

First Draft
April 12, 1985

ORDINANCE NO. 157

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, PROHIBITING COMMERCIAL SOLICITATION ON PRIVATE PROPERTY; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Sewall's Point has determined that reasonable regulation of entry upon the private property of its residents is necessary for the protection of its residents from danger and to protect the peaceful enjoyment of the home by residents of the Town; and

WHEREAS, the Town Commission has the power to protect its citizens from crime and undue annoyance by regulating soliciting and canvassing; and

WHEREAS, the Town Commission does not by such reasonable regulation wish to intrude upon the rights of free speech and free assembly.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that:

1. It shall be unlawful for person to enter in or upon the property of any private residence in the Town for the purpose of soliciting orders for the sale or other disposition of any goods, services, or other items in commerce without the prior request or invitation of the owner or occupant of such private residence.

2. It shall be unlawful for any person to enter in or upon the property of any private residence in the Town for the purposes of:

- (a) Soliciting contributions on behalf of any charitable, political, or religious organization; or
- (b) Attempting to advance any political or religious belief; or
- (c) Engaging in any political campaign;

unless such person first appears at the Office of the Town Clerk during normal business hours, and provides in writing his or her name and address and the identity of the person, organization or entity on whose behalf such person is acting. Any person entering in or upon the property of any private residence in the Town pursuant to this provision shall do so only between the hours of 10:00 A.M. to 4:00 P.M., and subject to the revocation of consent by the owner or occupant of such private residence.

3. Notwithstanding any other provision of this Ordinance, it shall be unlawful for any person to enter in or upon any private property within the Town when the owner or occupant of such property has erected a "posted," "no trespassing," "no soliciting," "private drive," or "no entry" sign on the property.

4. For purposes of this Ordinance, the following definitions shall apply:

(a) Charitable organizations shall mean only non-profit organizations that are providing charitable services to people, a reasonable percentage of which is without cost to those unable to pay.

(b) Political organizations shall mean any organization which is organized for the purposes of supporting the election of candidates for public office, the enactment of legislative proposals, the consideration of political ideas and views, or any other activity that reflects concern or interest in the conduct of federal, state or local government.

(c) Religious organizations shall mean any church or ecclesiastical or denominational organization which engages in regular acts of worship and conducts regular religious services and activities.

5. The Police Commissioner is directed to cause six (6) signs to be erected to notify the public of the existence of this ordinance: one to be located at each entrance to the Town and two at such other locations within the Town as may be determined by the Police Commissioner.

SEPARATION.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the Board to adopt this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included herein. If this Ordinance or any provision thereof shall be held to be inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect its applicability to any other person, property or circumstances.

REPEAL.

Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.

INCORPORATION IN TOWN CODE.

Provisions of this Ordinance shall be incorporated in the Town Code and the word "Ordinance" may be changed to "section," "article," or other appropriate word, and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

EFFECTIVE DATE.

This Ordinance shall become effective immediately upon the date of its passage according to law.

Passed first reading at the regular meeting of the Town Commission held on the 10th day of April, 1985.

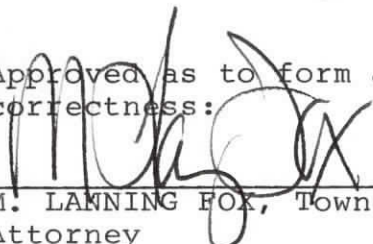
Passed second reading at the regular meeting of the Town Commission held on the 8th day of May, 1985.

ATTEST:

Joan Barrow
JOAN BARROW, Town Clerk

John C. Guenther
JOHN C. GUENTHER, Mayor -
Commissioner

Approved as to form and
correctness:



M. LANNING FOX, Town
Attorney

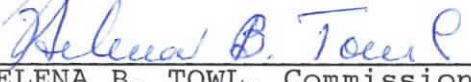


GILBERT C. STRUBELL, Vice-Mayor -
Commissioner

ROBERT R. AUNE, Commissioner



CLIFFORD B. DRAKE, Commissioner



HELENA B. TOWL, Commissioner

005 Legal Notices

LEGAL NOTICE

Notice is hereby given that the following proposed ordinances will be introduced in writing and read for the second time at the regular meeting of the Sewall's Point Town Commission on Wednesday, May 15, 1985 at the Sewall's Point Town Hall, 1 South Sewall's Point Road, Sewall's Point, Florida at 7:30 PM or as soon thereafter as is practicable.

Full copies of said proposed ordinances may be inspected at the Town Hall in Sewall's Point during regular business hours. All interested parties may appear at said meeting and be heard with respect to the proposed ordinances.

The Town Commission of the Town of Sewall's Point, Florida
Joan Barrow, Town Clerk

ORDINANCE #156

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING SECTION 4-18, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA; PROVIDING FOR ADDITIONAL BUILDING PERMIT FEES FOR SHEET METAL CONTRACTORS, ROOFING CONTRACTORS, AIR CONDITIONING CONTRACTORS AND POOL CONTRACTORS; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE #157

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, PROHIBITING COMMERCIAL SOLICITATION ON PRIVATE PROPERTY; REQUIRING REGISTRATION AND RESTRICTING HOURS FOR CHARITABLE, POLITICAL OR RELIGIOUS SOLICITATION; PROHIBITING ENTRY ON RESTRICTED PRIVATE PROPERTY; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

Publish: April 24, 1985

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