

**ADA TOWNSHIP
KENT COUNTY, MICHIGAN**

(Ordinance No. O-060925-1)

At a Regular meeting of the Township Board for Ada Township held at the Ada Township Hall on June 9, 2025, the following Ordinance was offered for adoption by Township Board Member Trustee Carter and was seconded by Township Board Member Treasurer Moran:

**AN ORDINANCE TO AMEND CHAPTER 54, ARTICLE II,
ENTITLED “PEDDLERS AND SOLICITORS, SOLICITORS,
SOLICITATION” OF THE CODE OF ORDINANCES, ADA
TOWNSHIP, MICHIGAN.**

ADA TOWNSHIP, (“the Township”) ORDAINS:

Article 1. Purpose. The Township finds that regulations regarding solicitors and solicitation should be amended to protect the health, safety, and welfare of the community while preserving rights protected by the First Amendment.

Article 2. Amendment of Section 54-31. Chapter 54, Article II, Section 54-31 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read as follows:

Section 54-31. Definitions.

Solicit and/or *soliciting* means any act related to or involving traveling from place-to-place, from house-to-house, or from street-to-street to:

- (1) Sell or offer for sale, or display for sale any goods, wares, or merchandise to any person not a dealer therein whether or not such person has, carries or exposes for sale a sample of the subject of such sale.
- (2) Take orders for the purchase of goods, wares, or merchandise by samples, lists, catalogs, or subscriptions for magazines and books from any person not a dealer therein whether or not such person has, carries, or exposes for sale a sample of the subject of such sale.
- (3) Sell or offer for sale or take orders for the sale of services (e.g. landscaping, painting, roofing, snow removal, pest control, or any other services to be performed for those who wish to have them).
- (4) Attempt to collect monies, pledges or donations.
- (5) Canvas or petition.

Solicitor means any person soliciting in the township.

Article 3. Amendment of Section 54-32. Chapter 54, Article II, Section 54-32 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read as follows:

Section 54-32. Permit Required.

- (a) Except as otherwise provided in this article, no person shall solicit or act as a solicitor within the township without first obtaining a permit from the township. An application for such permit shall be made to the township clerk on the prescribed form(s). All permits shall expire 30 days after their issuance, and may be renewed for additional 30-day periods upon the applicant's written request, payment of all applicable fees, and approval by the township clerk, or other township official appointed by the township board.
- (b) The applicant shall provide all of the information listed on the application before the application will be deemed complete.

Article 4. Amendment of Section 54-33. Chapter 54, Article II, Section 54-33 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read as follows:

Section 54-33. Background Check.

- (a) Except for persons or solicitors that are partially exempt from this article pursuant to section 54-35 hereof, the township will conduct a complete and comprehensive background check for each permit applicant before a township permit is issued. Such background check may include, without limitation, a review of records of the Kent County Sheriff, Michigan State Police, and/or similar records. If the individual solicitor has any civil or criminal warrants outstanding, or has been convicted of any crime or offense that, in the township's reasonable discretion renders the individual solicitor a potential threat to the general peace and safety of the township, a permit will be denied in writing setting forth the reasons for any denial. After any such denial, the individual may appeal the denial to the township board. Any such appeal must be in writing (signed by the individual) and filed with the township clerk within ten days of the date of the denial. The township board shall hear and decide the appeal within a reasonable amount of time after the appeal is filed with the township clerk.
- (b) Unless the applicant is charged with any violation of local, state, or federal law subsequent to filing the application, all background checks shall be valid for a period of six months following the approval of the application.
- (c) During any period in which a person is licensed under this chapter, that person must inform the township of any and all changes to the information on their application and any event that would result in a change to the information produced in their background check.

- (d) Applicants and/or individual solicitors under eighteen (18) years of age must provide written authorization signed by a parent or guardian authorizing the Township to perform a background check as required under this section.

Article 5. Amendment of Section 54-34. Chapter 54, Article II, Section 54-34 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read as follows:

Section 54-34. Permit application.

