



SOLICITOR ORDINANCE

Staff requests feedback on the solicitor ordinance

SUMMARY

A request was made at the October Town Council meeting to review the solicitor ordinance. Council did not have an opportunity to discuss this as a group, so staff has done some preliminary research and requests feedback on how to proceed (keep it the same or recommend a revision to the ordinance).

Other cities have broad prohibitions on solicitation, with exceptions built-in for non-profit organizations (churches, scouts, booster clubs, etc.). Others only ban solicitation in certain cases. Currently, Boiling Springs [ordinance](#) allows almost any group to 'go door-to-door,' but we require a permit to do so. Longer excerpts are included in the following pages, but a summary of each is provided below.

Shelby

This [ordinance](#) makes it unlawful to beg or solicit alms or contributions. Very general prohibition. They distinguish between two types of charitable solicitors (religious and non-religious), solicitors in general, and itinerant merchants. Charitable solicitors must receive a permit from the city (Sec. 34-92). This is a lengthy ordinance with a lot of regulations.

Gastonia ([full ordinance here](#))

A permit is required to solicit under Sec. 8-291. Some organizations are exempt under Sec. 8-262 because they solicit for federal, state, or local governments; receive less than \$10,000 in contributions in a calendar year and do not provide compensation to solicitors; are an accredited educational institution or hospital licensed by law; are noncommercial radio or television stations. 8-297 forbids transferring the permit to another solicitor unless that solicitor is part of the organization and is named during the permitting process. It also requires that a copy of the permit be in the possession of solicitors while conducting their work. 8-298 forbids advertising that the permit is an endorsement by the town.

Asheville ([full ordinance here](#))

Unlike the two above, there is no general prohibition against soliciting or a requirement to get a permit. Instead, Asheville provides specific situations (Sec. 11-5) where solicitation and begging are prohibited. It seems to allow solicitation outside of these prohibited instances. Prohibited actions include language about not accosting another, being within a certain distance of a financial institution or ATM, not blocking someone's path or touching them, and a few others.

MATERIALS PROVIDED

- **Current Boiling Springs ordinance**
- **Ordinance excerpts from Shelby, Gastonia, Asheville**