

**VILLAGE OF NEW HAVEN
COUNTY OF MACOMB, STATE OF MICHIGAN**

ORDINANCE NO. 367

**AN AMENDMENT TO SECTIONS 8.00 AND 11.00 OF THE EXISTING
VILLAGE OF NEW HAVEN SOLICITATION ORDINANCE NO. 324,
INTENDED TO PROVIDE HIGHER FINES FOR ANY AND ALL
VIOLATIONS OF SAID ORDINANCE AND TO INCORPORATE A
PERMIT VISIBILITY REQUIREMENT**

The Village of New Haven, pursuant to Michigan Public Act 3 of 1895, as amended, Michigan Public Act 236 of 1961, Michigan Public Act 12 of 1994, and Village of New Haven Ordinance 333, Section 10, hereby amends Village of New Haven Solicitation Ordinance No. 324 to provide higher fines for violations of the Ordinance and to impose a requirement that a Village-issued solicitation permit be visible at all times during any and all solicitation activities within the Village.

THE VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN
ORDAINS THE FOLLOWING:

AMENDMENT TO SECTION 8.00: PROHIBITIONS AND REQUIREMENTS

Section 8.00 shall now read as follows:

- (a) Vehicular traffic: No peddler or solicitor shall block, obstruct, impede or interfere with the normal flow of vehicular traffic within the Village unless authorized.
- (b) "No soliciting" signs: No solicitor or peddler shall enter or remain on property that is posted "No Solicitors", nor remain on any property after being requested to leave by the occupants.
- (c) Threatening or harassing behavior: No solicitor or peddler shall threaten or harass any person in the course of their activities, or causes a nuisance or pose a threat to the health and safety of another.
- (d) Limitations: Solicitors and peddlers are limited to the sale or promotion of products and services specified on their application. Applications can be amended for a fee established by the Village council.
- (e) Abusive activity: No person shall engage in abusive peddling or solicitation. Abusive activity shall include, but is not limited to, coming closer than three feet to the person being offered goods or services; blocking or impeding the passage of the person being solicited; repeated peddling after the person indicates objection to the sale; threatening a person with a gesture or physical harm; verbally abusing a person after rejection of a sale; or touching the person being

peddled without consent. Spraying any product without consent around the home in efforts to obligate the person being offered goods or services.

(f) Requests to leave doorway: No peddler or solicitor shall request a person to retrieve something from inside his/her home which requires them to leave the front door.

(g) Requests to enter home: No peddler or solicitor shall request a person being peddling to allow him/her access to the person's residence.

Time limitations: Peddling or soliciting in the Village is permitted only from the hours of 11:00 AM to 7:00 PM.

(h) Permit visibility: All persons shall, at all times while engaging in solicitation and/or peddling within the Village limits, or while traveling within the Village for the purposes of soliciting and/or peddling, display their Village-issued solicitation permit conspicuously on their person in such a way that any resident or other person may readily, accurately, and definitively identify the person and determine the contents of the permit.

AMENDMENT TO SECTION 11.00: PENALTIES AND FINES

Section 11.00 shall now read as follows:

Any violation of this section shall be a municipal civil infraction pursuant to Ordinance 333, Section 10, according to the following schedule of fines:

First offense:	\$500
Subsequent repeat offenses:	\$500

Each day in which any such violation continues is considered a separate offense.

EXISTING SECTIONS 8.00 AND 11.00 OF ORDINANCE NO. 324 ARE HEREBY REPEALED. ANY ORDINANCE OR PART OF ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE AMENDMENT IS REPEALED TO THE EXTENT OF THE CONFLICT.

THIS AMENDMENT SHALL BECOME EFFECTIVE 20 DAYS AFTER THE DATE OF PASSAGE OR BEFORE THE DATE OF PUBLICATION, WHICHEVER OCCURS FIRST. (MCL 66.1).

Chris Dillit
President of the Village of New Haven

9-10-19
Date

I, Heather Mitchell, the undersigned Clerk of the Village of New Haven hereby certify that the foregoing ordinance was duly adopted by the Village Council for the Village of New Haven at a regularly scheduled council meeting held on 9/10, 2019, by the following votes of the membership thereof:

Motioned by: Trustee Bonkawski

Seconded by: Trustee Belanger

Ayes: ^{President} Dilbit, Trustee Pruccoli, Trustee Messen, Trustee Pridemore, Trustee Haskin

Nays: 0

Absent: 0

I, the undersigned Clerk of the Village of New Haven, do hereby certify that on:

September, 10, 2019, the foregoing ordinance, or summary thereof, was duly published in The Voice Newspaper, a newspaper having general circulation within the Village of New Haven, as well as the Village of New Haven website.

Heather Mitchell 9/10/19
Village of New Haven Clerk Date