

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 630: PEDDLERS, SOLICITORS AND CANVASSERS OF THE MUNICIPAL CODE OF THE CITY OF OAK GROVE, MISSOURI REGARDING GENERAL UPDATES OF THE CHAPTER.

WHEREAS, Chapter 630 of the Municipal Code of Ordinances of the City of Oak Grove, Missouri establishes general procedures regarding peddlers, solicitors and canvassers in the City; and

WHEREAS, the Board of Aldermen desires to approve an amendment to update Chapter 630 of the Municipal Code of Ordinances of the City of Oak Grove, Missouri establishing general procedures regarding peddlers, solicitors and canvassers in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF OAK GROVE, MISSOURI, as follows:

**SECTION 1.** That Chapter 630 of the Municipal Code of the City of Oak Grove, Missouri is hereby amended to read as follows:

Section 630.010 **Definitions.**

As used in this Chapter, the following words have the meanings indicated:

**CANVASSER**

A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of:

1. Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or
2. Distributing a handbill or flyer advertising a non-commercial event or service.

**PEDDLER**

A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of attempting to sell a good or service. A "peddler" does not include a person who distributes handbills or flyers for a commercial purpose, advertising an event, activity, good or service that is offered to the resident for purchase at a location away from the residence or at a time different from the time of visit. Such a person is a "solicitor". (Comment: A person who passes out menus for a restaurant would not be a peddler because the resident ordinarily orders off the menu at a time when the visitor has

left. Similarly, a person passing out flyers advertising a sale at a nearby venue would not be a peddler because the resident ordinarily would need to go to the other venue to make a purchase.

### **SOLICITOR**

A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of:

1. Attempting to obtain a donation to a particular patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, charitable, political or religious purpose even if incidental to such purpose there is the sale of some good or service; or
2. Distributing a handbill or flyer advertising a commercial event or service.

### Section 630.020 **Exception.**

This Chapter shall not apply to a Federal, State or local government employee or a public utility employee in the performance of his/her duty for his/her employer.

### Section 630.030 **Identification Card Required for Peddlers and Solicitors — Available for Canvassers.**

No person shall act as a peddler or as a solicitor within the City without first obtaining an identification card in accordance with this Chapter. A canvasser is not required to have an identification card, but any canvasser wanting an identification card for the purpose of reassuring City residents of the canvasser's good faith shall be issued one upon request for a \$5.00 processing fee.

### Section 630.040 **Fee.**

**A.** The fee for the issuance of each identification card shall be:

1. For a peddler/solicitor acting on behalf of a merchant otherwise licensed to do business within the City: A \$5.00 processing fee per peddler/solicitor.
2. For a peddler/solicitor acting on behalf of a merchant not otherwise licensed to do business within the City: A \$25.00 per day, and a \$5.00 processing fee per peddler/solicitor.
4. For a canvasser requesting an identification card: A \$5.00 processing fee applies upon said request.

### Section 630.050 **Application for Identification Card.**

Any person or organization (formal or informal) may apply for one (1) or more identification cards by completing an application form at the office of the issuing officer during regular office hours.

Section 630.060 **Contents of Application.**

**A.** The applicant (person or organization) shall provide the following information:

1. Name of applicant.
2. Number of identification cards required.
3. The name, address, physical description and photograph of each person for which a card is requested. A driver's license, State identification card, passport or other government-issued identification card (issued by a government within the United States) containing this information shall be provided and a photocopy taken. The City will take an instant photograph of each person for which a card is requested at the application site.
4. The permanent and (if any) local address of the applicant.
5. A brief description of the proposed activity related to this identification card. (Copies of literature/pamphlets to be distributed may be substituted for this description at the option of the applicant.)
6. Date and place of birth for each person for whom a card is requested and (if available) the Social Security number of such person.
7. A list of all infraction, offense, misdemeanor and felony convictions of each person for whom a card is requested for the five (5) years immediately prior to the application.
8. The motor vehicle make, model, year, color and State license plate number of any vehicle which will be used by each person for whom a card is requested.
9. If a card is requested for a peddler:
  - a. The name and permanent address of the business offering the event, activity, good or service (i.e., the peddler's principal).
  - b. A copy of the principal's sales tax license as issued by the State of Missouri, provided that no copy of a license shall be required of any business which appears on the City's annual report of sales tax payees as provided by the Missouri Department of Revenue.
10. If a card is requested for a solicitor:
  - a. The name and permanent address of the organization, person or group for whom donations (or proceeds) are accepted.
  - b. The web address for this organization, person or group (or other address) where residents having subsequent questions can go for more information.
11. Any other information the applicant wishes to provide, perhaps including copies of literature to be distributed, references to other municipalities where similar activities have occurred, etc.

