

Ordinance No. 370

AN ORDINANCE to regulate soliciting for charitable, patriotic, religious, constitutional and philanthropic purposes in the City of Alexandria, Virginia.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA.

Section 1 (a) It shall be unlawful for any person, organization, society, association, or corporation, or for any agent, member or representative thereof, directly or indirectly, to solicit property or financial assistance of any kind, to sell or offer for sale any article, tag, service emblem, publication, ticket, advertisement, subscription or anything of value, on the plea or the representation that such sale or solicitation, or the proceeds thereof, is for a charitable, educational, religious, patriotic or philanthropic purpose, on the streets, in any office or business building, by house-to-house canvass, or in any other public or private place, by telephone, personal solicitation, by mail, or in any other way, in the City of Alexandria, unless such person, organization, society, association or corporation shall have first been duly permitted as herein provided in this ordinance; Provided, however, that the provisions of this section shall not apply to any established society, association or corporation that is organized and operated exclusively for religious, educational, philanthropic, benevolent, fraternal, charitable, or reformatory purposes, not operated for pecuniary profit where no part of the net earnings of which inure to the benefit of any person, private shareholder or individual, and where the solicitation of such organization shall be conducted solely among the members thereof by other members thereof or officers thereof, voluntarily and without remuneration for such solicitation or where such solicitation may be in the form of collections or contributions at the regular exercises or services of any church, religious society, lodge, benevolent order or fraternity or similar organizations, or of any branch thereof.

(b) A written application for permit to solicit for any cause whatever as provided in Section 1 of this ordinance shall be sworn to and filed with the City Manager, and said application shall contain the following information:

1. Name of organization applying for a permit to solicit and the address of its headquarters.
2. Names and addresses of its principal officers and management.
3. The purpose for which any receipts derived from such solicitation are to be used.
4. The name of the person or persons by whom the receipts of such solicitation shall be disbursed.
5. The name and address of the person or persons who will be in direct charge of conducting the solicitation.
6. An outline of the method or methods to be used in conducting the solicitation.

7. The time when such solicitation shall be made, giving the proposed dates for the beginning and ending of such solicitation.

8. The amount of any wages, fees, commissions, expenses, or emoluments to be expended or paid to anyone in connection with such solicitation, together with the manner in which such wages, fees, expenses, commissions or emoluments are to be expended, to whom paid, and the amount thereof.

9. A financial statement for the last preceding fiscal year of any funds collected for the purposes set out in Section (a) hereof by the organization or persons seeking a permit for such solicitation, said statement giving the amount of money so raised, together with the cost of raising it, and the final distribution thereof.

10. A full statement of the character and extent of the charitable, religious, educational or philanthropic work being done by the applicant organization within the City of Alexandria.

11. Such other information as may be required by the City Manager in order to fully determine the kind and character and worthiness of the proposed solicitations and as to whether or not such solicitations is in the interest of protecting the health, life and property of the citizens of Alexandria and in the interest of preserving and enforcing good government and for the security of the City of Alexandria and its inhabitants.

(c) Upon receipt of an application as provided in Section (b) hereof the City Manager shall make or cause to be made such investigation as he shall deem necessary in regard thereto, in order to determine that such proposed solicitation is in fact to be conducted for a worthy charitable, educational, religious, philanthropic or patriotic purpose, and that the proceeds from such solicitation shall be so used, and if the City Manager shall be satisfied that such cause for which such solicitation is to be made is in fact for a worthy charitable, educational, religious, patriotic or philanthropic purpose and that the proceeds derived from such solicitation will be used for such purpose, and that no more than 20 per centum of the gross proceeds from such solicitation shall be used in the promotion expenses of such solicitation and that such solicitation is not promoted or conducted primarily for private profit of its promoters, and that such solicitation will not be incompatible with the protection of health, life and property of the citizens of the City of Alexandria then the City Manager shall approve such applications and shall issue a permit to such applicant for a proper period.

(d) The City Manager shall determine from the application and from such facts as may be developed in connection with such application the period for which such permit shall be approved and granted, provided that such period shall not exceed three calendar months; provided, however, that upon further application, information or reports as may be deemed necessary to safeguard the interest of the public and carry out the purposes of this ordinance, the City Manager may renew and extend such permit for additional periods, not to exceed three calendar months.

(e) The City Manager may require from any permittee hereunder any reports or information at any time and at such intervals as in

the discretion of the City Manager shall be necessary for the successful administration of the provisions of this ordinance and the protection of the health, life and property of the citizens of the City of Alexandria.

(f) Any permit approved and issued under this ordinance shall be nontransferable, provided, however, that this shall not prevent any permittee from using any number of solicitors and representatives as shall be reported to the City Manager.

(g) If, however, upon receipt of written information or investigation the City Manager shall find that any agent or representative of the permittee is misrepresenting or making untrue statements with regard to solicitation, or has made untrue statements in the application, or that in any other way the solicitation has been conducted or is being conducted in a manner inimical to the protection of the health, life and property of the citizens of the City of Alexandria and not in conformity with the intent and purpose of this ordinance, or representing in any way that any permit granted hereunder is an endorsement of such solicitation, then it shall be the duty of the City Manager to revoke said permit: provided, however, that before any permit is revoked, the said City Manager shall give the permittee 24 hours notice in writing that a hearing is to be had. And that at said hearing the City Manager shall ascertain the facts and if any reason above set forth for revoking the permits are found to exist the permit shall be revoked.

(h) Any person or organization denied a permit, or which has had a permit revoked by the City Manager, may appeal to the City Council.

Section 2. Any person violating any of the provisions of this ordinance shall be subjected to a fine of not less than \$2.00 nor more than \$300.00.

Section 3. This ordinance shall take effect immediately after its publication in The Alexandria Gazette.

Approved this 13th day of January, 1942.

WILLIAM T. WILKINS,
Mayor