

ORDINANCE NO. 20-2015

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 78, PEDDLERS AND SOLICITORS; ARTICLE III, CHARITABLE SOLICITATIONS; SECTION 78-77, DEFINITIONS, SO AS TO EXEMPT CERTAIN COLLECTIONS FROM THE DEFINITION OF SOLICIT AND SOLICITATION; AMENDING SECTION 78-106, PERMIT FORM, DURATION, SO AS TO PROVIDE THAT THE LIMITATIONS ON NUMBER OF EVENTS SHALL NOT APPLY TO BUSINESSES RAISING FUNDS FOR CHARITY THROUGH PERCENTAGE OF SALES; INCLUDING A NEW SECTION 78-113, ENTITLED PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 78, Peddlers and Solicitors; Article III, Charitable Solicitations; Division 1, Generally; Section 78-77, Definitions, to amend the definition of solicit and solicitations to read as follows:

Sec. 78-77. - Definitions.

Solicit and *solicitation* mean the request, either directly or indirectly, for money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable purpose. *Solicit* and *solicitation* shall not include food drives, toy drives or school supply collections traditionally undertaken in the town prior to the adoption of this ordinance.

Section .2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 78, Peddlers and Solicitors; Article III, Charitable Solicitations; Division 2, Permits; Section 78-106, Permit form, duration, to read as follows:

Sec. 78-106. - Permit form, duration.

Permits issued under this article shall bear the name and address of the person by whom the solicitation is to be made, the number of the permit, the date issued, the dates within which the permit holder may solicit, and a statement that the permit does not constitute an endorsement by the town or the town council of the purpose of, or the person conducting the solicitation. All permits shall be signed by the town clerk and shall be in effect for the time stated thereon, but in no event shall the permit be valid beyond 12 months from the date of issuance, and in no event shall the permits be valid for more than two events during the 12 month period from the date of issuance. This limitation shall not apply to organizations which receive financial support from the town through its budgeting process or to businesses located within the town which raise funds for charity as a percentage of sales of merchandise.

Section 3. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 78, Peddlers and Solicitors; Article III, Charitable Solicitations; Division 2, Permit, to include a new Section 78-113, Penalties, to read as follows:

Sec. 78-113. Penalties.

Any person, organization, corporation, agency, or entity that engages in charitable solicitation without having first obtained a valid permit shall be assessed a penalty, in accordance with the fee schedule adopted by the town council by resolution as may be amended from time to time.

Section 4. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

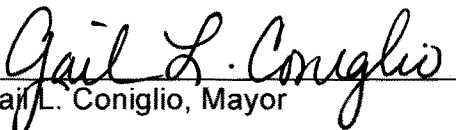
Section 6. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.


PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 11th day of August, 2015, and for second and final reading on this 10th day of September, 2015.


Gail L. Coniglio, Mayor


Michael J. Pucillo, Town Council President


Richard M. Kleid, Council President Pro Tem


Danielle H. Moore, Town Council Member


Penelope D. Townsend, Town Council Member


Robert N. Wildrick, Town Council Member


Susan A. Owens, MMC, Town Clerk