Section 630.070 **Issuance of Identification Card.**

**A.** The identification card(s) shall be issued promptly after application but in all cases within three (3) business days of completion of an application, unless it is determined within that time that:

1. The application is incomplete;
2. The required fee, if any, has not been paid;
3. The applicant or an individual for whom a card is requested has been convicted of one or more of the following felonies within the past five (5) years:
  - a. Theft;
  - b. A crime against property;
  - c. A crime against person; or
  - d. Any conviction resulting from a charge related to peddling or soliciting;
4. Any statement upon the application is false, unless the applicant can demonstrate that the falsehood was the result of excusable neglect;
5. The applicant or the particular individual for whom an identification card is requested has had a previous identification card revoked;
6. The applicant or a particular individual for whom an identification card is requested has made any false statement regarding the peddling of merchandise or the solicitation of persons under a similar ordinance or code provision of any other municipality.

**Section 630.080 Investigation.**

During the period of time following the application for one (1) or more identification cards and its issuance, the City shall investigate as to the truth and accuracy of the information contained in the application. If the City has not completed this investigation within the three (3) business days provided in Section **630.070**, the identification card will nonetheless be issued, subject however, to administrative revocation upon completion of the investigation.

If a canvasser requests an identification card, the investigation will proceed as described above, but if the City refuses to issue the identification card (or revokes it after issuance), the canvasser will be advised that the failure to procure an identification card prevents him/her from canvassing the residents of the City

**Section 630.100 Denial — Administrative Revocation.**

**A.** If the issuing officer denies (or upon completion of an investigation revokes) the identification card to one (1) or more person(s), he/she shall immediately convey the decision to the applicant orally and shall within three (3) business days after the denial prepare a written report of the reason for the denial which shall be immediately made available to the applicant. Upon receipt of the oral notification, and even before the preparation of the written report, the

applicant shall have at his/her option an appeal of the denial of his/her application before the following tribunal:

1. The Board of Aldermen, at its next regular meeting, or, if the next regular meeting is more than fifteen (15) days from the denial of the application, at a special meeting to be held within that ten (10) day period, due notice of which is to be given to the public and the applicant.
2. Before the Municipal Court of the City, provided that such a hearing will be scheduled within ten (10) days of the request, due notice of which is to be given to the public and the applicant.

**Section 630.110 Hearing on Appeal.**

If the applicant requests a hearing under Section **630.100**, the hearing shall be held in accordance with the Administrative Procedure Act of the State of Missouri, and review from the decision (on the record of the hearing) shall be directed to the Circuit Court of the County in which the City is located. The hearing shall also be subject to the Missouri Open Meetings and Records law.

**Section 630.120 Display of Identification Card.**

Each identification card shall be (when the individual for whom it was issued is acting as a peddler or solicitor) worn on the outer clothing of the individual as so to be reasonably visible to any person who might be approached by said person.

**Section 630.130 Validity of Identification Card.**

An identification card shall be valid within the meaning of this Chapter for a period of six (6) months from its date of issuance or the term requested, whichever is less for which payment has been received. If additional days are requested, a new application for an identification card will need to be processed including fees per Section 630.040.

**Section 630.140 Revocation of Card.**

**A.** In addition to the administrative revocation of an identification card, a card may be revoked for any of the following reasons:

1. Any violation of this Chapter by the applicant or by the person for whom the particular card was issued.
2. Fraud, misrepresentation or incorrect statement made in the course of carrying on the activity.
3. Conviction of any felony or a misdemeanor involving moral turpitude within the last five (5) years.

4. Conducting the activity in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

**B.** The revocation procedure shall be initiated by the filing of a complaint by the City Attorney or the issuing officer pursuant to the State Administrative Procedure Act and a hearing before the tribunal identified in Section **630.100** above.

