

**TOWNSHIP OF PERRY, LAWRENCE COUNTY
COMMONWEALTH OF PENNSYLVANIA
SOLICITATION ORDINANCE NUMBER: 12-8-05**

**AN ORDINANCE OF THE TOWNSHIP OF PERRY, LAWRENCE COUNTY,
COMMONWEALTH OF PENNSYLVANIA REGULATING THE
SOLICITATION OF TOWNSHIP RESIDENTS AND BUSINESSES LOCATED
WITHIN THE TOWNSHIP AND SETTING FORTH THE REQUIREMENTS
FOR PERMIT FEES, HOURS, AND DAYS FOR TIMES OF SOLICITATION.**

WHEREAS, the Perry Township Board of Supervisors wish to regulate the solicitation of residents and businesses within the Township;

WHEREAS, the Perry Township Board of Supervisors do not wish to restrict legitimate businesses from contacting Perry Township residents and businesses, however the Perry Township Board of Supervisors wish to set regulations for a permit, and to set hours and days for the solicitation of residents and businesses.

THEREFORE, the Perry Township Board of Supervisors hereby enacts the following ordinance:

1. **“Solicitation”** shall be defined as any individual coming on to another person’s property in Perry Township, for the purpose of selling merchandise or selling services. The term “Solicitation” shall also refer to any individual coming on to another person’s property within the Township for the purpose of soliciting donations.
2. **Permit:** Any person wishing to solicit a residence or business in Perry Township shall be required to obtain and to display that permit in a visible fashion at all times while soliciting within Perry Township. The applicant for a permit shall require the following information:
 - Name
 - Address
 - Phone Number
 - Nature of Business
 - Company Name
 - Type of Vehicle
 - License of Vehicle
 - Valid Photo ID or Drivers License
3. **Fees:** The Perry Township Board of Supervisors by action at the reorganization meeting shall set the annual fee for a solicitation permit.
4. **Time limit:** Each solicitation permit shall be for a period of one (1) year.
5. **Applications:** Applications for a solicitation permit shall be submitted to the township office, and the Perry Township Board of Supervisors shall have a period of thirty (30) days to approve or reject the solicitation permit. If the Perry Township Board of Supervisors take no action within thirty (30) days, then the permit shall be deemed approved.
6. **Hours of solicitation.** Solicitation of Perry Township residents and businesses shall only occur during the following hours and days:
 - From 10:00 a.m. until 8:00 p.m. on all days except Sundays.

7. No Solicitations Regulations: Residents and businesses shall be permitted to post a visible sign that states "No Solicitations" and anyone soliciting residents or businesses within the Township shall not be permitted onto these properties.

8. Exemptions: The provisions of this Ordinance shall not apply to children who are younger than eighteen (18) years of age or are still attending high school.

9. Enforcement and Penalties:

a. A warning shall be given by a Police Officer or a Township official before any other enforcement measures are taken.

b. Enforcement of this ordinance shall be by an action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.

c. Upon conviction of a violation of this ordinance, criminal fines not to exceed three hundred (\$300) dollars per violation may be imposed.

d. Each day's continuance of a violation shall constitute a separate violation.

e. This ordinance may also be enforced through an action in equity brought in the Court of Common Pleas of Lawrence County. In addition to the fines prescribed in this ordinance, the Court of Common Pleas may direct the defendant to pay the court costs and attorney's fees incurred by the Township.

9. Severability: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

10. Effective Date: This ordinance shall become effective on January 1, 2006

ENACTED AND ORDINAINED this 8th day of December, 2005.