

ORDINANCE NO. 1295

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA AMENDING CHAPTER 42 REGARDING SOLICITORS, PEDDLERS, AND CANVASSERS TO REMOVE CANVASSERS FROM COVERAGE OF ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE

WHEREAS, canvassing by individuals for political or religious organizations has been deemed protected under the First Amendment; and

WHEREAS, although the City Code currently regulates such activities, the City has not enforced those provisions as it relates to those persons based upon existing case law; and

WHEREAS, the City Council now desires to remove those references.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. Section 42-2, Satellite Beach City Code, is hereby amended to read as follows:

Sec. 42-2. Permit required.

Application must be made to the police department for a permit prior to any soliciting ~~or peddling or canvassing~~. Permits shall be valid for a period not to exceed 30 days. No permit shall be required for canvassing.

SECTION 2. Section 42-3, Satellite Beach City Code, is hereby amended to read as follows:

Sec. 42-3. Application for permit; fee.

- (a) The application for a permit under this chapter shall contain the following information for each solicitor or ~~peddler or canvasser~~:
- (1) Name.
 - (2) Home address.
 - (3) Home telephone number.
 - (4) Date of birth.
 - (5) Name of employer.
 - (6) Address of employer.

- (7) Telephone number of employer.
- (8) Nature of business of employer.
- (9) Description of automobile of applicant, including license number and year.
- (10) Applicant's driver's license number and state of issue.

(11) If soliciting for any charitable organization, except any religious or political organization, the name of sponsoring organization/organization for whom soliciting is being done, including state and federal identification numbers, and state and federal tax exempt numbers, if applicable.

(b) Each application shall be accompanied by an application fee of \$10.00, plus \$25.00 for each person authorized to solicit or peddle ~~or canvass~~ under the application. No more than six persons shall be authorized to solicit or, peddle ~~or canvass~~ per application. At such time as the police department issues a permit, the applicant, solicitor and/or peddler ~~and/or canvasser~~ shall be considered registered for purposes of this chapter, and for such time as provided in this chapter or the permit application, whichever is less.

SECTION 3. Section 42-4, Satellite Beach City Code, is hereby amended to read as follows:

Sec. 42-4. Identification badges.

- (a) Applicants and solicitors and peddlers ~~and canvassers~~ for the applicants, if not the same persons, shall submit themselves to the police department for photographing and fingerprinting. Identification badges, with photographs, must be clearly visible at all times by being clipped either to the clothing or purse of the solicitor or peddler ~~or canvasser~~.
- (b) At the time any solicitor or peddler ~~or canvasser~~ submits themselves for photographing to the police department, such person must present one of the following documents:
 - (1) Valid Florida driver's license;
 - (2) Brevard County voter registration; or
 - (3) A letter from a sponsoring organization, sufficiently identifying the proposed solicitor or peddler ~~or canvasser~~.

SECTION 4. Section 42-7, Satellite Beach City Code, is deleted in its entirety:

~~**Sec. 42-7. Charitable, religious and political organizations; additional requirements.**~~

~~In addition to the information required to be submitted under section 42-3, a charitable, religious or political organization shall be required to submit the following information:-~~

- ~~(1) Name of sponsoring organization, including state and federal identification numbers and state and federal tax exempt numbers, if applicable.-~~
- ~~(2) The dates and times soliciting, peddling or canvassing will be undertaken.-~~
- ~~(3) The information in the permit application must be verified under oath by a responsible officer of the organization desiring to solicit the funds.-~~
- ~~(4) At the time any solicitor, peddler or canvasser submits himself for photographing to the police department, he must present one of the following documents:-~~
 - ~~a. Valid Florida driver's license;-~~
 - ~~b. Brevard County voter's registration; or~~
 - ~~c. A letter from a sponsoring organization, sufficiently identifying proposed solicitor or canvasser.-~~

~~(Code 1976, § 15-3; Ord. No. 724, § 2, 6-3-98)~~

SECTION 5. Section 42-8, Satellite Beach City Code, is amended/renumbered to read as follows:

Sec. 42-8 7. Exemptions.