A permit application may be obtained during normal business hours at the township offices.

- (a) Such application shall be fully completed and filed with the township clerk at least ten days prior to the date of commencement of the solicitation. The application shall contain all of the following information:
 - (i) Name of the applicant and, if applicable, the names of those persons soliciting for the applicant. Each individual solicitor must supply, in person, a copy of their driver's license or other form of government issued photo personal identification to the township.
 - (ii) Permanent home address and local address of the applicant (and for all other persons soliciting for the applicant), and the home street address, driver's license number, and telephone number of the person or persons who will be in direct charge of conducting the soliciting activities in the township.
 - (iii) A brief description of the nature of the organization and business and the goods or services to be sold or solicited.
 - (iv) If the solicitor is otherwise employed, the applicant shall provide the name and address of such employer.
 - (v) The length of time for which the solicitation within the township is desired.
 - (vi) The place where the goods or property proposed to be sold or orders taken for the sale are manufactured or produced, where such products or goods are located at the time said application is filed and the proposed method of delivery.
 - (vii) A statement as to approximate locations within the township where the solicitations will take place.
 - (viii) Each solicitor shall sign a statement as to whether or not that solicitor (or the solicitor's firm, corporation or organization) has been convicted of a felony, and/or misdemeanor offense and if so, stating the nature of the offense. A "yes" response may be cause for denial of a permit for the applicant if, in accordance with the standards of this section, and in the township's reasonable discretion, the conviction renders the individual solicitor a potential threat to the general peace and safety of the township.
- (b) If the requirements of this article are met, the township shall prepare and issue a solicitor permit to each person soliciting under the applicant. The permit shall be displayed by

the solicitor at all times while soliciting in the township and shall be presented by that person to any resident requesting identification prior to any attempt to sell a product or service to that resident.

- (c) Any denial of a permit application shall be made in writing specifying the reasons for denial within three business days of the filing of a complete application. The township may take a longer period of time in determining whether a particular permit will be issued if the background check cannot be completed in a shorter period of time. Any appeal of a permit denial pursuant to this article must be in writing signed by the applicant and filed with the township clerk within ten days of the date of the denial. All appeals shall be heard and decided by the township board within a reasonable amount of time after the appeal is filed with the township clerk.
- (d) A solicitor permit shall be denied by the township for any of the following reasons:
 - (i) The applicant has not met every requirement of this article.
 - (ii) In the reasonable determination of the township, granting the permit will create a threat to the general peace and safety of the township residents.
 - (iii) Either the applicant or the applicant's employer or organization has been convicted of either a felony or any type of a misdemeanor involving solicitation, theft or fraud, or any other felony or misdemeanor that, in the reasonable determination of the township, will create a threat to the general peace and safety of the township.
 - (iv) Either the applicant or the applicant's employer or organization is delinquent in any real or personal property taxes or other indebtedness to the township.
- (e) A permit approved and issued under this article shall be nontransferable.
- (f) Applicants may reapply for a permit 60 days after a denial or an unsuccessful appeal of a denial to the township board.

Article 6. Amendment of Section 54-35. Chapter 54, Article II, Section 54-35 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read as follows:

Section 54-35. Partially exempt persons—Religious, political , and nonprofit activities.

The following persons and organizations are exempt from the permitting requirements under this article when engaging in the type of solicitation described below in this section. Except as otherwise provided in this section, all solicitation that is exempt under this section shall still comply with the general regulations and prohibitions of section 54-37 unless otherwise provided therein:

- (a) *Solicitation for religious or charitable institutions.* Any person who is soliciting for a school, state or federally registered or recognized charity, a nonprofit corporation or entity, or a church or religious society shall not be required to register or obtain any permit or pay any permit fee pursuant to this article.
- (b) *Political speech or canvassing.* Solicitations exclusively intended to canvass or petition for a public official, political candidate, public policy or initiative being promoted for

purposes of a public referendum, initiative, millage, or election do not require any registration, permit or permit fee.

