



RESOLUTION NO. 25-039

Board of Trustees, Etna Township
Licking County, Ohio

RESOLUTION TO PLACE RESTRICTIONS ON DOOR-TO-DOOR SOLICITATION PERFORMED BY TRANSIENT VENDORS ("VENDORS") PURSUANT TO OHIO REVISED CODE SECTION 505.94

The Board of Trustees of Etna Township, Licking County, Ohio ("Board") met in regular session on August 5, 2025 with the following members present:

Gary Burkholder Mark Evans Rozland McKee

WHEREAS, the Etna Township Board of Trustees believes that it is in the best interest of the citizens of Etna Township and further believes that it will promote and preserve the health, safety, and welfare of the residents of Etna Township to regulate the time, place, and manner in which Transient Vendors ("Vendors") may sell, offer for sale, or solicit orders for future delivery of goods;

WHEREAS, the Etna Township Board of Trustees finds that it is necessary to adopt a regulation to control solicitation in the unincorporated territory of Etna Township; and

WHEREAS, the Etna Township Board of Trustees is authorized to regulate solicitation pursuant to Ohio Revised Code (ORC) Section 505.94;

NOW THEREFORE, BE IT RESOLVED:

1. Definitions

- a. "Board" means the Board of Trustees of Etna Township, Licking County, Ohio.
- b. "Good" means goods, wares, services, merchandise, periodicals, and other articles or publications.
- c. "Township" means the unincorporated area of Etna Township, Licking County, Ohio.
- d. "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, sells or offers for sale Goods, solicits orders for future delivery of Goods, or attempts to arrange an appointment for a future estimate or sales call. "Transient Vendor" does not include:
 - i. Any person who represents any entity exempted from taxation under R.C. § 5709.04; and,
 - ii. Any person licensed under Chapter 4707 of the Revised Code.

2. Registration

- a. Each Transient Vendor, as defined in ORC § 505.94(B)(2), shall register with Etna Township using a form to be provided by the Township (see paragraph 5 below). Transient Vendor will receive a Solicitor Identification Badge and copy of the application form (the "Form"). Per ORC § 505.94(B)(2), a Transient Vendor does not include an

entity that is exempt from tax.

- b. The application fee shall be \$150 minus the cost of the BCI and FBI WebCheck performed through the Licking County Sheriff Office for a Transient Vendor. The current fee for BCI and FBI WebCheck through the Licking County Sheriff Office is \$30 each for a combined \$60. Therefore, the current application fee is \$90 for a Transient Vendor. This fee shall automatically change upon a Licking County Sheriff WebCheck fee change.
- c. An Ohio Bureau of Criminal Investigation (BCI) and FBI background check are required to be completed by the Transient Vendor at their cost with results provided directly to Etna Township. Background checks shall be completed through the Licking County Sheriff's Office or other WebCheck providers.
- d. The registration will be valid for one hundred and eighty calendar days after the date the registration is completed and approved.
- e. The list of Transient Vendors currently registered with the Township shall be made available to the public.

3. Solicitation Restrictions

- a. From the date of October 1st until April 30th the permitted hours of solicitation are between 10:00 a.m. and 6:00 p.m.
- b. From the date of May 1st until September 30th the permitted hours of solicitation are between 10:00 a.m. and 7:00 p.m.
- c. Solicitation is prohibited on Sundays
- d. Solicitation is prohibited on legal holidays. "Legal holidays" shall have the same meaning as defined in ORC § 1.14
- e. No solicitation shall occur at any residence where a No Soliciting decal or sign is displayed.

4. Carrying and Exhibiting Solicitor Identification Badge

Each Transient Vendor must wear the Solicitor Identification Badge where it can be prominently seen and carry a copy of the application form upon his or her person while soliciting. If asked by an Etna Township resident who is being solicited or Licking County Sheriff's Office deputy, the Transient Vendor must present the badge and Form.

5. Forms and Administrative Procedures

- a. The Township Administrator, or Board of Trustees in absence of an Administrator, shall draft, implement, and update from time-to-time administrative procedures, application and forms to implement this Resolution.
- b. The Board hereby approves the initial application, information sheets and ID as attached.

6. Exemptions

- a. This Resolution shall not apply to the solicitation of goods or services by persons under the age of 18 years who either reside in the Township or a government entity that shares a border with Etna Township and where the revenue received from goods or services being solicited are less than \$10,000 per year.
- b. This Resolution shall not apply to 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

7. Appeal

Any person who has applied for a Transient Vendor Permit in accordance with this Resolution and who has been denied, may appeal the decision to the Board in writing. Such appeal shall be considered by the Board at the next regular meeting of the Board held at least 5 business days after the notice of appeal is filed.

8. Penalties

- a. Whoever violates this Resolution, will be guilty of a misdemeanor as set forth in ORC § 505.99.
- b. If any Transient Vendor has been found by a Court of competent jurisdiction to have violated this Resolution, the Transient Vendor license shall be revoked and the Transient Vendor shall not be permitted to receive another permit for two years from the date of such finding.

