sale, or solicit orders for future delivery of goods where payment is required prior to delivery of goods, and/or who establishes a temporary place of business within the Township shall, in addition to the other requirements mandated here:

1. Not establish a temporary place of business in an area that is zoned for use other than retail business; and
2. Where applicable, not violate any Township Zoning Regulations in regards to temporary uses or signage;
3. Provide documentation that they have received the property owners' permission to establish a fixed temporary place of business at the subject location, provided that no property owner shall give permission for more than one (1) sale on a single property at any given time.
4. Not sell, offer for sale, or solicit orders for future delivery of goods from the temporary place of business between 9:00 p.m. and 7:00 a.m.

**FEE:** Transient Vendors shall make a payment of \$150.00 made payable to Prairie Township for their registration fee at the time they submit an application for registration and permit at the Zoning Department. All payments shall be in cash in the exact amount of \$150.00, or a money order made payable to the Township of Prairie for \$150.00. If an application is denied the Township shall refund any registration fee made paid by a Transient Vendor. Each individual person who sells, offers for sale, or solicits orders for goods shall be required to submit an application for registration and permit even though he may be one or more of several Transient Vendors who sell, offers for sale, or solicits orders for goods for the same group, company, or other business entity or entities, or firms. Each separate Transient Vendor shall be required to separately and individually pay the \$150.00 registration, even though he is one of several persons who sell, offer for sale, or solicits orders for goods for the same group, company, or other business entity or entities, or firms.

**LENGTH OF PERMIT:** The Transient Vendor registration and permit shall be valid for a maximum of ninety (90) consecutive days, with no more than three (3) such permits to be issued to any given individual or organization within any twelve (12) month period.

**WRITTEN STATEMENT:** All companies, corporations, businesses, business entities or firms shall provide their Transient Vendors a written statement signed by a duly authorized representative of the company, corporation, business or firm, that the Transient Vendor is in fact authorized to sell, offer for sale, or solicit orders for its goods within the Township for the company, corporation, business or firm, or under its authority or agency. An original of this written statement shall be provided to the Prairie Township Zoning Department at the time of the application for the Transient Vendor registration and permit.

**NO SOLICITATION:** Transient Vendor shall not sell, offer for sale, or solicit orders for goods where the owners and/or occupants of a dwelling, building, or other structure has posted a notice by means of a sign that its owners and/or occupants do not want Transient Vendors to enter upon the property, and such sign is reasonably calculated by its size and placement to notify the Transient Vendor of this fact. By way of example and not limitation, a sign stating **"NO SALESMAN"** or **"NO SOLICITATIONS"** posted in a conspicuous place near the

primary entrance to the dwelling, building or structure shall be sufficient to notify Transient Vendors of the owner's and/or occupant's intent.

**DO NOT KNOCK REGISTRY.** Upon the issuance of a Transient Vendor permit, Transient Vendors shall be provided with a copy of the list of Township residents who have expressed a desire in writing not to have any such commercial Transient Vendor enter upon their property. Every commercial Transient Vendor shall agree not to visit the premises so enumerated on the list provided to it by the Township. No Transient Vendor, while peddling or soliciting, shall enter upon the premises of, call upon, knock at the door of, or ring the doorbell of any residence, house, apartment or other dwelling in the Township which is at that time on the "Do Not Knock Registry" established and maintained pursuant to this Resolution and upon which there is clearly posted at the entrance a notice that reads "No Peddlers or Solicitors Allowed," or words of similar import, which clearly prohibit Peddlers and Solicitors (i.e. Transient Vendors) on the premises unless such person has previously been invited upon the premises by the lawful possessor and occupant thereof.

Whosoever violates the Do Not Knock Registry shall have their Transient Vendor permit revoked on the first offense; and any subsequent offense shall constitute an unclassified civil fine punishable according to the civil fine schedule as follows: 2nd Violation \$100.00, 3rd and subsequent Violations \$250.00. The issuance of a citation shall not prohibit the issuance of additional citations, in the event such violation is continued or repeated.

**VIOLATIONS AND PENALTIES:** Any Transient Vendor, company, corporation, business or firm submitting or supplying false, misleading or untrue information on or in connection with any Transient Vendor application, registration or permit shall be subject to prosecution under Section 505.99 of the Ohio Revised Code. Any Transient Vendor, company, corporation, business or firm who violates any of the terms, conditions, or requirements of this Resolution shall give the Township grounds to cancel the registration and it shall be grounds for prosecution under Section 505.99 of the Ohio Revised Code. Violations of this permit may result in a seventy five (\$75) dollar fine plus any court costs for a violation of this Resolution.

**ENFORCEMENT:** The Prairie Township Board of Trustees, or the Prairie Township Zoning Inspector, or her or his designee, shall have the authority to take actions to terminate, revoke and/or cancel registrations and permits, an/or initiate prosecution.