- (c) Any person exempt from the permitting requirements of this article by virtue of state or federal law.

Article 7. Amendment of Section 54-36. Chapter 54, Article II, Section 54-36 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read as follows:

Section 54-36. Permit fee.

Except for exempt persons specified in section 54-35 hereof, a nonrefundable permit fee in the amount established by the township board shall be paid to the township at the time that an application for a solicitor permit is filed with the township clerk. Permits are issued to be valid for a 30-day period. Renewal applications, permits, and badges will require the same non-refundable fees.

Article 8. Amendment of Section 54-37. Chapter 54, Article II, Section 54-37 of the Code of Ordinances, Ada Township, is hereby amended to read in its entirety as follows:

Sec. 54-37. General regulations and prohibitions.

Unless otherwise expressly permitted by another township ordinance or mandated by state law:

- (a) Where a permit is required by this article, it shall be unlawful for any person to engage in solicitation without having first obtained a permit issued by the township. The dated permit must be visible at all times while the solicitor is engaged in the act of soliciting and shown upon the request of any person.
- (b) While conducting any act of solicitation, the solicitor shall clearly display the permit and photo identification that correctly identifies who the solicitor is and for whom the solicitor is working.
- (c) No persons shall stop or park a vehicle at the curb for the purpose of solicitation from a vehicle, nor shall any person establish a stand, booth or other place of business on any street curb, sidewalk, public right-of-way or other public place. This subsection shall not be interpreted to prohibit parking for the purpose of making deliveries or for the purpose of consummating a business transaction with persons waiting at the curb, provided that the solicitor leaves the curb immediately after the deliveries or transactions are completed.
- (d) No person shall operate or maintain any stand, structure, building or vehicle on or near to any public right-of-way for the service of customers or for solicitation in such a manner that requires customers to stand, occupy or congregate within the public roadway.
- (e) No person shall conduct any solicitation so as to obstruct any street, alley, sidewalk or driveway except as may be necessary and reasonable to consummate a permitted

transaction or at any time after having been requested to desist by any public officer because of congested or dangerous traffic conditions or for the public health, safety or welfare.

- (f) Except for exempt persons under Section 54-35, no person shall engage in any solicitation on any property listed on the "Do-Not-Knock Registry" described in Section 54-40 and maintained by the township clerk. No person shall engage in any solicitation on any property against the wish or desire of the property owner or the tenant or occupant of the property. No person shall trespass on the property of another while engaged in solicitation.
- (g) No person engaged in any solicitation shall visit any dwelling or residence without an appointment where a sign is displayed stating "No peddlers," "No solicitors," "No sales," "No trespassing" or words of similar meaning.
- (h) No person engaged in solicitation shall, while in a stationary position in any public place, shout, cry out his goods or merchandise, nor blow any horn, ring any bell, broadcast or play any sound, or use any other similar device to attract the attention of the public.
- (i) Except for exempt persons under Section 54-35, no person shall travel from door to door, street to street, or place to place within the township while engaged in solicitation except as provided between the following hours:
 - (i) April 1 to September 30: 9:00 a.m. to 7:00 p.m.
 - (ii) October 1 to March 31: 9:00 a.m. to 5:00 p.m.
- (j) No person engaged in any solicitation shall enter upon a property or call upon any occupant of the property by any means of entry or contact other than approaching the front entry door of the premises. No person engaged in any solicitation shall enter into an attached or detached garage or a side or rear yard, unless invited by the occupant of the premises.
- (k) A permit under this article shall not be granted to any person owing any real or personal property taxes or other indebtedness to the township or who contemplates using any personal property on which personal property taxes are owing in the operation of a business.
- (l) No person shall block or impede the passage of the person being solicited.
- (m) No person who is soliciting shall follow the person being solicited after that person has objected to the solicitation or asked the solicitor to leave.
- (n) No person shall use any threatening or offensive behavior or language when engaging in solicitation as prohibited in Section 46-52 of the Township Code of Ordinances.

