

Roadside Solicitation Policy

Policy Statement

In 2006, the North Carolina General Assembly passed legislation that permits roadside solicitation under certain circumstances. Pursuant to G.S. 20 -175; a local government shall have the authority to grant authorization for a person to stand in, on, or near a street or State roadway, within the local government's municipal corporate limits, to solicit a charitable contribution if the requirements of this subsection are met.

The intent of this policy is to set forth requirements for individuals, groups or organizations who request permission to solicit charitable donations within the municipal limits of the City of Asheville.

Application

A person seeking authorization under this subsection to solicit charitable contributions shall file a written application with the City of Asheville. This application shall be filed not later than seven (7) days before the date the solicitation event is to occur. If there are multiple events or one event occurring on more than one day, each event shall be subject to the application and permit requirements of this subsection for each day the event is to be held, to include the application fee. Pursuant to G.S. 20 – 175, in no case shall the fee be greater than twenty-five dollars (\$25.00) per day per event.

The application must include:

- (1) The date and time when the solicitation is to occur;
- (2) Each location at which the solicitation is to occur; and
- (3) The number of solicitors to be involved in the solicitation at each location.

The applicant shall also furnish to the City of Asheville advance proof of liability insurance in the amount of at least two million dollars (\$2,000,000) to cover damages that may arise from the solicitation. The insurance coverage must provide coverage for claims against any solicitor and agree to hold the City of Asheville harmless.

The City of Asheville, by acting under this section, does not waive, or limit, any immunity or create any new liability. The issuance of an authorization and the conducting of the solicitation authorized are not considered governmental functions of the City of Asheville.

Requirements

Requirements for roadside solicitation include:

- (1) Roadside solicitation shall only be permitted at controlled intersections (traffic lights or stop signs).
- (2) Roadside solicitors shall not impede the flow of traffic.
- (3) Roadside solicitation shall be conducted from the right of way of public highways or streets.
- (4) Roadside solicitation shall be conducted during daylight hours only.
- (5) All roadside solicitation participants shall wear traffic vest which conform to US DOT regulations.
- (6) Each individual participating in roadside solicitation shall wear or have available signs, clothing or articles that clearly delineate the identity of the individual, group or organization.
- (7) Roadside solicitation shall be limited to no more than one group or organization per day citywide.
- (8) Individuals, groups or organizations shall be limited to a maximum of two (2) events per year with duration of no more than two (2) days per event.
- (9) All applications shall be reviewed and approved by Asheville Police Department and Asheville Fire Department.

In the event the solicitation event or the solicitors shall create a nuisance, delay traffic, create threatening or hostile situations, any law enforcement officer with proper jurisdiction may order the solicitations to cease.