

ORDINANCE 1632__

AN ORDINANCE AMENDING CHAPTER 66-8 OF *THE CODE OF ORDINANCES OF THE CITY OF HARTSELLE, ALABAMA* ("THE CODE") SO AS TO EXEMPT PERSONS ENGAGED SOLELY IN POLITICAL AND RELIGIOUS RESIDENTIAL ADVOCACY FROM THE REQUIREMENTS OF CHAPTER 66 OF *THE CODE* WHICH REQUIRE SOLICITORS TO OBTAIN AND CARRY SOLICITOR'S PERMITS

WHEREAS, of the City Council of the City of Hartselle, Alabama has been informed that under the current state of the law, as expressed in applicable federal court decisions which govern the subject of regulation of residential solicitation, persons engaged solely in political and religious residential advocacy cannot be required to obtain permits to participate in such solicitation; and

WHEREAS, Chapter 66 of the *Code of Ordinances of the City of Hartselle, Alabama* ("the Code") includes such solicitation in its permitting requirements.

NOW, THEREFORE, be it **ORDAINED** by the City Council of the City of Hartselle, Alabama, as follows, to-wit:

SECTION 1. Section 66-8 of the *Code* is hereby amended by deletion of the entire text of said section and substitution of the following, so that hereafter Section 66-8 shall read, in its entirety, as follows:

"(a) *Solicitor's permit.* The City Clerk/Controller and/or Mayor are authorized to establish procedures and administrative rules and regulations to administer the provisions of this Article. A commercial solicitor shall be required to obtain a solicitor's permit prior to soliciting and failure to do so shall constitute a violation of this Article. At all times while soliciting, the solicitor shall be required to carry the permit, together with a copy of the City business license, both of which the solicitor shall present for inspection upon the request of the person being solicited or a law enforcement officer, code official, license official or other authorized representative of the City, and to conspicuously display upon his or her person the photo identification tag hereinafter provided for.

(b) *Exemptions.* The provisions of subsection (a) shall also be applicable to solicitors engaged solely in residential advocacy or residential fund raising, except that (i) they shall not be required to carry or produce a City business license; and, (ii) except that persons engaged in residential advocacy of a solely political or solely religious nature shall not be required to obtain or carry any solicitor's permits, register as solicitors or obtain and display City-issued identification tags. All other requirements of this Chapter which are applicable to non-commercial solicitation shall apply to those persons engaged solely in political or religious residential advocacy.

(c) *Principal permit.* A principal solicitor may make application for a solicitor's permit for each of the solicitors that will be soliciting on the principal solicitor's behalf by applying for a principal permit as hereinafter provided."

SECTION 2. Except as specifically amended hereby, Chapter 66 of the *Code* shall remain in full force and effect as originally adopted.

SECTION 3. This Ordinance shall be effective immediately upon its adoption and publication according to law.

ADOPTED and **APPROVED** this 27th day of May, 2025.

Kenny Thompson, Council President

ATTEST:

(SEAL)

Rita S. Lee, City Clerk = Controller

APPROVED this 28th day of May, 2025.

Randy A. Garrison, Mayor

ATTEST:

(SEAL)

Rita S. Lee, City Clerk – Controller