



ORDINANCE NUMBER: 07-06-11-1

AN ORDINANCE OF THE TOWN OF MILAN, INDIANA

This ordinance working in conjunction with IC 35-45-17-2 (C), a class C misdemeanor prohibits the selling of goods or services or solicitation/panhandling in vehicular traffic lanes or the operation of a "roadblock" of any kind without a permit issued in accordance with the following:

(a) Applications shall only be issued to organizations with an address in the Milan community. An application for such permit shall be submitted to the Milan Town Board via the Town Marshal, Town Manager, or Town Clerk. Said application shall be filed a minimum of thirty (30) days prior to the date and shall indicate the proposed times for the solicitation. A non-refundable application fee of \$25.00 shall be included with the application for any solicitor that is not a charitable or religious organization from the Town of Milan. The application will not be forwarded to the Board for review without the application fee. This fee will be paid to the Town Clerk.

(b) Said permits shall be issued only for weekends, for a maximum of three consecutive hours, and shall not begin until one hour after daylight and shall end one hour before dark.

(c) No organization or solicitor shall be allowed to conduct more than two (2) solicitations of this type (roadblocks) in any one calendar year.

(d) All persons soliciting contributions shall be at least eighteen (18) years of age. They shall position themselves in places and in a manner where they do not block or impede the flow of traffic, and in no event shall any solicitor stand within the intersection itself.

(e) All the outer clothing of every person soliciting contributions shall be brightly colored.

(f) Due to traffic flow and limited site distances, no solicitations shall be allowed in any other location than the intersection of Indiana 350 & Indiana 101.

(g) All organizations or solicitors must place a 2ft.X2ft. sign at least 300 feet preceding the intersection in all four directions to warn the drivers. The sign must have the organization's name and the purpose of the solicitation.

(h) Review and approval of application:

(1) Prior to forwarding to the Town Board, applications for permits shall be reviewed by the Town Marshal and the Town Manager. They shall insure that the application is complete and the fee has been paid to the Town Clerk.

(2) Applications shall then be forwarded to the Town Board for final review and disposition prior to the issuance of the permit.

(i) Issuance of permit:

(1) Upon approval of the application by Town Board, the Town Clerk shall issue a permit for the solicitation (roadblock) in accordance with the requirements of this ordinance.

(2) The permit shall be present at the site of the solicitation at all times while such solicitation is occurring.

(j) Suspension, penalties or revocation of permit:

(1) The permit issued under the terms and conditions of this chapter may be suspended or revoked for any violation of the requirements of this ordinance.

(2) Penalties for soliciting without a permit are a \$100 fine and immediate seizure of all monies collected.

(3) Penalties for conviction of IC 35-45-17-2 Sec 2 (C), Panhandling, a Class C misdemeanor, are up to sixty (60) days' imprisonment and a maximum fine of \$500.

Approved first reading 6/11/07

Approved 2nd reading 7/9/07

Signed _____ Paul Hildebrand, President
Signed _____ Matt Huffman, Member
Signed _____ R.L. Branigan, Member