

Chapter 6.56**CHARITABLE SOLICITATIONS****6.56.010 Purpose**

A. The purpose of this Chapter is to promote both legitimate solicitations for charitable purposes and sales solicitation for charitable purposes in accordance with the laws of California. (Ord. 90-31)

B. It is unlawful for any person to commerce, conduct, manage, participate in, advertise or sponsor solicitations for charitable purposes or sales solicitations for charitable purposes activity regulated by this Chapter without first having obtained an Operations Permit: Charitable Solicitation.

C. This Chapter shall take precedents over and supersede any other provisions of this Title which appear to regulate charitable solicitations.

D. Notwithstanding the provisions of this Chapter, proposed activities shall be subject to Zoning Regulations and Coastal Development requirements, pursuant to Title 30 of this Code. (Ord. 94-06)

6.56.020 Definitions. As used in this Chapter, terms shall be defined in accordance with the provisions of Article 1.3 of Chapter 1 of Part 3, Division 6 of the Business & Professions Code. (See § 17510, *et seq.*)

A. “Solicitor” includes a peddler, hawker, transient dealer, sales person or other itinerate vendor, or an interviewer as defined in this Chapter; or any person who sets up a temporary stand or goes to a house or dwelling or upon any public place for the purpose of selling services, or offers to sell, or selling by sample or take orders for, giveaway or otherwise dispose of any goods or anything of value, or who offers to distribute or delivers any coupons, certificate, handbill, ticket, token card, papers, circulars, chance coupon, magazine or other item which in turn is redeemable for goods. (Ord. 2007-03)

B. “House or dwelling” means any structure or building which has walls on all sides and is covered by a roof and which is intended for transient or permanent residential use.

C. “Public place” means any place to which a member of the public may have access without trespassing.

D. "Interviewer" means any person who goes to a house or upon any public place for interviewing persons or soliciting answers to questions for marketing research, opinion, research, attitude surveys or any other pool of information gathering services for compensation or other business enterprise. Interviewer does not include persons representing governmental entities, political parties, newspapers, radio or television stations, or persons circulating petitions for an initiative, referendum or other political purpose.

6.56.030 Issuing Authority. The City Clerk is authorized to issue Operations Permit: Charitable Solicitation.

6.56.040 Application. The application shall be filed with the City's issuing authority not less than fifteen working days prior to commencement of the solicitation activity and the City shall render a final determination on the application within fifteen working days of receipt of a complete application.

6.56.050 Regulations.

A. The Operations Permit: Charitable Solicitation shall be issued, without the payment of a fee, upon delivery to the Issuing Authority of an example of the card or printed material the applicant intends to utilize in complying with § 17510.3 of the Business & Professions Code.

B. The permittee shall comply with the provisions of § 17510, *et seq.* of the Business & Professions Code regulating charitable solicitations.

C. No solicitor shall contact or attempt to contact any occupant of any house or dwelling whereat the owner or occupant of the house or dwelling has posted at the front of the house or dwelling, printed with letters not less than one inch in height, and at a location which is unobstructed and clearly visible from the normal entrance way to such house or dwelling, a sign or placard prohibiting such soliciting. (Ord. 2007-03)

D. No solicitor shall contact or attempt to contact any member of the public on any private, commercial property which is normally open to the general public whereat the owner or legal occupant thereof has posted at all entrances thereto, and printed with letters not less than one inch in height, and at a location which is unobstructed and clearly visible by all persons entering such property, a sign or placard prohibiting such soliciting.

E. No solicitor shall contact or attempt to contact any occupant of any house or dwelling except between the hours of 9:00 A.M. and 6:00 P.M.

F. Failure to adhere to the above regulations is cause for revocation of solicitor permit of the individual and/or organization, company, etc., which is represented by the solicitor.

G. EXEMPTION TO TIME LIMIT OF 9:00 A.M. TO 6:00 P.M.: “Seasonal” solicitors who have an established temporary seasonal business, i.e., pumpkin sales, Christmas Tree sales, would be exempt from the time limits of operation, provided all conditions imposed by the Planning and Fire Departments have been met.

6.56.060 Exemptions from Permit Requirement. The provisions of this Chapter shall not apply to:

- A. Solicitations within the membership of a charitable or religious organization;
- B. Solicitations made upon the regularly occupied premises of a charitable or religious organization; or
- C. Bingo games conducted in accordance with Penal Code § 326.5 and this Code.