



Legislation Text

File #: 1873-2013, **Version:** 1

The purpose of this legislation is to exempt employees of the division of fire with regard to the permit required to solicit charitable contributions in the roadway. This ordinance will amend Columbus City Code Section 525.23 by making Sections 525.23 and 525.24 non applicable to any employee of the division fire, provided the chief of the division of police has received prior written notice of the date, time and locations or intersections of the charitable solicitation, and the employee is in uniform while on the street, highway or roadway, and the chief of the division of fire has granted permission.

In 2008, Columbus City Council passed ordinance 1795-2007 which amended the Columbus City Code to require all organizations wishing to solicit charitable contributions in the roadway to apply for a permit. The intent of the code change was to create an equitable permitting process for all charitable groups and to improve public safety by giving law enforcement the tools needed to better maintain a safe environment for motorists and pedestrians. The change did not place any greater administrative burden on any one charitable organization over another, and was written so as to not place a financial burden on any charitable entity wishing to solicit charitable contributions in the roadway. However, upon implementation, it was discovered the ordinance as written interfered with the division of fire's long-standing practice of soliciting funds for the Muscular Dystrophy Association during down or non-emergency times. This unintended consequence has resulted in a net decrease in the amount of charitable contributions the division of fire has been able to collect and contribute to the cause in recent years. This Code change rectifies the problem without compromising public safety.

To amend existing Section 525.23 of the Columbus City Codes, 1959, in order to make an exemption for uniformed employees of the division of fire with regard to the solicitation of charitable contributions in the roadway.

WHEREAS, the purpose of this legislation is to make an exemption for employees of the division of fire with regard to the solicitation of charitable contributions in the roadway, and;

WHEREAS, this ordinance will amend Columbus City Code Section 525.23 by making Sections 525.23 and 525.24 non applicable to any employee of the division of fire, provided the chief of the division of police has received prior written notice of the date, time and locations or intersections of the charitable contributions solicitation, and provided the employee is in uniform while on the street, highway or roadway, and provided the employee has received permission from the chief of the division of fire.

WHEREAS, this ordinance provides clear parameters for an exemption for the division of fire only, now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Section 525.23 of the Columbus City Codes, 1959 be and is hereby amended to read as follows:

525.23 - Soliciting charitable contributions in roadway without permit.

- (a) No person shall knowingly solicit charitable contributions on a street, highway, or roadway from the driver or occupants of a vehicle without first having obtained a permit pursuant to Section 525.24 of this code.
- (b) Whoever violates this section is guilty of a misdemeanor of the third degree.

(c) The requirements of this section and Section 525.24 shall not apply to any employee of the division of fire, provided the chief of the division of police has received prior written notice of the date, time, and locations or intersections for the charitable contributions solicitation, and provided the employee is in uniform while on the street, highway, or roadway, and provided the employee has received permission from the chief of the division of fire.

Section 2. Severability Clause. That if any section, sentence, clause, or phrase contained in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this ordinance.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.