Section 630.160 **Distribution of Handbills and Commercial Flyers.**

**A.** In addition to the other regulations contained herein, a solicitor or canvasser leaving handbills or commercial flyers about the community shall observe the following regulations:

1. No handbill or flyer shall be left at or attached to any sign, utility pole, transit shelter or other structure within the public right-of-way. The City is authorized to remove any handbill or flyer found within the right-of-way.

2. No handbill or flyer shall be left at or attached to any privately owned property in a manner that causes damage to such privately owned property.

3. No handbill or flyer shall be left at or attached to any of the property:

a. Having a "no solicitor" sign of the type described in Section **630.170(A)(1)** or **(2)**.

4. Any person observed distributing handbills or flyers shall be required to identify himself/herself to the Police (either by producing an identification card or other form of identification). This is for the purpose of knowing the likely identity of the perpetrator if the City receives a complaint of damage caused to private property during the distribution of handbills or flyers.

Section 630.170 **General Prohibitions.**

[Ord. No. 1832, 12-16-2015]

**A.** No peddler, solicitor or canvasser shall:

1. Enter upon any private property where the property has clearly posted a notice indicating a prohibition against peddling, soliciting and/or canvassing. The phrase "no soliciting" or "no solicitors" shall also prohibit peddlers and canvassers.

2. Remain upon any private property where the property has clearly posted a notice indicating a prohibition against peddling, soliciting and/or canvassing upon any door or entranceway leading into the residence or dwelling at which guests would normally enter, which sign contains the words "no soliciting" or "no solicitors" and which is clearly visible to the peddler, solicitor or canvasser.

3. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.

4. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.

5. Enter upon the property of another except between the hours of 9:00 A.M. and 6:00 P.M.

B. Except that the above prohibitions shall not apply when the peddler, solicitor or canvasser has an express invitation from the resident or occupant of a dwelling allowing him/her to enter upon any posted property.

**Section 630.180 Violation to Be Prosecuted as Trespass.**

Any person violating any part of this Chapter shall have committed a trespass on such property and shall be prosecuted under the general trespass ordinance of the City. The penalty for such violation shall be the same as for any other trespass.

**SECTION 2.** That should any sentence, clause, part or provision of the Ordinance be declared by the court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

**SECTION 3.** That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 4.** That this Ordinance shall be in full force and effect from and after its passage.

Read two times and passed by the Board of Aldermen of City of Oak Grove, Missouri, this 18<sup>th</sup> day of September, 2023.

City of Oak Grove

  
\_\_\_\_\_  
Mayor Dana Webb

ATTEST:

  
\_\_\_\_\_  
City Clerk Kim Drury

APPROVED THIS 18<sup>th</sup> DAY OF September, 2023.

City of Oak Grove

  
\_\_\_\_\_  
Mayor Dana Webb

ATTEST:

  
\_\_\_\_\_  
City Clerk Kim Drury



**ATTACHMENT**

Proposed changes to Chapter 630 Peddlers, Solicitors and Canvassers

## Section 630.010 **Definitions.**

As used in this Chapter, the following words have the meanings indicated:

### **CANVASSER**

A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of:

1. Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or
2. Distributing a handbill or flyer advertising a non-commercial event or service.

### **PEDDLER**

A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of attempting to sell a good or service. A "peddler" does not include a person who distributes handbills or flyers for a commercial purpose, advertising an event, activity, good or service that is offered to the resident for purchase at a location away from the residence or at a time different from the time of visit. Such a person is a "solicitor". (Comment: A person who passes out menus for a restaurant would not be a peddler because the resident ordinarily orders off the menu at a time when the visitor has left. Similarly, a person passing out flyers advertising a sale at a nearby venue would not be a peddler because the resident ordinarily would need to go to the other venue to make a purchase. ~~An individual passing out flyers saying "tomorrow we will come to your house and for five dollars (\$5.00) will paint your house number along the curb" would not be a peddler, because the sale would occur after the visit. However, the people who show up tomorrow would need a peddler's~~ [certificatecard](#).)

