

**BOARD OF SUPERVISORS
LOWER SALFORD TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2024-03

Solicitation Ordinance Amendment

AN ORDINANCE AMENDING CHAPTER 121 (PEDDLING AND SOLICITING) TO AMEND THE DEFINITION OF SOLICITING AND PEDDLING IN SECTION 121-1 TO DELETE THE REFERENCE TO EXEMPT PERSONS, TO AMEND SECTION 121-2 TO PROVIDE FOR AN EXEMPTION FROM REGISTRATION REQUIREMENTS FOR RELIGIOUS AND POLITICAL SOLICITING AND PEDDLING SUBJECT TO COMPLIANCE WITH ALL OTHER REGULATIONS OF CHAPTER 121, TO AMEND SECTION 121-3.A. TO ESTABLISH AN APPLICATION FEE FOR REGISTRATION WITH THE TOWNSHIP, TO AMEND SECTION 121-5 TO ADD TIME RESTRICTIONS AND TO PROHIBIT SOLICITING AND PEDDLING ON PROPERITIES WITH NO SOLICITATION SIGNS POSTED, TO DELETE AND REPLACE SECTION 121-7 (EXEMPTIONS) WITH NO SOLICITATION SIGN REGULATIONS, AND TO AMEND THE VIOLATIONS AND PENALTIES STATED IN SECTION 121-9.

The Board of Supervisors of Lower Salford Township does hereby **ENACT** and **ORDAIN**:

SECTION I. – Amendment to Code

The Code of the Township of Lower Salford, Chapter 121 (Peddling and Soliciting), Section 121-1 (Definitions) is hereby amended to delete Subsection C of the definition of “Soliciting and Peddling”.

SECTION II. – Amendment to Code

The Code of the Township of Lower Salford, Chapter 121 (Peddling and Soliciting), Section 121-2 (Registration required) is hereby amended as follows:

- A. No person shall engage in soliciting or peddling in the Township of Lower Salford without first registering with the Township Police Department. Persons so registered shall be permitted to conduct such soliciting and/or peddling within the Township of Lower Salford insofar as that activity does not violate private property statutes or normal community standards of behavior and personal conduct or such statutes governing public behavior or conduct.
- B. A person advancing religious or political causes and proselytizing with regard thereto shall be exempt from registration requirements but shall otherwise be subject to the regulations set forth in this Chapter.

SECTION III. – Amendment to Code

The Code of the Township of Lower Salford, Chapter 121 (Peddling and Soliciting), Section 121-3.A. (Contents of application for registration) is hereby amended to add the following subsection:

- (11) Application fee. Fees for the application for registration shall be established from time to time by the Board of Supervisors for Lower Salford Township.

SECTION IV. – Amendment to Code

The Code of the Township of Lower Salford, Chapter 121 (Peddling and Soliciting), Section 121-5 (Restrictions) is hereby amended to add the following subsections:

- F. Time Limitations. No person engaged in soliciting or peddling shall engage in any door-to-door solicitation and no peddler shall enter upon the premises of another person prior to 10:00 a.m. or after 8:00 p.m. prevailing time.
- G. No Solicitation Signs. No person engaged in soliciting or peddling shall engage in any door-to-door solicitation, and no peddler shall enter, upon any premises in the Township which has a “No Solicitation” sign.

SECTION V. Amendment to Code

The Code of the Township of Lower Salford, Chapter 121 (Peddling and Soliciting), is hereby amended to delete Section 121-7 (Exemptions) in its entirety and replace Section 121-7 with the following:

§ 121-7. No Solicitation Signs.

Any owner or lawful occupant of any premises within the Township not desiring to have persons enter onto their premises may post on such premises a legible sign stating "No Solicitors," "No Solicitation," or words of similar meaning. Any solicitor and peddler who shall enter upon a premises in defiance of such sign shall be in violation of this Chapter and shall be liable for the penalty provided in Sections 121-8 and 121-9.

SECTION VI. – Amendment to Code

The Code of the Township of Lower Salford, Chapter 121 (Peddling and Soliciting), is hereby amended to delete and replace Section 121-9 (Violations and penalties) as follows:

§ 121-9. Violations and penalties.

Any person who shall violate any provision of this Chapter, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of \$1,000 per violation, plus court costs and imprisonment to the extent allowed by law for the punishment of summary offenses. Each day that a violation of this Chapter continues shall constitute a separate offense.

SECTION VII. Severability

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION VIII. - Failure to Enforce not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION IX. - Effective Date

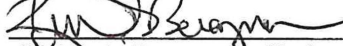
This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION X. - Repealer

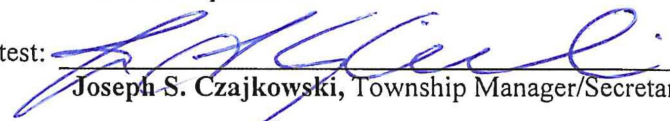
All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Salford Township, Montgomery County, Pennsylvania, this 3rd day of July, 2024.

LOWER SALFORD TOWNSHIP

By: 

Keith A. Bergman, Chairman,
Board of Supervisors

Attest: 

Joseph S. Czajkowski, Township Manager/Secretary