

BOROUGH OF SWARTHMORE
ORDINANCE 1081

The Borough Council of the Borough of Swarthmore hereby enacts and ordains as follows:

Section 1: Definitions

As used in this chapter, the following terms shall have these meanings:

CANVASSER - One who engages in the practice of canvassing by going from dwelling unit to dwelling unit to:

- (1) Conduct surveys for research purposes (other than those conducted by an agency of the state or federal government);
- (2) Make analyses, take opinion polls, compile rating data;
- (3) Obtain or seek contributions for any person or organization or cause;
- (4) Advertise religious or political causes proselytizing with regard thereto; or
- (5) Conduct any similar work which, by its nature, involves door-to-door or place-to-place activity, including distribution of circulars, but not for commercial activity of any kind.

DOOR-TO-DOOR SOLICITATION - The activity of going onto the premises of other persons, without prior arrangement with the owner or occupant of such premises, for the principal purpose of the sale or taking of orders for future sales of any type of tangible goods, including, but not limited to, books, magazines, or other periodicals, or to enter into any agreement for the provision of services, or any combination of the sale of goods or provision of services, or the distribution of advertising circulars relating to the sale of goods or provision of services.

DOOR-TO-DOOR SOLICITOR - A person engaged in the activity of door-to-door solicitation.

STREET SALES - The activity of a person selling any goods from any type of portable stand or table or in a vehicle located on any street, roadway or public right-of-way, except a sidewalk abutting a property of which such person is the owner or a lawful occupant thereof.

Section 2: Permit required for door-to-door solicitations

A. Any person or organization intending to engage or to cause persons to engage in the activity of door-to-door solicitation, as defined in this chapter, prior to commencing such activity, shall obtain a permit from the Borough of Swarthmore and shall register with the Swarthmore Police Department. Such permit shall be issued only after the persons seeking to obtain such permit shall have provided both the form of identification deemed acceptable by the Borough and the current addresses of all persons who shall be engaged as door-to-door solicitors, and shall have completed such registration. In addition, the applicant shall execute an acknowledgment of receipt of the terms of this chapter with respect to private "No Solicitors," "No Solicitation" signs (or similar signs) at Borough residences.

B. Any person engaging in door-to-door solicitation or any organization employing any door-to-door solicitors that shall engage in such activity without obtaining the required permit shall be in violation of this chapter and shall be liable for the penalty provided herein.

C. Permits shall be issued on a weekly basis (Monday through Friday) and shall expire at the end of each week.

D. The terms of this section shall not apply to:

- (1) Boys or girls under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent the Boy Scouts and Girl Scouts or similar organizations and take orders for and deliver cookies and the like.
- (2) Persons defined as "canvassers" herein.
- (3) Bona fide candidates for elective office and/or their representatives.

Section 3: Time Limitations

No person shall engage in any door-to-door solicitation and no canvasser shall enter upon the premises of another person prior to 8:00 a.m. or after 9:00 p.m.

Section 4: Street sales prohibited

No person shall engage in any "street sales" as defined in this chapter unless specific permission has been obtained from the Borough.

Section 5: Enforcement of "No Solicitors" or "No Solicitation" signs

The owner or lawful occupant of any premises within the Borough not desiring to have persons enter onto his/her premises may post on such premises a legible sign stating either "No Solicitors," or "No Solicitation." Any door-to-door solicitor or canvasser who shall enter upon the premises in defiance of such sign shall be in violation of this section and shall be liable for the penalty provided herein.

Section 6: Violations and penalties

Any person violating any provision of this chapter shall be guilty of a summary offense and shall, upon conviction, be required to pay a fine of not less than \$100 nor more than \$300 and/or be sentenced to a term of imprisonment of not more than 30 days. Each and every violation of this chapter shall be punishable as a separate offense.

Section 7: Severability

The provisions of this ordinance are 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, or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

Section 8: Repealer


All resolutions or ordinances, or parts thereof, that are inconsistent herewith are hereby repealed to the extent of the inconsistency.

Section 9: Adoption

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

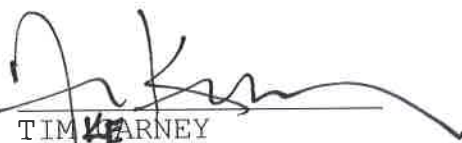
ENACTED AND ORDAINED THIS 18TH DAY OF DECEMBER, 2017.


SWARTHMORE BOROUGH COUNCIL

BY: 
DAVID L. GROVE
PRESIDENT

APPROVED THIS 18TH DAY OF
OF DECEMBER, 2017

ATTESTED THIS 18TH DAY
DECEMBER, 2017

BY: 
TIM FARNEY
MAYOR

BY: 
JANE C. BILLINGS
BOROUGH SECRETARY