### **SOLICITOR**

A person who attempts to make personal contact with a resident at his/her residence, without prior specific invitation or appointment from the resident, for the primary purpose of:

1. Attempting to obtain a donation to a particular patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, charitable, political or religious purpose even if incidental to such purpose there is the sale of some good or service; or
2. Distributing a handbill or flyer advertising a commercial event or service.

## Section 630.020 **Exception.**

This Chapter shall not apply to a Federal, State or local government employee or a public utility employee in the performance of his/her duty for his/her employer.

## Section 630.030 **Identification [CertificateCard](#) Required for Peddlers and Solicitors — Available for Canvassers.**

No person shall act as a peddler or as a solicitor within the City without first obtaining an identification [certificatecard](#) in accordance with this Chapter. A canvasser is not required to have an identification [certificatecard](#), but any canvasser wanting an identification [certificatecard](#) for the purpose of reassuring City residents of the canvasser's good faith shall be issued one upon request [for a \\$5.00 processing fee](#).

#### Section 630.040 **Fee.**

A. The fee for the issuance of each identification [certificatecard](#) shall be:

1. For a peddler/[solicitor](#) acting on behalf of a merchant otherwise licensed to do business within the City: ~~No fee.~~ [A \\$5.00 processing fee per peddler/solicitor.](#)
2. For a peddler/[solicitor](#) acting on behalf of a merchant not otherwise licensed to do business within the City: [A \\$25.00 per day, and a \\$5.00 processing fee per peddler/solicitor.](#)
3. ~~For a solicitor (including a commercial solicitor) advertising an event, activity, good or service for purchase at a location away from the residence: No fee.~~
4. For a canvasser requesting an identification [certificatecard](#): ~~No fee.~~ [A \\$5.00 processing fee applies upon said request.](#)

#### Section 630.050 **Application for Identification [CertificateCard](#).**

Any person or organization (formal or informal) may apply for one (1) or more identification [certificatecards](#) by completing an application form at the office of the issuing officer during regular office hours.

#### Section 630.060 **Contents of Application.**

A. The applicant (person or organization) shall provide the following information:

1. Name of applicant.
2. Number of identification [certificatecards](#) required.
3. The name, [address](#), physical description and photograph of each person for which a [certificatecard](#) is requested. ~~In lieu of this information, A~~ driver's license, State identification [certificatecard](#), passport or other government-issued identification [certificatecard](#) (issued by a government within the United States) containing this information ~~may shall~~ be provided and a photocopy taken. ~~If a photograph is not supplied, T~~he City will take an instant photograph of each person for which a [certificatecard](#) is requested at the application site. ~~The actual cost of the instant photograph will be paid by the applicant.~~
4. The permanent and (if any) local address of the applicant.
5. ~~The permanent and (if any) local address of each person for whom a [certificatecard](#) is requested.~~
6. A brief description of the proposed activity related to this identification [certificatecard](#). (Copies of literature/[pamphlets](#) to be distributed may be substituted for this description at the option of the applicant.)
7. Date and place of birth for each person for whom a [certificatecard](#) is requested and (if available) the Social Security number of such person.
8. A list of all infraction, offense, misdemeanor and felony convictions of each person for whom a [certificatecard](#) is requested for the ~~seven (7)~~ [five \(5\)](#) years immediately prior to the application.



**98.** The motor vehicle make, model, year, color and State license plate number of any vehicle which will be used by each person for whom a [certificatecard](#) is requested.

**109.** If a [certificatecard](#) is requested for a peddler:

a. The name and permanent address of the business offering the event, activity, good or service (i.e., the peddler's principal).

b. A copy of the principal's sales tax license as issued by the State of Missouri, provided that no copy of a license shall be required of any business which appears on the City's annual report of sales tax payees as provided by the Missouri Department of Revenue.

~~c. The location where books and records are kept of sales which occur within the City and which are available for City inspection to determine that all City sales taxes have been paid.~~

**110.** If a [certificatecard](#) is requested for a solicitor:

a. The name and permanent address of the organization, person or group for whom donations (or proceeds) are accepted.

b. The web address for this organization, person or group (or other address) where residents having subsequent questions can go for more information.

**1211.** Any other information the applicant wishes to provide, perhaps including copies of literature to be distributed, references to other municipalities where similar activities have occurred, etc.