9. No Warranty/No Endorsement

No warranty, guarantee, or assurance of any type, express or implied, of, concerning, or related to any Transient Vendor, any ideas, thoughts, communications, or messages expressed, stated, and/or conveyed by any Transient Vendor, or any Goods, products, or services sold, offered for sale, or offered for future delivery by any Transient Vendor is given or bestowed by the Board, Township, or any employee, representative, agent, or volunteer of the Board or Township by this Resolution or the registration and regulatory requirements contained herein and this Resolution should not be construed to provide any such warranty, guarantee, or assurance. Any warranty, guarantee, or assurance of any type is expressly disclaimed.

This Resolution and the regulatory requirements contained herein are not and should not be construed as any type of endorsement, express or implied, by the Board, Township, or any employee, representative, agent, or volunteer of the Board or Township of any Transient Vendor or any entity by which any Transient Vendor may be employed or represent, any ideas, thoughts, communications, or messages expressed, stated, and/or conveyed by any Transient Vendor, or any Goods, products, or services sold, offered for sale, or offered for future delivery by any Transient Vendor, whether registered or not registered in accordance with this Resolution. Any endorsement is expressly disclaimed.

10. Severability

The provisions of this Resolution are severable and independent, and if any such provision shall be unenforceable in whole or in part, the remaining provisions and any partially enforceable provisions, to the extent enforceable, shall nevertheless be binding and enforceable.

11. Notification

- a. Pursuant to ORC § 505.94, the Etna Township Administrator, or Board President in the absence of an Administrator, is directed to notify the Licking County Prosecuting Attorney ("Prosecutor") of these registration and regulatory requirements by providing the Prosecutor with a copy of this Resolution.
- b. The Etna Township Administrator, or Board President in the absence of an Administrator, is directed to notify the Licking County Sheriff ("Sheriff") of these registration and regulatory requirements by providing the Sheriff with a copy of this

Resolution.

12. Adoption

All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including ORC § 121.22.

13. Effective Date

This Resolution shall be in full force and effect immediately upon adoption.

THEREFORE BE IT RESOLVED that the Etna Township Board of Trustees hereby adopts the above conditions to regulate solicitation per the authority of the ORC §505.94 This Resolution does not replace requirements needed by the Licking County Sheriff's Office or any other governmental entity.

Trustee Evans moved to approve the Resolution.

Trustee McKee seconded the motion.

Upon call of the roll, the vote resulted as follows:

Trustee Burkholder yes

Trustee McKee yes

Trustee Evans yes

Adopted: 8-5-2025

Gary Burkholder
Gary Burkholder, President

Rozland McKee
Rozland McKee, Vice President

Mark Evans
Mark Evans, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed, and filed with the Etna Township Fiscal

Officer this 5th day of Aug, 2025.

Jacqueline Ann Cotugno
Jacqueline Cotugno
Fiscal Officer

SOLICITORS AND TRANSIENT VENDORS APPLICATION (ORC § 505.94, Resolution No. 25-039)

ETNA TOWNSHIP, LICKING COUNTY, OHIO
81 Liberty Street, PO Box 0188
Etna Township, OH 43018
(740) 927-7717
office@etnatownship.com

\$90.00 APPLICATION FEE – VALID FOR 180 DAYS
October 1st to April 30th Hours of Solicitation: 10:00 a.m. to 6:00 p.m.
May 1st to September 30th Hours of Solicitation: 10:00 a.m. to 7:00 p.m.
No Solicitation Sundays or Legal Holidays as Defined by ORC § 1.14
No Solicitation where "NO SOLICITATION" Signs are Present

Name of Business: _____ Tax ID Number: _____

Business Address: _____

Business Telephone: _____ Website: _____

Product / Service Being Sold: _____

Manager's Name: _____

Manager's Telephone: _____ Email: _____

Applicant's Name: _____

Applicant's Address: _____

Applicant's Telephone: _____ Email: _____

Applicant's DL/ID#: _____ Applicant's SSN: _____

All Places of Residence within Last Twelve Months:

All Places of Employment within the Last Twelve Months with Supervisor Name and Contact Phone Number:

Please List Any Vehicles Used for Soliciting: (use additional paper if necessary)

Plate: _____ Make: _____ Model: _____ Color: _____ Year: _____

Plate: _____ Make: _____ Model: _____ Color: _____ Year: _____

*** DISCLAIMER: Please be advised this information may be used for BACKGROUND/WARRANT checks. ***
I confirm that I have received, read, and understood this form including the information on the back.