Article 9. Amendment of Section 54-38. Chapter 54, Article II, Section 54-38 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read in its entirety as follows:

Sec. 54-38. Revocation of a permit.

- (a) A permit issued pursuant to this article may be revoked by the township. Such revocation shall be in writing setting forth the reasons for the revocation, and shall be issued by the township clerk, or such other township official as is appointed by the township board. The revocation shall be delivered by email, or upon request, by first class mail.
- (b) The applicant may appeal the revocation of the applicant's permit revoked pursuant to this article by filing an appeal with the township board. Any such appeal must be in writing (signed by the applicant) and filed with the township clerk within ten days of the date the permit revocation is emailed or mailed to the applicant. The township board shall hear the appeal within a reasonable amount of time after it is filed with the township clerk.
- (c) When considering whether or not to revoke a permit issued under this article (or during an appeal of such a revocation), the township official or body involved shall consider the following non-exclusive factors:
 - (i) Whether one or more provisions of this article have been violated.
 - (ii) Whether continued solicitation by the applicant pursuant to the permit would endanger the health, safety, or welfare of township residents or property owners.
 - (iii) Whether there were material misrepresentations in the permit application.
 - (iv) Whether the applicant/solicitor has previously violated one or more of the provisions of this article.
 - (v) Whether the applicant/solicitor has previously had his/her permit revoked under this section.
- (d) A person whose permit has been revoked under this section may reapply for a new permit 30 days after the revocation. The expiration of the 30-day period is not determinative as to whether a new permit will be issued.

Article 10. Amendment of Section 54-39. Chapter 54, Article II, Section 54-39 of the Code of Ordinances, Ada Township, Michigan is hereby amended to read in its entirety as follows:

Sec. 54-39. Penalties and Remedies.

- (a) First violation. Any person who violates any of the provisions of this article shall be responsible for a municipal civil infraction and be subject to a fine of not more than \$1,000.00 plus costs of prosecution as permitted by law.
- (b) Second and subsequent violations. Repeat offenses under this article shall constitute a criminal misdemeanor upon a conviction and shall be punished by a fine of not more than \$500.00 or imprisonment in the county jail for a term not to exceed 90 days or by both such fine and imprisonment, plus costs of prosecution as permitted by law. As used in this section, repeat offense means a second (or any subsequent) violation of the same requirement or other provision-of this article committed by a person within one year of the person having been found responsible for or convicted of violating this article.

- (c) Each day on which any violation of this article occurs or continues constitutes a separate offense subject to separate sanctions.
- (d) The person or persons authorized by the township board shall enforce this article and may issue appearance tickets for violations of this article.
- (e) In addition to the above, the township shall have such other remedies as are accorded to it for a violation of this article pursuant to law and equity. Any remedy or remedies pursued by the township shall be deemed cumulative and shall not preclude the township from pursuing other remedies available at law or equity.

Article 11. Addition of Section 54-40. Chapter 54, Article II, Section 54-40 of the Code of Ordinances, Ada Township, Michigan is hereby created to read as follows:

Sec. 54-40. Do Not Knock Registry

- (a) The township clerk shall establish and maintain a Do Not Knock Registry for township residents.
- (b) Any person in lawful possession and occupancy of any residence, house, apartment, or other dwelling, or any person in lawful possession of an apartment complex within the township, may request that the township place and maintain his or her residence, house, apartment, dwelling, or apartment complex on the Do Not Knock Registry by submitting a written request on a form supplied by the township clerk. The written request shall contain the following:
 - (1) The name of the person completing the form.
 - (2) The complete address of the residence, house, apartment, dwelling, or apartment complex to be placed on the registry.
 - (3) The date the form was completed.
 - (4) A statement that solicitors shall not knock, ring the doorbell, or otherwise physically call at his or her residence, house, apartment, dwelling, or apartment complex.
 - (5) Any other information reasonably required by the township to verify the identity of the person completing the form as a lawful occupant and possessor of the residence, house, apartment, dwelling or to verify the identity of an owner of an apartment complex.
- (c) Any board of a neighborhood condominium association that is located on a private road or private street, if authorized by the association bylaws, may request that the township add the neighborhood condominium association to the Do-Not-Knock registry by submitting a request in writing to the township clerk. The written request shall contain the following information:
 - (1) The name of the neighborhood condominium association, and the name of the board members completing the form.

