

The Board of Township Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:00 p.m. on July 16, 2025, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Joseph P. Rozzi - Trustee, *Chairman*
Darryl Cordrey – Trustee, *Vice Chair*
Mark Sousa – Trustee

Mr. Rozzi introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 25-0716C**

**A RESOLUTION TO REGULATE AND REQUIRE REGISTRATION OF TRANSIENT
VENDORS PURSUANT TO OHIO REVISED CODE SECTION 505.94**

WHEREAS, the Board of Township Trustees believes that it is in the best interest of the citizens of Hamilton Township and that it will promote and preserve the health, safety, and welfare of the residents of Hamilton Township to regulate the time, place, and manner in which transient vendors may sell, offer for sale, or solicit orders for future delivery of goods or services;

WHEREAS, the Hamilton Township Board of Trustees finds that it is necessary to regulate and require registration of transient vendors in the Township; and

WHEREAS, the Hamilton Township Board of Trustees is authorized to regulate and require registration of transient vendors pursuant to Ohio Revised Code (O.R.C.) Section 505.94;

WHEREAS, the Board has previously resolved to regulate and require registration of Transient Vendors in Resolution 18-1010B and finds that it is necessary to further provide for the revocation of transient vendor permits for various reasons related to the health, safety and welfare of the residents of Hamilton Township;

NOW THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Hamilton Township, Warren County, Ohio:

SECTION 1. As used in this Resolution:

(A) "Goods" means goods, wares, services, merchandise, periodicals, and other articles or publications.

(B) "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 any person who represents any entity exempted

from taxation under section 5709.04 of the Revised Code, or any person licensed under Chapter 4707. of the Revised Code.

SECTION 2. Each Transient Vendor shall register with Hamilton Township using a form to be provided by the Township Administrator or his/her designee. Each Representative of the Vendor will receive a copy of the approved registration form.

SECTION 3. The registration fee shall be \$125.00 for each Transient Vendor. This fee shall be paid at the time an application for a permit is filed. The Township Administrator is authorized to increase the fee in the future to the extent market trends change and within the statutory limits.

SECTION 4. Each Transient Vendor applicant will submit to a background check to include BCI & FBI fingerprints. Any applicant having been convicted of a felony, or a misdemeanor which involved theft or drug offense as defined in the Ohio Revised Code, shall be ineligible from registering as a transient vendor.

SECTION 5. The registration will be valid for 90 days after the date of registration.

SECTION 6. The permitted hours of solicitation are:
Monday – Friday 9 a.m.–7 p.m. or sunset, whichever is earlier
Saturday – Sunday 10 a.m.–6 p.m. or sunset, whichever is earlier

SECTION 7. Each representative of the Transient Vendor shall have a copy of the approved registration on their person at all times during solicitation. If asked by a Hamilton Township resident or a Hamilton Township Law Enforcement Official, the Transient Vendor or the representative must present the approved registration for verification.

SECTION 8. Any resident or business within Hamilton Township may file a Notice of No Solicitation with the Township and/or post a “No Solicitation” sign conspicuously on the property to bar entry to the property from any Transient Vendor. The Notice of No Solicitation shall be on a form provided by the Township and the sign shall be a weatherproof sign, a minimum of two inches by four inches in size, stating *No Solicitors*, *No Soliciting*, or words of similar meaning. The letters on such sign shall be at least one inch in height. No Transient Vendor nor their representative shall enter upon such residential or business property where such sign has been posted or where a Notice of No Solicitation has been filed with the Township.

SECTION 9. The Township Administrator shall draft, amend, implement, and update administrative procedures to implement this Resolution.

SECTION 10.

The Township Administrator may revoke the permit of a previously approved Transient Vendor for the following reasons:

- a) failure of the Transient Vendor to comply with any of the provisions of this Resolution;
- b) making a false statement or misrepresentation in the process of applying for a permit as a Transient Vendor;
- c) remaining on any real property without permission of the occupant after the Transient Vendor has been asked to leave the private premises;
- d) soliciting in a manner that a person of ordinary sensibilities would consider harassing, intimidating, aggressive, bullying, or badgering behavior. It shall be prima facie evidence of such behavior if the Township Administrator receives written complaints of such behavior from five unrelated individuals.
- e) failure to comply with the direction of a law enforcement officer;
- f) presenting false or misleading information to the public in the course of soliciting in the Township.

SECTION 11.

Any person who's permit has been revoked by the Township Administrator or designee may appeal such revocation to the Board of Township Trustees by filing a notice of appeal with the Township Fiscal Officer. If such appeal is made, the hearing on the appeal shall be held at the next regularly scheduled Trustees meeting unless extended until the next following regularly scheduled Trustees meeting at the request of the appellant. The Transient Vendor permit shall remain revoked until such time as the matter is heard by the Board of Trustees. The hearing before the Board shall be conducted as a public hearing. The Board of Trustees, upon reviewing the evidence presented, may uphold the Township Administrator's decision to revoke the permit, may modify the decision of the Township Administrator, or may overrule the decision of the Township Administrator. The decision of the Board shall be rendered within thirty (30) days of the hearing. The permit shall continue to be revoked until the decision of the Board is rendered.

SECTION 12.

Whoever violates this Resolution will personally be held accountable and guilty of a minor misdemeanor as set forth in Ohio Revised Code (O.R.C.) 505.99.

SECTION 13.

If any Transient Vendor or their representative is found guilty by a court of competent jurisdiction to have violated this Resolution, the approved registration of the Transient Vendor shall be revoked and the Transient Vendor shall not be permitted to receive another registration for one (1) year from the date of such finding.

SECTION 14.

Resolution 18-1010B is hereby revoked in its entirety.

SECTION 15.

This Resolution shall take effect on the earliest date allowed by law.

Mr. Cordrey seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye <u>✓</u>	Nay _____
Joseph P. Rozzi –	Aye <u>✓</u>	Nay _____
Mark Sosua –	Aye <u>✓</u>	Nay _____

Resolution adopted this 16th day of July 2025.

Attest:

Leah Elliott
Leah M. Elliott, *Fiscal Officer*

Approved as to form:

S. J. Sparks
Sarah J. Sparks, *Asst. Law Director*

I, Leah M. Elliott, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on July 16, 2025.

Date: 7/16/25

Leah Elliott
Leah M. Elliott, *Fiscal Officer*