#### Section 630.070 Issuance of Identification CertificateCard.

A. The identification [certificatecard](#)(s) shall be issued promptly after application but in all cases within ~~sixteen (16)~~ three (3)-business ~~hours-days~~ of completion of an application, unless it is determined within that time that:

~~1. The applicant has been convicted of a felony or a misdemeanor involving moral turpitude within the past seven (7) years;~~

~~2. With respect to a particular certificate, the individual for whom a certificate is requested has been convicted of any felony or a misdemeanor involving moral turpitude within the past seven (7) years; or~~

~~3. Any statement upon the application is false, unless the applicant can demonstrate that the falsehood was the result of excusable neglect.~~

1. The application is incomplete;

2. The required fee, if any, has not been paid;

3. The applicant or an individual for whom a card is requested has been convicted of one or more of the following felonies within the past five (5) years:

a. Theft;

b. A crime against property;

c. A crime against person; or

d. Any conviction resulting from a charge related to peddling or soliciting;

4. Any statement upon the application is false, unless the applicant can demonstrate that the falsehood was the result of excusable neglect;

5. The applicant or the particular individual for whom an identification card is requested has had a previous identification card revoked;

6. The applicant or a particular individual for whom an identification card is requested has made any false statement regarding the peddling of merchandise or the solicitation of persons under a similar ordinance or code provision of any other municipality.

#### Section 630.080 **Investigation.**

During the period of time following the application for one (1) or more identification ~~certificat~~cards and its issuance, the City shall investigate as to the truth and accuracy of the information contained in the application. If the City has not completed this investigation within the ~~sixteen (16)~~ three (3) business ~~hours~~ days provided in Section **630.070**, the identification ~~certificat~~card will nonetheless be issued, subject however, to administrative revocation upon completion of the investigation.

~~(If a canvasser requests an identification ~~certificat~~card, the investigation will proceed as described above, but if the City refuses to issue the identification ~~certificat~~card (or revokes it after issuance), the canvasser will be advised that the failure to procure an identification ~~certificat~~card ~~does not~~ prevents him/her from canvassing the residents of the City.)~~

#### ~~Section 630.090~~ **Identification ~~Certificate~~Cards of Other City.**

~~Instead of the application procedure above, if an applicant produces identification ~~certificat~~cards issued by another City having an ordinance substantially the same as this one, the issuing officer may in his/her discretion immediately issue identification ~~certificat~~cards without the necessity of a formal application or investigation.~~

#### Section 630.100 **Denial — Administrative Revocation.**

**A.** If the issuing officer denies (or upon completion of an investigation revokes) the identification ~~certificat~~card to one (1) or more person(s), he/she shall immediately convey the decision to the applicant orally and shall within ~~sixteen (16) working hours~~ three (3) business days after the denial prepare a written report of the reason for the denial which shall be immediately made available to the applicant. Upon receipt of the oral notification, and even before the preparation of the written report, the applicant shall have at his/her option an appeal of the denial of his/her application before the following tribunal:

1. The Board of Aldermen, at its next regular meeting, or, if the next regular meeting is more than fifteen (15) days from the denial of the application, at a special meeting to be held within that ten (10) day period, due notice of which is to be given to the public and the applicant.
2. Before the Municipal Court of the City, provided that such a hearing will be scheduled within ten (10) days of the request, due notice of which is to be given to the public and the applicant.

#### Section 630.110 **Hearing on Appeal.**

If the applicant requests a hearing under Section **630.100**, the hearing shall be held in accordance with the Administrative Procedure Act of the State of Missouri, and review from the decision (on the record of the hearing) shall be ~~had~~ directed to the Circuit Court of the County in which the City is located. The hearing shall also be subject to the Missouri Open Meetings and Records law.

#### Section 630.120 **Display of Identification ~~Certificate~~Card.**



Each identification [certificatecard](#) shall be (when the individual for whom it was issued is acting as a peddler or solicitor) worn on the outer clothing of the individual as so to be reasonably visible to any person who might be approached by said person.