- (2) The location of the condominium association, the name of the private roads/streets on which the association is located, and a list of addresses of residences located within the association.
 - (3) The date the form was completed.
 - (4) A statement that solicitors shall not knock, ring the doorbell, or otherwise physically call at the residences located within the association.
 - (5) Any other information reasonably required by the township clerk to verify the location of the association, the board members, and the association bylaws authorizing such request.
- (d) Any person in lawful possession and occupancy of any residence, house, apartment, or other dwelling within the township, or any owner of an apartment complex may request that the township remove his or her residence, house, apartment, apartment complex, or dwelling from the Do Not Knock Registry by submitting a written request to the township clerk. The written request shall contain the following:
- (1) The name of the person or persons completing the form.
 - (2) The complete address of the residence, house, apartment, apartment complex, or dwelling to be removed from the registry.
 - (3) The date the form was completed.
 - (4) A statement that his or her residence, house, apartment, apartment complex, or dwelling shall be removed from the Do Not Knock Registry.
 - (5) Any other information reasonably required by the township to verify the identity of the person completing the form as a lawful occupant and possessor of the residence, house, apartment, or dwelling, or to verify the identity of the owner of an apartment complex.
- (e) After being placed on the Do Not Knock Registry, a residence, house, apartment, apartment complex, or dwelling, shall remain on the registry until one of the following occurs:
- (1) The township clerk receives a written request to remove the residence, house, apartment, apartment complex, or dwelling from the registry pursuant to this section.
 - (2) The township receives written notice that the person who submitted the request to have the residence, house, apartment, apartment complex, or dwelling added to the registry pursuant to subsection (a) above is no longer a lawful possessor or occupant of the premises or owner of an apartment complex.
 - (3) The township receives a property transfer affidavit notifying the township assessor that there has been a transfer of ownership for the residence, house, apartment, apartment complex, or dwelling.
- (f) After being placed on the Do Not Knock Registry, a neighborhood condominium association shall remain on the registry until the following occurs:
- (1) The board of the neighborhood condominium association submits a written request to the township clerk requesting that the neighborhood condominium association be removed from the registry.
- (g) The township clerk shall provide a copy of the then-current Do Not Knock Registry to each person issued a permit pursuant to this article. The township may impose a reasonable fee for

copies of the registry. A copy of the Do Not Knock Registry shall also be available for public inspection in the township clerk's office during regular business hours.

- (h) The failure to add or remove a residence, house, apartment, apartment complex, dwelling, or neighborhood condominium association to or from the Do Not Knock registry shall not be grounds for any claim against the township.

Article 12. Severability.

Should any section, portion or part of this Ordinance be declared to be invalid by a court of competent jurisdiction, such declaration does not void or render inoperable any other part of this Ordinance.

Article 13. Repealer.

All ordinances and parts of ordinances in conflict herewith are repealed to the extent of any such conflict.

Article 14. Effective Date.

This Ordinance shall become effective 30 days after this Ordinance (or a summary thereof) is published as provided by law.

ORDINANCE DECLARED ADOPTED

I, Jo DeMarco, the Township Clerk for the Township of Ada, attests that the foregoing is a true and accurate copy of an ordinance adopted by the Township Board for the Township of Ada at a regularly scheduled meeting held on June 9, 2025, which meeting was held in accordance with state law.

Jo DeMarco, Township Clerk

Introduced: May 12, 2025
Public Hearing: June 9, 2025
Adopted: June 9, 2025
Published: June 22, 2025
Effective: July 22, 2025

