

Amendment to Chapter 9 of the ordinances of the Town of Thunderbolt.

It hereby ordained at a duly called meeting or a regular meeting of the Mayor and Council of the Town of Thunderbolt that chapter 9 (general offenses) of the ordinances of the Town of Thunderbolt is hereby amended by adding a new section to be designated section 9 – 112 which shall read as follows:.

Section 9 – 112: Peddlers, Solicitors and Canvassers:

(A) Definitions:

The following words, terms and phrases when used in this section shall have the meanings set forth herein except where the context clearly indicates a different meaning:

(1) Booth and stand mean any table, shelf, counter, cart or other facility, whether mobile or fixed, which is placed on a street or other public place within the Town of Thunderbolt for the purpose of selling or offering to sell any goods or services to the public, or for soliciting for any purpose.

(2) Peddler means a person who has no permanent, or regular place of business within the Town and who engages in the business of selling or offering to sell goods or services by going from place to place within the Town.

(3) Solicitor means any person who solicit subscriptions by going from place to place within the Town and who offers for sale subscriptions to magazines or subscriptions for other items or services.

(4) Solicitor for charitable or religious purposes means any person who solicits contributions from the public either on the streets of the city or door-to-door, for any charitable or religious organization and who does not sell or offer to sell any item at a cost to a purchaser. No qualification as a charitable or religious organization shall exist unless the solicitor for a charitable or religious purposes is able to demonstrate a current exemption certificate from the Internal Revenue Service pursuant to section 501 (c) (3) of the Internal Revenue Code.

(5) Canvasser means any person who is not engaged in the business of selling or offering either goods or services but is seeking only to obtain information or data for an educational or governmental purpose.

(6) Panhandler shall mean any person maintaining a position on any street, alley, avenue, court, sidewalk or public right away or any other public place within the Town seeking contributions of money, food or handouts of any sort from the general public.

(B) Prohibition:

It shall be unlawful to be a peddler or solicitor (except a solicitor for charitable or religious purposes) within the Town limits of the Town of Thunderbolt. It shall also be unlawful to be a panhandler within the Town limits of the Town of Thunderbolt.

(C) Permitted Activities:

(1) Operating food trucks is permitted within the Town limits of the Town of Thunderbolt provided a proper permit has been issued after application for a permit has been made. The permit will set forth the specific date or dates, place and hours of operation that are allowed.

(2) Soliciting for charitable or religious purposes is permitted provided a permit has been issued after application for such permit has been made.

The permit for such activity shall expressly state the date or dates and hours of the day during which such solicitation shall occur.

(3) Canvassing for educational or governmental purposes is permitted provided a permit has been issued for such activity by the Town of Thunderbolt. The permit shall expressly state the date or dates and hours of the day during which such canvassing shall occur.

(4) Selling or offering to sell goods or services at a special event is permitted provided the special event has been permitted by the Town of Thunderbolt.

(5) Selling or offering to sell good or services from booths or stands shall be allowed on a temporary basis provided a permit has been issued after an application for such activity has been made. The permit shall expressly state the place for such booth or stand, the date or dates and hour of the day during which such activity shall occur.

(D) Permits:

Applications for permits for allowed activities set forth in this ordinance shall be obtained from the Clerk of the Town of Thunderbolt. The permit shall be approved by the Town Administrator or the Mayor and Council if the Town Administrator seeks Mayor and Council advise on any requested permit. The person or persons granted any permit shall have such permit with them at all times during the permitted activity. Fees for any such permit shall be as set forth on a fee schedule kept by the Clerk of Council and established by the Mayor and Council from time to time.

(E) Penalty:

Any person violating with the provisions of this ordinance shall be subject to a fine not to exceed \$1,000 per occurrence. Each day of activity shall be considered a separate occurrence.