

CODIFIED ORDINANCES OF FAYETTE
PART SEVEN - BUSINESS REGULATION CODE

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CHAPTER 707
Solicitations at Private Residences

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| for organizations with | 707.99 Penalty. |
| multiple solicitors. | |

CROSS REFERENCES

Power to inspect food products - see Ohio R.C. 715.46 et seq.
Power to regulate - see Ohio R.C. 715.61 et seq.
Home solicitation sales - see Ohio R.C. 1345.21 et seq.
Charitable solicitations - see Ohio R.C. Ch. 1716
Frozen desserts - see Ohio R.C. 3717.51 et seq.
Door to door sales activity of minors restricted - see Ohio R.C.
4109.21
Littering - see GEN. OFF. 521.08
Trespassing - see GEN. OFF. 541.05

707.01 GENERAL PROVISIONS.

No person or organization that has not been requested or invited by the owner or occupant of a private residence shall go in and upon such residence for the purpose of soliciting orders for the sale of goods, wares or merchandise and/or disposing of the same and/or soliciting donations and/or soliciting the purchase of intangible personal property or services, without written authorization from the Mayor, Chief of Police or other designated official.
(Ord. 97-13. Passed 9-11-97.)

707.02 AUTHORIZATION FORM REQUIRED FOR ORGANIZATIONS WITH MULTIPLE SOLICITORS.

Organizations utilizing the services of multiple solicitors shall be required to provide each solicitor with a copy of the official authorization form which shall be provided by the Village.
(Ord. 97-13. Passed 9-11-97.)

707.03 MINORS SOLICITING FOR ORGANIZATIONS.

Minors engaged in soliciting for local school, church or civic organization fund raising activities are declared exempt from this chapter.

(Ord. 97-13. Passed 9-11-97.)

707.99 PENALTY.

Each solicitor found to be in violation of any provision of this chapter shall be guilty of a minor misdemeanor.

(Ord. 97-13. Passed 9-11-97.)

CHAPTER 715

Garage Sales

715.01 Definition.

715.02 Permits.

715.03 Length.

715.04 Resale.

715.05 Signs.

715.99 Penalty.

715.01 DEFINITION.

Garage sales shall mean and include all sales entitled “garage sale, lawn sale, rummage sale, flea market sale, barn sale, porch sale” or any similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be aware of said sale. (Ord. 78-5. Passed 5-11-78.)

715.02 PERMITS.

The Village shall provide permits for garage sales. The Fiscal Officer shall issue such permits. The Fiscal Officer will then secure the signature of the Village Administrator and notify the Police Chief of the permit, duration of sale and other pertinent information. There will be no fee to the applicant. The information to be filed with the Fiscal Officer shall include:

- (a) Name of property owner on which said sale is to be conducted.
- (b) Names of all parties, organizations, etc., who shall be conducting the sale or offering any merchandise.
- (c) Location of the sale.
- (d) Number of days of the sale and the dates of these days.
- (e) Dates of any past sales conducted by the parties or organizations which are responsible for selling any merchandise.

Permits do not include any bonafide licensed auctioneer in the State of Ohio.
(Ord. 78-5. Passed 5-11-78.)

715.03 LENGTH.

No garage sale may be conducted within the limits of the Village without application for above mentioned permit. The permit shall entitle said applicant to conduct a garage sale from a personal residence for a period of time not to exceed six days within any given two-week period. An applicant may not conduct more than three garage sales within any given twelve-month period. A separate permit shall be issued for each garage sale. There will be a three-week interval between each two-week sale period.

After the expiration of the time provided for on the permit, all merchandise shall then be placed inside and not within the view of the general public.
(Ord. 78-5. Passed 5-11-78.)

715.04 RESALE.

No garage sale shall offer any merchandise for sale that has been purchased for the purpose of resale. (Ord. 78-5. Passed 5-11-78.)

715.05 SIGNS.

No resident shall post more than five signs: four directing traffic to the sale, and one on the lot on which the sale is to be located. Such garage sale signs shall not exceed nine square feet and may not be illuminated or animated. Such garage sale signs may only be displayed on the days of the sale. Such signs shall not obstruct the view of motor vehicle traffic. Person(s) or organization(s) who hold the sale shall remove signs upon completion of the sale.
(Ord. 78-5. Passed 5-11-78.)

715.99 PENALTY.

Whoever violates the provisions of this chapter shall be fined not more than five dollars (\$5.00) for the first offense and not more than fifty dollars (\$50.00) for the second or further offense. Each day after notification of violation will constitute a separate offense.
(Ord. 78-5. Passed 5-11-78.)

CHAPTER 721
Video Service Providers

721.01 Fee.

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(a) Council hereby establishes a VSP Fee that is calculated by applying a VSP Fee Percentage of five percent (5%) to the video service provider's gross revenues as defined in Section 1332.32(B) of the Video Law. All video service providers and cable television operators providing video service in the Village shall apply the VSP Fee Percentage against gross revenues as defined in the Video Law.

(b) The VSP Fee shall be paid by each video service provider providing service in the Village on a quarterly basis but not sooner than forty-five (45) days nor later than sixty (60) days after the end of the calendar quarter.

(c) The Mayor is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage as determined by Council above, which notice shall be given by certified mail, upon receipt of notice from such video service provider that it will begin providing video service in the Village pursuant to a state-issued video service authorization. (Ord. 2014-02. Passed 2-25-14.)