



**CITY OF KENTWOOD
ROAD SOLICITING APPLICATION
PERMIT**

Name of Charitable or Civic Organization as described in MCL 257.676b:

Mailing Address _____

(Street Number and Name)

(City, State, Zip Code)

Board member name(s): _____

Key Contact Name: _____ Phone Number: _____

Dates of Soliciting: _____

Location(s) to collect: _____

- Proof of IRS Tax exempt status attached
- Proof of Liability Insurance attached (min. \$500,000)

Policy Number & Carrier: _____

I hereby affirm that I have truthfully completed this application and all additional information and attachments hereto to the best of my knowledge; that I have read Chapter 38 of the Code of Ordinances and all applicable City of Kentwood Licensing ordinances; and that I agree to comply with all Federal, State and local laws, ordinances, rules and regulations, specifically MCL 257.676b.

Received copy of Chapter 38, Article 5, Section 38-235 (b) Y / N

Received copy of MCL 257.676b Y / N

Applicant's Printed Name

Applicant's Title

Applicant's Signature

Date

City Clerk's Office Approved Disapproved _____ City Clerk or designee
 Copied to Kentwood Police Dept.

Sec. 38-235. - Begging and soliciting.

(a) The following words, terms and phrases, when used in this section, shall have the meanings provided in this subsection, except where the context clearly indicates a different meaning:

Accosting means approaching or speaking to a person in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his person, or upon property in his immediate possession.

Ask, beg or solicit mean and include, without limitation, the spoken, written or printed word or such other acts as are conducted in furtherance of the purpose of obtaining donations.

Forcing oneself upon the company of another means continuing to ask, beg or solicit from a person after that person has made a negative response, blocking the passage of the individual addressed, or otherwise engaging in conduct which could reasonably be construed as intended to compel or force a person to accede to demands.

(b) Except to the extent otherwise expressly permitted by law, it shall be unlawful for any person to solicit money or other things of value:

- (1) On private property if the owner, tenant or lawful occupant has asked the person not to solicit on the property or has posted a sign clearly indicating that solicitations are not welcome on the property;
- (2) Within 15 feet of the entrance to or exit from any public toilet facility;
- (3) Within 15 feet of an automated teller machine, provided that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the automated teller machine facility;
- (4) Within 15 feet of any pay telephone, provided that when a pay telephone is located within a telephone booth or other facility, such distance shall be measured from the entrance or exit of the telephone booth or facility;
- (5) Within any public transportation vehicle, or within 15 feet of any bus stop, taxi stand or rapid transit stop;
- (6) From any operator of a motor vehicle that is in traffic on a public street; provided, however, that this subsection shall not apply to services rendered in connection with emergency repairs requested by the owner or passengers of such vehicle;
- (7) From any person who is waiting in line for entry to any building, public or private, including, but not limited to, any residence, business or athletic facility; or
- (8) Within 15 feet of the entrance or exit from a building, public or private, including, but not limited to, any residence, business or athletic facility.

Notwithstanding the foregoing, nothing herein shall be interpreted to prohibit related parties from soliciting money or other things of value from one another.

Organizations exempted by law from this section shall register with the clerk's office and establish that they meet the requirements of MCL 257.676b(2) and individuals soliciting on behalf of such organizations within a public right of way may not be nearer the roadway than two feet of the curb of a two-lane road or the right-hand curb lane of a multi-lane road.

(c) It shall be unlawful for any person to solicit money or other things of value by:

- (1) Accosting another; or
- (2) Forcing oneself upon the company of another.

(Code 2004, § 38-235; Comp. Ords. 1987, § 20.304(4); Ord. No. 06-02, § 2(4(4)), 4-1-2002; Ord. No. 9-13, § 2, 9-21-2013; Ord. No. 13-18, § 1, 11-12-2018)

State Law reference— Begging, MCL 750.167(1)(h).

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.676b Interference with normal flow of vehicular or pedestrian traffic prohibited; public utility facilities; solicitation of contributions on behalf of charitable or civic organization; violation as civil infraction; local regulations; "charitable or civic organization" defined.

Sec. 676b.

- (1) Subject to subsection (2), a person, without authority, shall not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public street or highway in this state, by means of a barricade, object, or device, or with his or her person. This section does not apply to persons maintaining, rearranging, or constructing public utility facilities in or adjacent to a street or highway.
- (2) Subsection (1) and any provision of the Michigan Administrative Code that prohibits a person from standing in a roadway other than a limited access highway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle do not apply to a person who is soliciting contributions on behalf of a charitable or civic organization during daylight hours, if all of the following are satisfied:
 - (a) The charitable or civic organization complies with applicable local government regulations. A local government may enact or enforce regulations restricting, but not prohibiting, the activity described in this subsection.
 - (b) The charitable or civic organization maintains at least \$500,000.00 in liability insurance.
 - (c) The person is 18 years of age or older.
 - (d) The person is wearing high-visibility safety apparel that meets current American standards promulgated by the International Safety Equipment Association.
 - (e) The portion of the roadway upon which the solicitation occurs is not a work zone and is within an intersection where traffic control devices are present.
- (3) A local government or road authority that has jurisdiction over a roadway upon which solicitation occurs as described in subsection (2) is not liable for any claim for damages arising out of the use of the roadway as described in subsection (2).
- (4) A person who violates this section is responsible for a civil infraction.
- (5) A local government that, on the effective date of the amendatory act that added this subsection, has enacted or is enforcing regulations that are prohibited under subsection (2)(a) shall bring those regulations into compliance with subsection (2)(a) no later than 60 days after the effective date of the amendatory act that added this subsection.
- (6) As used in this section, "charitable or civic organization" means a nonprofit organization that is qualified under section 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), or 501(c)(10) of the internal revenue code, 26 USC 501, or a veterans' organization that has tax-exempt status under the internal revenue code.

History: Add. 1968, Act 151, Eff. Nov. 15, 1968 ;-- Am. 1978, Act 510, Eff. Aug. 1, 1979 ;-- Am. 2017, Act 112, Imd. Eff. July 27, 2017 ;-- Am. 2018, Act 75, Imd. Eff. Mar. 19, 2018