



ESTABLISHED 1683

Giovanna Iacono, PE, MBA
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VICE-CHAIRMAN

Michael D'Agostino, Esq.
SUPERVISOR

Chuck Dennie, PE
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Stephanie DerOhannessian, MB
SUPERVISOR

**BETHEL TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE No. 240**

AN ORDINANCE OF BETHEL TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA AMENDING CHAPTER 303 OF THE CODE OF BETHEL TOWNSHIP TO REGULATE COMMERCIAL PEDDLING AND SOLICITATION WITHIN THE TOWNSHIP.

WHEREAS, Chapter 303 of the Code of Bethel Township (the "Code") regulates commercial peddling and solicitation in the Township;

WHEREAS, Section 303-6 of the Code prohibits solicitation between the hours of 6:30 PM and 9:30 AM;

WHEREAS, analogous regulations of commercial speech have been declared unconstitutionally restrictive by district and circuit courts throughout the United States;

WHEREAS, this Board of Commissioners desires to establish regulations that serve the legitimate government purposes or protecting the safety, security and privacy of Township residents while fairly balancing the rights of purveyors of goods and services.

NOW, THEREFORE, be it ORDAINED that:

1. Amendment to Section 303-5 of the Code. Section 303-5 of the Code is hereby amended to read as follows:

§303-5 Enforcement of "No Solicitation Signs and Do Not Knock Registry."

(a) The owners or lawful occupants of any premises within the Township not desiring to have persons enter onto their premises may post on such premises a legible sign stating either "No Solicitors" or "No Solicitations." Any Transient Merchant who shall enter upon the premises in defiance of such sign shall be in violation of this section and shall be liable to the penalty provided in § 303-9.

(b) Do Not Knock Registry.

(1) The Township shall hereby create and manage a "Do Not Knock Registry" for those landowners, lawful occupants and residents of the Township who do not wish to be contacted by Transient Merchants at their properties.

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- (2) Any person in lawful possession and occupancy of any business, residence, house, apartment, or other dwelling unit in the Township may request to have their address placed on the Do Not Knock Registry by submitting a request in writing to the Township Secretary, or registering on-line, as provided by the Township. The written or on-line submission shall include:
 - a. The name and signature of the person completing the form;
 - b. The complete address of the business, residence, house, apartment, or other dwelling to be placed on the Do Not Knock Registry;
 - c. The date that the form was completed; and
 - d. A statement that the individual, being authorized to do so by all occupants of the residence, requests that no solicitors or peddlers enter the above-referenced property or otherwise attempt to solicit, peddle, or distribute thereon.
- (3) A resident's listing on the Do Not Knock Registry shall be effective thirty (30) days from the date of their submission of the same to the Township Secretary in writing or on-line. The listing shall remain on the Do Not Knock Registry unless and until a request to remove the same is submitted pursuant to subsection 4 below.
- (4) Any person in lawful possession and occupancy of any business, residence, house, apartment, or other dwelling unit in the Township may request to have their address removed from the Do Not Solicit Registry by submitting a request in writing to the Township Secretary or on-line, as provided by the Township. Such a request shall include all the information set forth in subsection (2) above, together with an affirmative statement that the individual, being authorized to do so, requests that the property be removed from the Do Not Knock Registry. A request to be removed from the Do Not Knock Registry shall become effective (7) days after receipt by the Township.
- (5) The Township shall monitor property transfers and, upon becoming aware of a change in legal occupant of a property, remove it from the Do Not Knock Registry until such time as it is registered by the new legal occupant.

Any non-exempt Peddler who shall enter upon a property listed on the Do Not Knock Registry shall be liable to the penalty provided in § 303-9

2. Amendment to Section 303-6 of the Code. Section 303-6 of the Code is hereby amended to read as follows:

§ 303-6 Hours of Operation.

No Peddling activity shall occur between the hours of 9:00 PM and 9:30
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AM.

3. Amendment to Section 303-7 of the Code. Section 303-7 of the Code is hereby amended to read as follows:

§303-7 Exemptions. No permit shall be required under this chapter to:

- A. Peddling for a charitable, educational or religious purpose, and the Peddler exhibits, at the time of solicitation, documentation, in writing, which identifies that person as a representative of the charitable, educational or religious organization for whom that person is Peddling. Said documentation shall include any certificates issued by an appropriate governmental authority which are current and verify the nonprofit status of the organization. In addition, the Township may, at its discretion, require any exempt organization to provide a complete list of names and addresses of Peddlers or potential Peddlers by the organization prior to any Peddling.
- B. Peddling by a person on a property by invitation of the person residing on such property.
- C. Sales made to dealers by commercial travelers or sales agents in the usual course of business, calling upon or dealing with manufacturers, wholesalers, distributors or retailers at their places of business.
- D. Canvassing in support of a political candidate or cause.

4. Amendment to Section 303-8.B of the Code. Section 303.8.B of the Code is hereby amended to read as follows:

- B. Any permit issued pursuant to this article shall be always displayed and worn by Transient Merchants in a Township-provided lanyard when Peddling activity is being conducted within Bethel Township.

5. Repealer. All ordinances and resolutions in direct conflict with any provision of this Ordinance are hereby repealed to the extent of such inconsistencies only.

6. Effective Date. This Ordinance shall be effective five (5) days after its enactment.

Enacted and Ordained this 14th day of May 2024.

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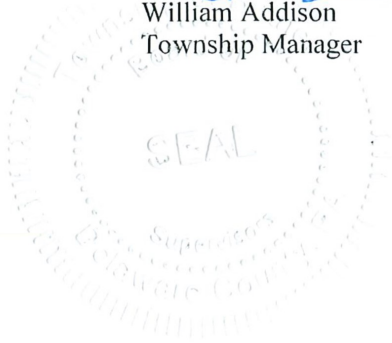
Stephanie DerOhannessian, MB
SUPERVISOR

Bethel Township Board of Supervisors

Giovanna Iacono
Chair

Attest:

William Addison
Township Manager



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