

## September, 2009

Dear Friends,

People often ask me if the City has rules which prohibit or regulate soliciting in our neighborhoods. The answer is yes.

Below are excerpts from the City's code:

### Sec. 45.01. Permit and License Required.

It is **unlawful for any person to solicit or peddle** , as defined in this Chapter, whether or not engaged in interstate commerce, within the corporate limits of the City of Orlando, without first obtaining and having in personal possession a **valid, current solicitor's permit** in compliance with this Chapter and having first obtained an occupational license as required by Chapter 36 of this Code.

### Sec. 45.02. Prohibitions

- (1) It is unlawful for any individual solicitor, agent or peddler as defined in this Chapter to:
  - (a) Enter the premises of a private resident for the purpose of selling or soliciting orders for goods, wares or merchandise, personal services or information when a "**No Solicitors**" sign is posted;
  - (b) Remain upon any residential premises after the owner occupant **requests the solicitor to depart** ;
  - (c) Conduct business between **5:00 p.m. and 9:00 a.m** . or at any time on **Sundays** ;
  - (d) To approach back or rear doors or the sides or rear of residential premises;
  - (e) **To refuse or fail to exhibit his solicitor's permit** identification card upon request by any law enforcement officer or citizen solicited;
  - (f) Intentionally make any physical contact with or touch the person solicited without that person's consent;
  - (g) Block the free passage of the person being solicited;
  - (h) Intentionally approach in such a manner or use obscene or abusive language or gestures intended to or likely to cause a reasonable person to be intimidated into responding affirmatively to the solicitation.
  - (i) Conduct off-premises canvassing, as defined in Section 43.87(1) of the City Code, on public property in the Downtown Core District, as defined in Section 43.87(1) of the City Code unless the solicitor is located in a designated exempt zone, or otherwise authorized by Section 43.87 of the City Code.

### Sec. 51.02. Exemptions from Registration Requirements .

Notwithstanding the provisions of Section 51.01, registration shall not be required in connection with a solicitation, sale or offer for sale where such activity:

- (1) Is conducted by an organization within its own membership.
- (2) Is conducted by a school, college, or university or by some organization sponsored by or affiliated with such school, college, or university.
- (3) Is conducted by a governmental agency acting within the scope of its governmental authority.
- (4) Is conducted by a candidate for election pursuant to Florida Statutes.

### Sec. 51.07. Article Not Applicable to Churches or Religious Societies under Certain

**Conditions.**

Nothing in this article shall be construed as being applicable to any church or religious society organized and operating exclusively for religious purposes and not operated for the pecuniary profit of any person, if the solicitations by such established church or religious society are conducted among the members thereof by other officers or members thereof voluntarily and without remuneration for making such solicitation, or if the solicitations are in the form of collections or contributions at the regular assemblies or services of any such established church or religious society.

If you have any questions about these rules, contact Officer Edgar Malave at 407-246-2513. If you wish to report a violation of these rules call 911.

**Other Information:** As many of you know, from time to time, I periodically send emails to keep people up to date on District 1 issues and events. If you would like to be added to this list so that you can also be up to date and receive these emails, please email me or call me.

If you have any other questions, comments or concerns, please call me at 407-246-2001 or email me at [phil.diamond@cityoforlando.net](mailto:phil.diamond@cityoforlando.net). My aide, Jeanne Rosenthal, can be reached at 407-246-3011 or email at [jeanne.rosenthal@cityoforlando.net](mailto:jeanne.rosenthal@cityoforlando.net) and Police Officer Edgar Malave can be reached at 407-246-2513 or email at [edgar.malave@cityoforlando.net](mailto:edgar.malave@cityoforlando.net).

PHIL DIAMOND

P.S. Don't forget the fall district picnic and food drive at Wadeview Park on October 24th from 11:00 a.m. to 2:30 p.m!!