



Bill No. 21-04
 Concerning: Pedestrians Rides or
Businesses

 Introduced: April 6, 2021
 Revised: _____ Draft No. _____
 Enacted: _____
 Effective: _____
 Expires: July 5, 2021
 Frederick County Code, Chapter 1-11
 Section(s) 9

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Kai Hagen

AN ACT to: establish a permit program to allow a person to stand in a roadway, a median divider, or an intersection to solicit money or donations from the occupant of a vehicle.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, 1-11 Section(s) 9

Other: _____

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|---|---|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law.</i> |
| [Single boldface brackets and striketrough] | <i>Deleted from existing law.</i> |
| *** | <i>Existing law unaffected by bill.</i> |

Bill No. 21-04

The County Council of Frederick County, Maryland, finds it necessary and appropriate to prohibit, except for persons or regulated organizations who receive a permit, the solicitation for rides or businesses in Frederick County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and they are hereby, amended as shown on the attached Exhibit 1.

MC Keegan-Ayer, President
County Council of Frederick County,
Maryland

§ 1-11-9. PEDESTRIANS SOLICITING RIDES OR BUSINESSES

- (A) No person shall stand in a roadway, a median divider, or an intersection to solicit money or donations from the occupant of a vehicle with the exception of persons granted a permit as outlined in subsection (b).

The provisions of this section shall not apply to the occupant of a disabled vehicle who seeks the aid of another vehicle.

- (B) Exceptions for solicitation from vehicles and permit procedures. The prohibition outlined in subsection (a) does not apply to persons who have been issued a permit under this section and who are in compliance with all other provisions of this section. In order to solicit contributions while standing in a roadway, a median divider, or an intersection, a person must comply with the following requirements:

- (1) Not less than 14 days prior to the date desired for soliciting, each person shall submit a completed application to the County's Department of Permits and Inspections for a solicitation permit. The form shall require the person to provide their full name, the desired date(s), time(s) and specific location(s) for soliciting (which must be intersection(s) with a traffic control signal light) and an agreement by the person indemnifying the county and holding the county harmless from any and all claims, suits, demands, damages, and attorney fees arising out of or related to the acts or omissions of persons soliciting. The form may require further information that is reasonably necessary to the direct enforcement of this section and the purposes of this article.

- (2) If a person is applying for a permit to solicit on behalf of an organization, the person shall also submit the following information from the employing or sponsoring person, agency, or entity on whose behalf the solicitation is to be made. This information shall be provided at the time of the application submission.

a. The name, mailing address and phone number of the employing or sponsoring person, agency, or entity on whose behalf the solicitation is to be made, and;

b. Written proof of a Certificate of Liability Insurance in the amount of at least \$1,000,000.00 per occurrence that insures the person who will be soliciting. The policy must include the County as an additional insured.

- (3) Additional solicitation activity restrictions.

a. A person may not receive more than one permit per calendar year.

b. Soliciting under a permit issued pursuant to this section shall be authorized for no more than five consecutive calendar days, and shall be limited to the period of one-half hour after sunrise and until one-half hour prior to sunset, at the approved location(s) specified in the application.

- c. All solicitors must be 18 years of age or older.
- d. No solicitor may impede traffic at any time.
- e. All solicitors must wear an official identification badge or attire, which identifies the employing or sponsoring person, agency, or entity on whose behalf the solicitation is to be made and allows motorists to verify the organization's authenticity.
- f. A safety plan must be submitted with the application for the permit. This plan must include a description of collection notification signs to be used and safety equipment and procedures to be used by those individuals collecting for the organization as well as the following information:
 - i. Dates and locations for collection;
 - ii. Points of contact with contact information;
 - iii. A description of collection methods, and;
 - iv. Any additional safety measures proposed by the individual/organization.

(C) Each person submitting an application for a permit, regardless of if the person is applying for a permit to solicit on behalf of an organization, shall pay a permit fee of \$25.00. This fee will be used to defray the county's cost of processing the application and compliance monitoring on the street. This fee is nonrefundable, unless the permit is denied.

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.