

OFFICIAL

TOWNSHIP OF MARSHALL  
ORDINANCE NO. 448

AN ORDINANCE OF THE TOWNSHIP OF MARSHALL, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 135, OF THE MARSHALL TOWNSHIP CODE OF ORDINANCES, PEDDLING AND SOLICITING, IN ORDER TO EXPAND THE HOURS THAT PEDDLING, SOLICITING AND CANVASSING ARE PERMITTED AND TO CREATE A NO SOLICITING/PEDDLING/CANVASSING LIST FOR RESIDENTS WHO DO NOT WISH TO BE DISTURBED BY SOLICITORS OR PEDDLERS.

WHEREAS, Section 1527 of the Second Class Township Code, 53 P.S. §66527, authorizes the Board of Supervisors of the Township of Marshall (the "Township") to adopt ordinances to secure the safety of persons or property within the Township and to define disturbing the peace within the limits of the Township; and

WHEREAS, Section 1532 of the Second Class Township Code, 53 P.S. §66532, authorizes the Township Board of Supervisors to enact ordinances regulating the business of transient merchants conducting business within the Township; and

WHEREAS, Section 1506 of the Second Class Township Code, 53 P.S. §66506, authorizes the Township Board of Supervisors to enact ordinances necessary for the maintenance of the health and welfare of the Township and its citizens, trade and commerce; and

WHEREAS, the Township recognizes that commercial speech is subject to protections under the First Amendment to the United States Constitution; and

WHEREAS, the Township also recognizes that Township residents have the right to not be unduly annoyed in their homes and to be able to exclude trespassers from private property; and

WHEREAS, the Township Board of Supervisors desires to amend Chapter 135 of the Marshall Township Code of Ordinances, Peddling and Soliciting, in order to expand the hours that peddling and solicitation are permitted and to create a "No Soliciting/Peddling/Canvassing List" for residents who do not wish to be disturbed by solicitors, peddlers or canvassers.

NOW THEREFORE, the Township Board of Supervisors hereby ordains and enacts as follows, incorporating the above recitals by reference:

**SECTION 1.** Sections 135-8 and 135-12 of Chapter 135 of the Marshall Township Code of Ordinances, Peddling and Soliciting, are hereby amended and restated to read as follows:

**Section 135-8. Exempt organizations.**

A. Any religious, charitable, patriotic, political, philanthropic, public interest or community service organization, society, association or corporation desiring to solicit or have solicited in its name money, donations or money or property or financial assistance of any kind or desiring to sell or distribute any item of literature, various types of tokens or merchandise for which a fee is charged or solicited from persons other than members of such organization, upon the streets, in office buildings, by house-to-house canvas or in public places for a religious, charitable, patriotic, political, philanthropic, public interest or community purpose, shall be exempt from the provisions of Sections 136-6, 136-7 and 136-9 of this Chapter.

...

**Section 135-12. Restrictions.**

A. No person shall have exclusive right to any location in the public streets or sidewalks nor shall any be permitted a stationary location thereon, nor shall any person be permitted to operate in a congested area where such operations might impede or inconvenience the public use of such streets or sidewalks.

B. Soliciting, peddling and canvassing is prohibited before 9:00 a.m. or after 9:00 p.m. on Mondays through Sundays, prevailing time.

C. No person shall engage in the business of soliciting, peddling or canvassing upon any premises displaying a sign prohibiting such activity.

D. The Township shall maintain a list of the addresses of Township residents who have notified the Township in writing that they do not wish peddlers, canvassers or solicitors to enter upon their property. A copy of this "No Soliciting/Peddling/Canvassing List" shall be provided along with and as part of any license issued under this Chapter, or upon request. It shall be a violation of this Chapter for a solicitor, peddler or canvasser to enter upon any property listed on the "No Soliciting/Peddling/Canvassing List."

**SECTION 2.** All prior ordinances and resolutions are hereby repealed in whole or in part to the extent inconsistent herewith.

**SECTION 3.** This Ordinance shall take effect five (5) days after adoption.

**ORDAINED and ENACTED** this 6<sup>th</sup> day of March, 2017, by the  
Board of Supervisors of the Township of Marshall in lawful session duly assembled.

ATTEST:

TOWNSHIP OF MARSHALL

Sheryl Snyder  
Sheryl Snyder  
Township Secretary

By: Thomas Madigan  
Thomas Madigan  
Chairman, Board of Supervisors

