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AN ORDINANCE REGULATING AND PERMITTING CHARITABLE,
RELIGIOUS, SOCIAL AND PHILANTHROPIC SOLICITATIONS
WITHIN BERLIN BOROUGH

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WHEREAS, the Borough of Berlin has from time to time and with increasing frequency been the situs of various campaigns and solicitations by numerous charitable, religious, social and philanthropic organizations, said campaigns and solicitations having as their object the collection of money, goods or other thing of value; and,

WHEREAS, the Borough of Berlin has received numerous inquiries as to the nature of various campaigns and solicitations, the organizations sponsoring the same, the legitimacy of the same and the identity of solicitors; and,

WHEREAS, the Borough of Berlin has received complaints of patent misrepresentations made by various solicitors, as well as complaints of solicitations at unusual hours and times; and,

WHEREAS, the Berlin Borough Council is aware of the fact that some persons pose as solicitors for the purpose of gaining access to businesses and residences in furtherance of criminal activity; and,

WHEREAS, the Berlin Borough Council deems it in the best interest of the health, welfare and safety of its citizens to permit and regulate charitable, religious, social and philanthropic solicitations within the Borough of Berlin.

NOW THEREFORE, be it enacted by the Borough of Berlin and it is hereby ordained and enacted by authority of the same as follows:

SECTION ONE - PROHIBITION WITHOUT PERMIT. From and after the date hereof it shall be unlawful for any person or charitable, religious, social or philanthropic organization to solicit money, goods or other thing of value for a charitable, religious, social or philanthropic purpose, for or without a consideration therefore, within the Borough of Berlin without first having obtained from the Borough of Berlin a permit to do so.

SECTION TWO - APPLICATION AND PERMIT. The application for permission to solicit as aforesaid shall be available at the Borough offices during regular business hours. The applicant shall set forth succinctly and clearly on the application form provided applicant's name and address, the name and address of the charitable, religious, social or philanthropic organization sponsoring the campaign or solicitation, the date or dates of the campaign or solicitation, the purpose of the campaign or solicitation and the names and addresses of any and all persons who will be campaigning or soliciting within the Borough. Upon satisfactory completion of the application, the Borough shall forthwith and immediately issue the permit to each such person named as a solicitor, without cost or charge to the applicant or the charitable, religious, social or philanthropic organization sponsoring the campaign or solicitation.

SECTION THREE - DAYS AND HOURS OF SOLICITATION. It shall be unlawful for any person or charitable, religious, social or philanthropic organization obtaining the permit as aforesaid to solicit money, goods or other thing of value for any of the stated purposes and for or without a consideration therefore at any time on any date not included on the application or permit or any date between the hours of 8:00 P.M. and 9:00 A.M., prevailing time.

SECTION FOUR - MISREPRESENTATION ON APPLICATION OR TO PUBLIC; EXHIBITING PERMIT. It shall be unlawful for any person or charitable, religious, social or philanthropic organization obtaining the permit as aforesaid to falsely mistate or misrepresent any information on the application for permit

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or to falsely misrepresent to any member of the public his name and address, the name and address of the charitable, religious, social or philanthropic organization sponsoring the campaign or solicitation or the purpose of the campaign or solicitation, or to fail or refuse to exhibit his permit, upon request by any member of the public from whom he is soliciting or attempting to solicit any money, goods or other thing of value.

SECTION FIVE - PENALTY FOR VIOLATION. Any person or charitable, religious, social or philanthropic organization violating any of the provisions of this Ordinance shall be guilty of a summary offense and upon conviction thereof shall be sentenced to pay a fine of not less than Ten and no/100 (\$10.00) Dollars nor more than Three Hundred and no/100 (\$300.00) Dollars or undergo imprisonment for a period of time not in excess of ninety (90) days, or both.

SECTION SIX - REPEALER. All Ordinances or parts thereof inconsistent herewith be and the same are hereby repealed.

Adopted by council, this 4th day of SEPTEMBER, 1979.

ATTEST:

BOROUGH OF BERLIN

Henry A. Claycomb
Borough Secretary

By Andrew N. Dertu
President of Council

(SEAL)

Approved, this 4th day of SEPTEMBER, 1979.

R. Paul Scapron

Mayor of the Borough of Berlin