



City of Columbia City
Door to Door Solicitation and Peddling
112 S. Chauncey Street, Columbia City, IN 46725
Phone: 248-5100 • Fax: 248-5105

Applicant Name: _____

Address: _____

Phone Number: _____ Birthdate: _____

Company Name: _____

Address: _____

Contact Name: _____

Contact Number: _____

Items being sold: _____

Selling date(s): _____

Selling location: _____

Vehicle description used for selling: _____

License plate number: _____

Names of People Selling: _____

Fees: \$10 per day; \$15 per week; \$30 per month; \$100 per year (Jan 1 – Dec 31)

****For office use only****

Date Permit Issued: _____ Amount Pd: _____

Effective: _____ Expires: _____

ORDINANCE NO. 2019- 07

AN ORDINANCE REGULATING DOOR-TO-DOOR SOLICITATION AND PEDDLING
FOR THE CITY OF COLUMBIA CITY, INDIANA

Whereas, the Common Council of the City of Columbia City, Indiana, is concerned for the health, safety, peace and welfare of the citizens of the City of Columbia City, Indiana; and

Whereas, in order to protect the unique character of the City of Columbia City, the City finds it necessary to regulate door-to-door solicitation and door-to-door peddling inside the City's jurisdictional limits; and

Whereas, the Common Council now determines it to be in the best interest of the City to establish guidelines for the registration of solicitors and/or peddlers going door-to-door and for issuance of registrations regulating the solicitation of City residents in their homes by persons and/or businesses within the City's jurisdictional limits.

Now, therefore, it is hereby ordained by the Common Council of the City of Columbia City, Indiana, that:

Section 1. A new Chapter shall be added to Title XI and shall be entitled Door-to-Door Solicitation. References to door-to-door solicitation in Chapter 112, shall be replaced with the new provisions relating to door-to-door solicitation set forth herein.

Section 2. Definitions. The following terms shall have the following meanings:

“Political” means on behalf of a political party or candidate or for the purpose of influencing legislation or personal belief.

“Religious” means on behalf of an established religion which means a particular system of faith and worship recognized and practiced by a particular church, sect or denomination.

“Door-to-Door Solicitation”

(a) Means the act of any person traveling by foot, vehicle or any other type of conveyance who goes on private property to:

(1) Request, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value;

(2) Take or attempt to take orders for the sale of any goods, wares, merchandise or services of any kind, or description for future delivery or for services to be performed in the future either in person or by distributing flyers and leaflets.

(b) Does not mean the following:

- (1) A person communicating or otherwise conveying or receiving ideas, views or beliefs or otherwise disseminating oral or written information to a person willing to directly receive such information, provided that such information is of a political, religious or charitable nature;
- (2) Does not include a realtor or auctioneer conducting private listings or auctions of real or personal property.
- (3) A person conducting a poll, survey or petition drive with regard to any political matter;
- (4) A person carrying, conveying, delivering or transporting food or beverage products, newspapers or other goods to regular customers on established routes or to the premises of any person who had previously ordered such products or goods is entitled to receive the same;
- (5) Any person exempted from this Chapter's requirement under Ind. Code 8-1-34-30.
- (6) Fund-raisers by or for any school district, 501c3 charitable organization, service club having national affiliation or church, as long as such organization, school, club or church is located within the City or its jurisdictional limits;
- (7) Any person who is an owner or employee of an established business located in a permanent structure or building within the City's jurisdictional limits where the solicitation is in direct relation to the owner's or employee's business activities within the City.
- (8) Fund-raisers by or for any neighborhood association where solicitation occurs within the specific neighborhood association boundaries; or
- (9) Fund-raisers by or for any municipal department of the City.

"Door-to-Door Solicitor" means a person, whether a resident of the City or not, engaged in door-to-door solicitation. In addition, a Door-to-Door Solicitor may also be considered a Peddler or Transient Merchant as defined in Indiana Code 25-37-1 et al., which includes any method of selling goods, wares, or merchandise door to door in the City jurisdictional limits of Columbia City, Indiana. **A solicitor or panhandler conducting solicitation for money or other objects of value where no license or Permit is applicable are defined and regulated in Chapter 130 (130.30-130.32), governing Panhandling and Solicitation.**

Section 3. Registration/Fees. All persons engaged in Door-to-Door Solicitation as regulated by this Chapter must first register with the City's Clerk-Treasurer's Office. Each person or entity soliciting or peddling door-to-door shall pay a registration fee prior to commencement of any door-to-door solicitation or door-to-door peddling as follows:

- (a) \$10.00 per day;
- (b) \$15.00 per week;
- (c) \$30.00 per month; or
- (d) \$100.00 per year.