Applicant Signature: _____

Date: _____

DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE ONLY

☐ Fee Paid ☐ Copy of DL/ID ☐ Copy of Written Proof of Employment ☐ Photo Taken

Application #: _____ Start Date: _____ End Date: _____ (90 days)

Approved: _____ Date: _____

Denied: _____ Reason: _____

SOLICITORS AND TRANSIENT VENDOR INFORMATION (ORC § 505.94, Resolution No. 25-039)

Solicitor & Transient Vendor Registration Process

1. Complete Registration Form and Background check. Each Vendor will need a State ID or other approved identification and written verification of employment. One application needs to be completed per Transient Vendor. The Applicant (the individual completing the application on behalf of the Transient Vendor or company) must provide the \$90.00 fee with the application.
2. Etna Township will photocopy each ID and take a photo of each Transient Vendor.
3. If approved, Etna Township will inform the Applicant when the badges, application, and any additional paperwork are ready to be picked up. These items must be picked up by the Applicant only. No solicitation shall commence until the paperwork and badges are completed, approved, and picked up.
4. Application for a Transient Vendor's Permit includes a BACKGROUND and WARRANT CHECK through the Licking County Sheriff Office (LCSO) or other authorized WebCheck agency. The applicant is responsible for completing and paying for the background check directly with the LCSO or authorized WebCheck agency. The background check shall be provided directly to the Township from the LCSO or WebCheck agency.

Etna Township Solicitor & Transient Vendor Requirements

1. Transient Vendors are limited to solicitation during the hours of 10 a.m. to 6 p.m. October 1st through April 30th and from 10 a.m. to 7 p.m. May 1st through September 30th.

No solicitation on Sundays.

No solicitation on legal holidays. "Legal holiday" shall have the same meaning as defined in O.R.C. § 1.14

2. No solicitation shall occur at any residence where a *No Soliciting* decal or sign is displayed.
3. Each Transient Vendor must wear the Etna Township provided Solicitor Identification Badge where it can be prominently seen and carry a copy of the application form upon his or her person while soliciting. If asked by a resident or Licking County Sheriff's Office deputy, the Transient Vendor must present the badge and form.
4. Penalty: Whoever violates Resolution No. 25-039 will be guilty of a misdemeanor as set forth in ORC § 505.99. If Vendor has been issued a citation and then either paid the citation or the citation has been adjudicated with a guilty finding then the license will be revoked and the Solicitor will not be allowed to get another permit for a period of 2 years.
5. Penalty: In addition, any Vendor that solicits at a residence with a *No Soliciting Decal*, or any other sign that indicates no soliciting will be prosecuted for criminal trespassing.

ETNA TOWNSHIP RESIDENT INFORMATION
Solicitors and Transient Vendor
Information (ORC § 505.94, Resolution
No. 25-039)

1. **HOURS.** Vendors are limited to the hours of 10 a.m. to 6 p.m. October 1st through April 30th and from 10 a.m. to 7 p.m. May 1st through September 30th.
2. **DAYS.** No solicitation on Sundays. No solicitation on legal holidays as defined by O.R.C. § 1.14
3. **REGULATION.** Etna Township provides residential property owners with a means to prohibit certain type of door-to-door solicitation and canvassing through Etna Township Resolution No. 25-039 as permitted by the Ohio Revised Code Section 505.94. **No solicitation shall occur on any residence where a No Soliciting decal or sign is displayed.** It is the responsibility of the homeowner to display a *No Soliciting* decal or sign in a visible location near the front door or property entrance. Etna Township decals (either adhesive backed or static cling type) can be obtained at no cost at the Township Administrative Office or by mail by contacting the Township at (740) 927-7717.
4. **BADGES.** Each Transient Vendor must wear the official Etna Township Solicitor Identification Badge in a visible location and carry a copy of the approved application form upon his or her person while soliciting. If asked by a resident or a Licking County Sheriff's Office Deputy, the Transient Vendor must present the badge and form.
5. **RESIDENT RIGHTS.** If an individual comes to your door and you have a *No Soliciting* decal or sign posted, get as much information as possible (full name, name of the company, and description of the solicitor), then immediately call the Licking County Sheriff's Office non-emergency dispatch number (740) 670-5555 to report the violation. A deputy must be able to identify the individual to issue a citation.

If you witness Transient Vendors (Solicitors) without Etna Township identification badges or observe soliciting activity outside of the permitted hours or days, get as much information as possible regarding the solicitor and immediately call the Licking County Sheriff's Office at (740) 670-5555 as described above.

6. **VENDORS NOT REGULATED.** The regulation does not apply to the solicitation of goods or services by persons under the age of 18 years who either reside in the Township or a government entity that shares a border with Etna Township and where the revenue received from goods or services being solicited are less than \$10,000 per year.

This regulation does not apply to 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.

Solicitor Identification Badges

 <i>photo</i>	SOLICITOR IDENTIFICATION BADGE
	SOLICITOR NAME Company Name
For issues call: Licking County Sheriff 740-670-5555	<i>Expires on:</i> XX/XX/XXXX
<i>Etna Township does not endorse any solicitor</i>	

Front

<p>No Solicitation where "NO SOLICITATION" Signs are Present</p> <p>No Solicitation Sundays No Solicitation on Legal Holidays as Defined by ORC § 1.14</p> <p>Permitted Hours of Solicitation: October 1st to April 30th - 10:00 a.m. to 6:00 p.m. May 1st to September 30th - 10:00 a.m. to 7:00 p.m.</p>

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