#### Section 630.130 **Validity of Identification [CertificateCard](#).**

An identification [certificatecard](#) shall be valid within the meaning of this Chapter for a period of six (6) months from its date of issuance or the term requested, whichever is less [for which payment has been received. If additional days are requested, a new application for an identification card will need to be processed including fees per Section 630.040.](#)

#### Section 630.140 **Revocation of [CertificateCard](#).**

A. In addition to the administrative revocation of an identification [certificatecard](#), a [certificatecard](#) may be revoked for any of the following reasons:

1. Any violation of this Chapter by the applicant or by the person for whom the particular [certificatecard](#) was issued.
2. Fraud, misrepresentation or incorrect statement made in the course of carrying on the activity.
3. Conviction of any felony or a misdemeanor involving moral turpitude within the last ~~seven (7) years~~ [five \(5\) years](#).
4. Conducting the activity in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

B. The revocation procedure shall be initiated by the filing of a complaint by the City Attorney or the issuing officer pursuant to the State Administrative Procedure Act and a hearing before the tribunal identified in Section **630.100** above.

#### Section 630.150 **~~"No Visit" List.~~**

~~The issuing officer shall maintain a list of persons within the City who restrict visits to their residential property (including their leasehold, in the case of a tenant) by peddlers, solicitors and canvassers. The issuing officer may provide a form to assist residents and this form may allow the resident to select certain types of visits that the resident finds acceptable while refusing permission to others. This "no visit" list shall be a public document, reproduced on the City's website and available for public inspection and copying. A copy of the "no visit" list shall be provided to each applicant for and each recipient of an identification [certificatecard](#). If a canvasser chooses not to apply for an identification [certificatecard](#), it will be the responsibility of that canvasser to obtain in some other way a copy of the current "no visit" list.~~

#### Section 630.160 **Distribution of Handbills and Commercial Flyers.**

A. In addition to the other regulations contained herein, a solicitor or canvasser leaving handbills or commercial flyers about the community shall observe the following regulations:

1. No handbill or flyer shall be left at or attached to any sign, utility pole, transit shelter or other structure within the public right-of-way. ~~The Police are~~ The City is authorized to remove any handbill or flyer found within the right-of-way.
2. No handbill or flyer shall be left at or attached to any privately owned property in a manner that causes damage to such privately owned property.
3. No handbill or flyer shall be left at or attached to any of the property:
  - ~~a. Listed on the City's "no visit" list; or~~
  - b.a. Having a "no solicitor" sign of the type described in Section 630.170(A)(1) or (2).
4. Any person observed distributing handbills or flyers shall be required to identify himself/herself to the Police (either by producing an identification ~~certificate~~card or other form of identification). This is for the purpose of knowing the likely identity of the perpetrator if the City receives a complaint of damage caused to private property during the distribution of handbills or flyers.

Section 630.170 **General Prohibitions.**

[Ord. No. 1832, 12-16-2015]

**A.** No peddler, solicitor or canvasser shall:

1. Enter upon any private property where the property has clearly posted a notice posted in the front yard a sign visible from the right-of-way (public or private) indicating a prohibition against peddling, soliciting and/or canvassing. ~~Such sign need not exceed one (1) square foot in size and may contain words such as "no soliciting" or "no solicitors" in letters of at least two (2) inches in height.~~ (The phrase "no soliciting" or "no solicitors" shall also prohibit peddlers and canvassers.)
2. Remain upon any private property where the property has clearly posted a notice in the form of a sign or sticker is placed indicating a prohibition against peddling, soliciting and/or canvassing upon any door or entranceway leading into the residence or dwelling at which guests would normally enter, which sign contains the words "no soliciting" or "no solicitors" and which is clearly visible to the peddler, solicitor or canvasser.
- ~~3. Enter upon any private property where the current occupant has posted the property on the City's "no visit" list (except where the posting form indicates the occupant has given permission for this type of visit), regardless of whether a front yard sign is posted.~~
43. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.
54. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.
65. Enter upon the property of another except between the hours of 9:00 A.M. and 6:00 P.M.

**B.** Except that the above prohibitions shall not apply when the peddler, solicitor or canvasser has an express invitation from the resident or occupant of a dwelling allowing him/her to enter upon any posted property.

Section 630.180 **Violation to Be Prosecuted as Trespass.**

Any person violating any part of this Chapter shall have committed a trespass on such property and shall be prosecuted under the general trespass ordinance of the City. The penalty for such violation shall be the same as for any other trespass.