

ORDINANCE 77-43

To Prohibit Soliciting in Roadways

WHEREAS, the Common Council finds that solicitation in roadways is dangerous to the public and interferes with ordinary travel;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION I. That Chapter 15.84 of the Bloomington Municipal Code, entitled, "Soliciting in Roadways", be added to read as follows:

Chapter 15.84, Soliciting in Roadways

Section 15.84.010 Definition. "Soliciting" shall mean and include any one or more of the following activities:

- (a) Seeking to obtain gifts or contributions for the support or benefit of any charitable or nonprofit association, organization, corporation, or project; or
- (b) seeking to obtain contribution, support, votes, or political support of any candidate; or
- (c) seeking to sell or obtain orders or subscriptions of goods, wares, merchandise, foodstuffs, publications, or services; or
- (d) seeking to distribute any advertising, literature, or other materials.

Section 15.84.010 Prohibited Activity - Violations - Penalties. Soliciting in the roadway is hereby prohibited in the City of Bloomington. Any person who violates any of the provisions of this Ordinance, shall upon conviction thereof, be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for a period not more than six months, or by both such fine and imprisonment.

SECTION II. Severability. If any section, sentence or provision of this Ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.


SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 19 day of May, 1977.



Thomas O Middleton, President
Bloomington Common Council

ATTEST:

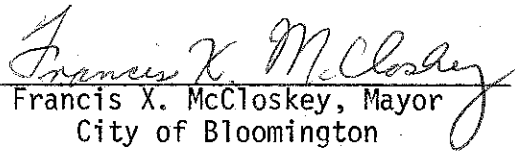

Karel Dolnick, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of May, at the hour of 11:00 a.m.



Nora M. Connors, Deputy City Clerk

SIGNED and APPROVED by me upon this 20 day of May, 1977, at the hour of 4 o'clock, p.m.



Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

Ordinance 77-43

To Prohibit Soliciting in Roadways

Indiana law provides municipalities with the authority to "regulate, license and prohibit the use of public ways by persons". The present ordinance, if passed, would prohibit the use of roadways for solicitation regardless of the purpose of such solicitation. (IC 18-101.5-8(d)).

I HEREBY MOVE THAT ORDINANCE # 77-43

BE INTRODUCED AND READ FOR FIRST READING BY TITLE

ONLY AT THE COUNCIL MEETING HELD ON May 5, 1977


Raymond W. Oelcott

(Signature)