

CR
Title 5
Article 3
Chapter 525.

Codified

ORDINANCE NO. C-49-60 ✓

To Provide for Regulation of Charitable Solicitations

WHEREAS, it is necessary to provide immediately for regulation of charitable solicitations in the City of Grove City and

WHEREAS, such regulation directly affects the morals and safety of citizens of Grove City.

NOW, THEREFORE, Be It Ordained by the Council of the City of Grove City that:

SECTION 1. 525.01 For the purposes of enforcing this chapter the following words are defined and shall have the meaning ascribed to them as hereafter set forth unless the context requires a different meaning:

- (a) "Board" shall mean the Charitable Solicitations Board, Created by C. C. 525.02.
- (b) "Charitable" shall mean and include the words: patriotic philanthropic, social service, welfare benevolent, fraternal, or any agency created for for the purpose of supporting health research or health measure, either actual or purported.
- (c) "Cost of solicitation" shall mean all costs of whatever nature incurred in raising the funds solicited except that where a solicitation includes.

SECTION 2. 525.02 There is hereby created a Charitable solitiations Board, which shall consist of Safety Director, Clerk of Council, Chief of Police, who shall be residents of Franklin County.

Any member of the Board may ve removed by the Mayor for inefficiency, neglect of duty or malfeasance, misfeasance, or nonfeasance in office in the manner provided by law for the removal of other public officers. Any vancy in the office of a member of the Board, which occurs for any reason, shall be filled by appointment for the unexpired term, as provided for in this section. Selection of the Chairman of the Board shall be made by the members of the Board. Three members of the Board shall constitute a quorm for the transaction of business.

SECTION 3. 525.03 No person shall solicit contributions

for any charitable purpose within the City unless the person for whose benefit ^{the solicitation is conducted has obtained a permit} from the Board. An application for a permit to solicit for charitable purposes shall be made to the Board on forms provided by the City. Such application shall be sworn to and filed at least thirty days prior to the time of the contemplated use of the permit. Provided, however, for good cause shown by sworn statement in writing the Board may accept an application for a permit less than thirty days before its intended use.

525.04 SECTION 4. This chapter shall not be applicable in the case of solititations made.

(a) By any bona fide, publicly recognized evangelical missionary or religious organizations:

(b) By any college, university or school accredited by a regional accrediting association such as the North Central Association of Colleges and Secondary Schools or approved by the Department of Education of the State of Ohio, or persons Acting under the auspices of such colleges, universities or schools; or

(c) By any organization where the solicitation is made from the membership of said organization.

(d) An organization which has been in existence one (1) full year prior to the adoption of this Ordinance within the City of Grove City, Ohio.

(e) Any solicitation made by a goup which has been authoized to solicit by Charitable Solicitations Board of City of Columbus, Ohio.

SECTION 5. 525.06 The application herein required shall contain the following information, or in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished.

(a) The name, address or headquarters of the person applying for the permit;

(b) If applicant is not an individual, the names and addresses of the applicant's principal officers and managers and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;

(c) The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, the use or disposition to be made of any receipts therefrom, and provision made for the return of funds if the funds cannot be used for the purpose stated;

(d) A specific statement, supported by reasons and, if available, figures, showing the need for the contributions to be solicited;

(e) The name and address of the person or persons by whom the receipts of such solicitation shall be disbursed;

(f) The name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;

(g) An outline of the method or methods to be used in conducting the solicitations;

(h) The time when such solicitations shall be made, giving the preferred dates for the beginning and ending of such solicitation;

(i) The estimated cost of the solicitation;

(j) The amount of any wages, fees, commissions, expenses or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;

(k) A financial statement for the last preceding fiscal year of any funds collected for charitable purposes by the applicant, said statement giving the amount of money so raised, together with the cost of raising it, and final distribution thereof;

(l) A full statement of the character and extent of the charitable work being done by the applicant within the City;

(m) A statement that not less than eighty per cent of the amount raised shall go for the charitable purpose intended.

(n) A statement to the effect that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department or officer thereof;

(o) Such other~~e~~ information as may be reasonably required by the Board in order for the Board to determine the kind and character of the proposed solicitation and whether such solicitation is in the interest of, and not inimical to, the public welfare,

If, while any application is pending or during the term of any permit granted thereon, there is any change in fact, policy, or method that would alter the information given in the application, the applicant shall notify the Board in writing thereof within twenty-four hours after such change.

SECTION 6. 525.07 The application for a permit shall be accompanied by a fee of ten dollars (\$10.00), which said fee shall be retained by the City whether the permit is granted or denied. Accompanying the application the Board may require at its discretion a good and sufficient bond in the amount of two thousand dollars (\$2,000.00) running to the City for the benefit of any person who may sustain pecuniary loss by reason of any unauthorized practice by permittee, or one of his agents.

SECTION 7. 525.08 The Board shall examine all applications file under C. C. 525.06 and shall make, or cause to be made, such further investigation of the application and the applicant as the Board shall deem necessary in order for him to perform his duties under this chapter.

SECTION 8. 525.09

(a) All of the statements made in the application are true.

(b) The applicant has not engaged in any fraudulent transaction or enterprise;

(c) The solicitation will not be a fraud on the public.

(d) The cost of raising the funds will be reasonable. Any such cost in excess of twenty per cent of the amount collected shall be considered to be unreasonable.

SECTION 9. 525.11 No permit issued by the Board shall grant the right to solicit for a period longer than sixty days from its date.

SECTION 10. 501.99 Whoever violates this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than five hundred dollars (500.00) or imprisoned for not more than six months, or both. Any such violation shall constitute a separate offense on each successive day continued. (C-49-60)

SECTION 11. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Council of the City of Grove City.

Passed

June 10, 1960

Effective

June 10, 1960

Frank Thomas
President of Council

Clinton C. Pappas
Mayor

Richard B. Buehler
City Clerk