**COMMONWEALTH OF KENTUCKY**
**CITY OF TAYLORSVILLE**

# ORDINANCE NO. 327

## AN ORDINANCE REGULATING THE SOLICITATION OF FUNDS ON OR ALONG A PUBLIC SIDEWALK, STREET AND HIGHWAY WITHIN THE CITY OF TAYLORSVILLE.

WHEREAS, to promote and to protect the health, safety and welfare of the general public within the City of Taylorsville, and pursuant to the powers granted to a City by the Kentucky Constitution and by the Kentucky Legislature, particularly KRS 82.082, referred to as the Home Rule Statue, the City herein deems it necessary to impose rules and regulations in regard to the solicitation of funds by individuals, organizations or entities along the public sidewalks, streets and highways within the City of Taylorsville.

THEREFORE, BE IT ORDAINED, by the City of Taylorsville:

No person, individual, organization or entity shall solicit funds in the City of Taylorsville by the act of seeking or obtaining money from individuals, businesses or other, on or along public sidewalks, public streets and public highways within the City of Taylorsville, except as hereinafter provided.

Location:

All solicitation shall be limited to the location identified as the intersection of Taylorsville Rd. and Little Mount Road.

Permits Required

1. All applications for solicitation permits shall be submitted to the City Clerk at least month before the date for which a Solicitation Permit is sought.

2. All applications must include the following:

   A. The name and address of the individual(s), organization or entity for which the funds are being solicited;

   B. The name and address of the individual(s) who will have the primary responsibility for the solicitation;

   C. The name and address of all persons who will be engaging in solicitation on the date covered by the permit;

3. All requests for a solicitation permit shall be made by the chief executive officer of the entire organization and not subsidiaries or subordinate groups of said organizations.

4. Permits shall only by issued to an individual, organization or entity for non-profit or charitable solicitations, particularly educational and religious organizations;

5. Only one individual, organization or entity will be granted a solicitation permit on any particular day.

6. A copy of the solicitation permit authorizing solicitation provided for by this subchapter shall be in the possession of the solicitor at all times during solicitation

Dates and Hours of Solicitation:

1. No permits shall be granted on weekends on which community events are held, which include, but is not limited to the Gourd Show, Homecoming, Octoberfest or any other festival as determined by the City Commission.

2. Solicitations shall only be conducted in the months of March thru October.

3. No one organization shall be allowed to conduct more than 3 solicitation events in one calendar year.

4. Only 2 weekends per month shall be made available for solicitations on a first come first serve basis.

5. Solicitations will only be allowed to take place on Fridays, Saturdays, and Sundays.

6. Permits shall be issued for a maximum of 8 consecutive hours.

7. All solicitations shall be between one hour after sunrise and one hour before sunset.

Safety Requirements

1. Safety Clothing – All solicitors shall wear reflective vests and shall remain in areas marked by safety barriers, highway cones or similar devices.

2. Safety Devices – Appropriate safety barriers, highway cones or other appropriate devises as approved by the City through its Police Chief shall be placed at the appropriate location.

3. A 2' x 2' sign shall be placed at least 300 feet in advance of the intersection in all four directions in order to warn drivers. The sign must have the organizations name and the purpose of the solicitation.

4. The number of parked vehicles belonging to those collecting funds, allowed in the right of way, shall be limited to five.

5. No more than 12 individuals may be in the right of way at any time.

6. No solicitation shall take place during unsafe weather conditions as determined by the Chief of Police or members of the Taylorsville Police Department.

Miscellaneous

1. No individual under the age of 12 shall be allowed to engage in solicitation.

2. No individual under the age of 18 shall be allowed to engage in solicitation unless directly supervised by an adult.
3. Direct supervision shall be defined as "an adult being in close proximity with each individual engaged in solicitation".

Review and Approval of Application

1. Prior to being presented to the City Commission, applications for permits shall be reviewed by the City Clerk and Police Chief.
2. Applications shall then be forwarded to the City Commission for final review and disposition prior to the issuance of permit.

Penalties:

Any person, organization or entity who engages in solicitation without a permit, or who falsifies an Application for a permit, or who otherwise violates any terms of this Ordinance shall be issued a citation and upon conviction shall be fined not less than twenty-five dollars ($25.00) nor more than five hundred ($500.00) each day of violation with each day to constitute a separate offense, plus court costs. All fines shall accrue to the benefit of the City of Taylorsville and shall be deposited to the City's General Fund.

Inconsistent Ordinances:

Any Ordinance inconsistent herewith is hereby repealed.

Construction and Severability:

If any provision of this ordinance is held to be invalid, the validity of the remaining provisions shall not be affected and shall remain in effect. Further, if the application of the solicitation ordinance to any person or circumstances is held to be invalid, the application to other persons or circumstances shall not be affected.

Effective Date:

This Ordinance shall take effect from and after its passage and publication.

Enacted this the 23rd day of June, 2011, by the City of Taylorsville.

CITY OF TAYLORSVILLE, KENTUCKY

**DON PAY**, Mayor

ATTESTED BY:

**STEPHEN A. BIVEN**, City Clerk

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| Date of First Reading | 6/7/2011 |
| Date of Second Reading | 6/23/2011 |
| Date Published | 6/29/2011 |