Persons and/or organizations exempt from this Chapter who intend to engage in door-to-door solicitation and/or peddling must still register with the Clerk-Treasurer's Office but shall not be required to pay any registration fee as set forth above.

Section 4. Registration Procedures. Each person and/or entity seeking to engage in door-to-door solicitation and/or peddling shall provide the Clerk-Treasurer with the following information under oath or affirmation on duplicate forms to be prescribed from time to time and furnished by the Clerk-Treasurer:

(a) The name, address and phone number of the person or entity, if any, on whose behalf the registrant is soliciting;

(b) The name, address and phone number of the immediate supervisor of the registrant, if any, or, in the alternative, the responsible party the City should contact in the event of any question, issue, event or altercation occurring in the City or on the private property of a resident of the City;

(c) The type of goods or services for which the registrant is soliciting orders, if applicable;

(d) The geographic area/s within the City that the registrant will be soliciting;

(e) A copy of any business or commercial license which the registrant is required to have in the City and/or Whitley County, Indiana;

(f) The time period that the registrant will be engaging in solicitation within the City; and

(g) A valid government photo ID or driver's license.

Section 5. Organizational Registration. In addition to the above (as applicable), the Clerk-Treasurer may allow one person to file on behalf of all persons soliciting for one organization, corporation, other type of entity or association. The registrant must provide valid government photo IDs or drivers' licenses of persons soliciting with the organization and supply the name of the supervisor of the persons and the geographic area/s in which

each person will be soliciting. The registrant must amend the information provided to the Clerk-Treasurer to reflect changes that occur.

Section 6. Copy of Registration to Police. The Clerk-Treasurer shall transmit a duplicate copy of each registration form to the City Police Chief, who shall also keep a file of such registration forms.

Section 7. Time Restraints. Door-to-door solicitation may only occur between 9:00 A.M. and 6:00 P.M.

Section 8. Duration of Registration. Each registration form is valid from the date of issue through December 31st of the year of issue. After December 31st of each year, if future registration is desired, a new registration with applicable fee must be obtained.

Section 9. Solicitation Restrictions/Requirements. The following restrictions and/or requirements will be placed on each registrant door-to-door solicitor:

(a) Solicitors shall supply themselves with ID cards identifying themselves and/or the organization or entity on whose behalf the solicitor is soliciting and shall display such cards in a visible manner;

(b) Solicitors will in no way express that the City or any government agency or any other organization (other than their own) is sponsoring and/or connected with their activities;

(c) Solicitors shall not engage in any deliberate touching of non-consenting persons; and

(d) If posted or requested by a property owner to leave, solicitors must immediately leave the premises.

Section 10. Penalty for Violations. Any person, persons, firm, school, club, corporation or other entity type, or organization violating this Chapter shall be fined \$100.00 for each day the violation occurs and shall have all registration approvals revoked until such time as the City deems no violation continues to exist and/or that the City has determined that the violator has provided sufficient assurances that no violation will occur if registration is reinstated.

Section 11. Miscellaneous.

(a) The expressed or implied repeal or amendment by this Ordinance of any other ordinance, or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this Ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinances as if this ordinance had not been adopted.


(b) Should any provision (section, paragraph, sentence, clause, or any other portion) of this Ordinance be declared by a court of competent jurisdiction and to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Common Council in adopting this Ordinance. To this end, the provisions of this Ordinance are severable.

(c) This Ordinance shall be in effect from and after its passage by the Common Council of the City of Columbia City, Indiana, and in compliance with Indiana Code 36-5-2-10.


This Ordinance is hereby adopted at the duly noticed and regularly scheduled meeting of the Common Council of the City of Columbia City, Indiana held on this 23 day of April, 2019.

COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA, BY:

Daniel Weigold



Theodore J. Varga, Jr.



Walter C. Crowder

Jennifer B. Zartman-Romano



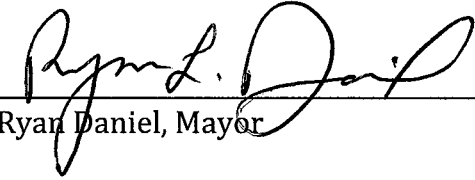
Nicole Penrod

ATTEST:



Rosie Coyle, Clerk-Treasurer

APPROVED AND SIGNED by me this 23rd
day of April, 2019.



Ryan Daniel, Mayor