

## **ORDINANCE REGULATING SOLICITATION ON THE STREETS AND HIGHWAYS OF DURHAM COUNTY**

WHEREAS, pursuant to N.C.G.S. §§ 20-175, 153A-125, and 153A-126, the Board of Commissioners may regulate begging, solicitation campaigns, and salesmen; and

WHEREAS, begging and the solicitation of money for charities or businesses in the streets and highways of Durham pose a significant hazard both to pedestrians and motorists; and

WHEREAS, begging and the solicitation of money in the streets and highways of Durham pose a significant opportunity for fraud and misrepresentation.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM DOETH ORDAIN:

1. That the Durham County Code of Ordinances is hereby amended by adding a new article, to be numbered Article IV of Chapter 22, which article reads as follows:

### **ARTICLE IV. SOLICITATION ON THE STREETS AND HIGHWAYS**

#### **Sec. 22-60. Solicitation defined.**

For purposes of this article, "solicit" shall mean the asking for money or objects of value, with the intention that the money or object be transferred at that time, and at that place. Soliciting shall include using the spoken, written, or printed word, bodily gestures, signs, or other means with the purpose of obtaining an immediate donation of money or other thing of value or soliciting the sale of goods or services.

#### **Sec. 22-61. Solicitation prohibited.**

It shall be unlawful for any person to solicit an operator or other occupant of a motor vehicle while such vehicle is located on any street or highway. Provided, however, that this section shall not apply to services rendered in connection with emergency repairs requested by the operator or passenger of such vehicle.

#### **Sec. 22-62. Jurisdiction.**

This article shall be effective for all of Durham County not within a city, and effective in such city or cities which have by resolution permitted this article to be effective within such city or cities.

2. This Ordinance shall be effective on and after July 1, 2008.

This the 14<sup>th</sup> day of January, 2008.