

ORDINANCE NO. 51-2013

AN ORDINANCE AMENDING CHAPTER 20, SECTION 20-3

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA,

Section 1. That Chapter 20, Section 20-3 of the Code of Ordinances for the City of Montgomery, Alabama be amended to state the following:

Sec. 20-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Canvassing means asking for opinions or preferences and sharing or presenting opinions, preferences, advertising, messages, information, or ideas, orally or in writing.

Peddling means going from place to place seeking to sell, marketing, or trading goods or services.

Residence means any property zoned for residential use or used as a residence including, but not limited to, single-family and multifamily dwellings, apartments, townhouses, and mobile homes.

Selling means marketing or offering to contract with or contracting for the exchange of goods or services for money or anything of value.

Soliciting means asking for anything including, but not limited to, contributions, votes, money, signatures, opinions, preferences, appointments, or the opportunity to share or present an opinion, preference, message or idea.

Sec. 20-2. - Finding.

The entering into residential property by peddlers, canvassers, solicitors, and transient vendors of goods and services is a matter of public concern, necessitating the reasonable regulations of this chapter for such conduct for the preservation of the privacy and safety of the citizens of the city.

Sec. 20-3. - Limit on hours.

It shall be unlawful for any individual to approach the door or enter upon the property of any residence in the city for the purpose of canvassing, peddling, selling, or soliciting, except on Monday through Friday between the hours of 4:00 p.m. and 7:00 p.m., on Saturday between the hours of 10:00a.m. and 6:00 p.m., and on Sunday between the hours of 1:00 p.m. and 6:00 p.m. unless the individual does so by express invitation or with the express permission of the owner or legal occupant of the residence.

Sec. 20-4. - Limit on numbers.

It shall be unlawful for more than three people to simultaneously, i.e., as a group, approach, at any time, the door or enter upon the property of any residence, unless invited or with the express permission of the owner or legal occupant, to canvas, peddle, sell or solicit.

Sec. 20-5. - Posting of signs.

It shall be unlawful for any individual to seek to canvas, peddle, sell or solicit at a residence or place of business that has a sign on the property forbidding or prohibiting canvassing, peddling, selling or soliciting including, but not limited to, signs stating "no solicitors," "no solicitation," "no peddling," or "no trespassers."

Sec. 20-6. - Prohibited acts.

It shall be unlawful for any individual engaged in door-to-door canvassing, peddling, selling or soliciting within the city to do any of the following:

- (1) Intentionally cause confusion or misunderstanding about the individual's affiliation, connection, or association with another individual, group, or organization.
- (2) Knowingly make false, misleading, or deceptive representations including, but not limited to, presenting invalid or false identification, about the individual or any goods or services.
- (3) Represent, directly or by implication, that the city endorses the solicitation, selling or peddling.
- (4) Refuse to immediately and peacefully leave a residence upon being asked to leave by the owner or a lawful occupant.

Sec. 20-7. - Compliance with other laws.

Nothing in this chapter shall relieve any individual or organization of compliance with the city's business and transient licensing ordinances.

Section 2. This Ordinance shall become effective September 26, 2013.

ADOPTED this the 17th day of September, 2013.

**/S/
TODD STRANGE, MAYOR**

ATTEST:

**/S/
BRENDA GALE BLALOCK, CITY CLERK**