

AN ORDINANCE TO REGULATE CANVASSERS

WHEREAS the Supreme Court of the United States has ruled on the legality of regulation of Canvassers by local communities and has determined that such regulation is extremely limited.

Be it enacted Article II Section 4-10 through 4-21 of the Town Code are repealed and replaced with the following:

§ 4-10 NO REGISTRATION OF CANVASSERS.

Persons may canvas within the corporate limits of the town without registering or paying a fee. However, canvassers will be subject to the conduct rules contained in this article.

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§ 4-11 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CANVASSER. Any person, whether acting on their own or on behalf of another person, corporation or other entity who engages in canvassing as herein defined.

CANVASSING. Any act of a person going from house to house, door to door, or business to business for any purpose including, but not limited to, the conducting of a survey, the dissemination of any written materials, objects or products and any act of solicitation including solicitation of information.

§ 4-12 CONDUCT REGULATIONS.

The following regulations shall govern the conduct of registrants hereunder.

- (A) It shall be unlawful for any canvasser to call at any dwelling, business or other place before 9:00 A.M. and after 9:00 P.M., except by appointment. It shall be unlawful for any canvasser to enter upon any residential or business premises where the owner, occupant or person legally in charge of the premises has posted at the entry to the premises, or at the entry to the principal building on the premises, a sign bearing the words "No Solicitors" or words of similar import.
- (B) It shall be unlawful for any canvasser to remain on any premises after being asked to leave by the owner, occupant or other person having authority over the premises.

- (C) It shall be unlawful for any canvasser to misrepresent or make false, deceptive or misleading statements while engaged in canvassing, the purpose of his or her visit, his or her identity or the identity of the organization he or she represents.
- (D) It shall be unlawful for any canvasser to impede the free use of sidewalks and streets by pedestrians and vehicles.
- (E) It shall be unlawful for any canvasser to allow any written materials or other rubbish or litter to be dropped, thrown or left on the sidewalks, streets, yards, vehicles, park, residences or businesses within the corporate limits of the town.

§ 4-13 PENALTY.

It shall be unlawful for canvassers to violate the conduct rules contained in § 4-12. Canvassers who violate the rules contained in § 4-12 shall be subject to and pay a fine in the amount of \$100. All fines shall be paid to the Clerk-Treasurer within ten days of the violation.

§ 4-14. § 4-21 RESERVED.

This ordinance is hereby passed and adopted at the meeting of the Town Council of the Town of Cloverdale, Indiana this _____ day of _____, 2008.

By: _____
 _____, President

ATTEST:

 _____, Clerk-Treasurer