~~Charitable, religious or political organizations and candidates for elective office or persons working on behalf of candidates or referendum or initiative issues~~ shall not be required to submit an application fee when submitting an application under this chapter; require the individual solicitors ~~or canvassers~~ to submit to fingerprinting; or be required to comply with the identification badge requirements of section 42-4.

SECTION 6. Section 42-9, Satellite Beach City Code, is amended/renumbered to read as follows:

Sec. 42-~~98~~ 9. Posting of notice on premises inviting or denying solicitation.

Every person desiring to secure the protection of the regulations contained in this chapter shall comply with the following requirements: notice of the determination by the occupant of giving invitation to solicitors and peddlers ~~and canvassers~~, or the refusal of invitation to solicitors and peddlers ~~and canvassers~~ to any residence, shall be given by notice posted on the premises in the following manner:

"ONLY SOLICITORS AND PEDDLERS ~~AND-
CANVASSERS~~ REGISTERED IN
SATELLITE BEACH, FLORIDA, INVITED"

or

"NO SOLICITORS OR PEDDLERS -
~~OR CANVASSERS~~ INVITED"

The letters shall be at least two inches in height. For the purpose of uniformity, the cards shall be provided by the city to persons requesting them, at the cost thereof. Such cards so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

SECTION 7. Section 42-10, Satellite Beach City Code, is amended/renumbered to read as follows:

Sec. 42-~~109~~. Duty of solicitors and peddlers ~~and canvassers~~.

(a) It shall be the duty of every solicitor or peddler ~~or canvasser~~, upon entering upon any premises in the city, to examine and look for the notice provided for in section 42-~~9~~ 8, if any is posted, and be governed by the statement contained in the notice. If the notice states "ONLY SOLICITORS AND PEDDLERS ~~AND CANVASSERS~~ REGISTERED IN SATELLITE BEACH, FLORIDA INVITED," then any solicitor or peddler ~~or canvasser~~ not possessing a valid permit shall immediately and peacefully depart from the premises; and if the notice states "NO SOLICITORS OR PEDDLERS ~~OR CANVASSERS~~ INVITED," then the solicitor or peddler ~~or canvasser~~, whether registered or not, shall immediately and peacefully depart from the premises.

(b) Any solicitor or peddler ~~or canvasser~~ who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

SECTION 8. Section 42-11, Satellite Beach City Code, is amended/renumbered to read as follows:

Sec. 42-~~11~~ 10. Uninvited soliciting and peddling ~~and canvassing~~ prohibited.

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or to create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting or peddling ~~or canvassing~~ in defiance of the notice exhibited at the residence in accordance with the provisions of section 42-~~9~~ 8.

SECTION 9. Section 42-14, Satellite Beach City Code is amended/renumbered to read as follows:

Sec. 42-~~14~~13. Telephone solicitations.

(a) No solicitor, peddler, ~~canvasser~~, promoter, vendor or any other person in the city shall use any telephone in the city for the purpose of contacting another person in the city to offer for sale or to sell products or services, or to promote any plan, scheme, device or means, any commercial or business plan, project or venture, without having been requested or invited to do so by the person called, or without the existence, prior to the enactment of this section, of a current business or commercial relationship between the person making such use of a telephone and the person to whom the call is placed.

(b) The actions prohibited by subsection (a) are hereby declared to be a nuisance and may be abated as such.

SECTION 10. Section 42-12, Satellite Beach City Code, is renumbered to Section 42-11.

SECTION 11. Section 42-13, Satellite Beach City Code, is renumbered to Section 42-12.

SECTION 12. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 13. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 14. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

SECTION 15. This Ordinance was duly passed on first reading at a regular meeting for the City Council on the ___ day of ____, 2026, and adopted on second and final reading at a regular meeting of the City Council on the ___ day of ____, 2026.

STEVEN L. OSMER, Mayor

ATTEST:

GWEN PEIRCE, MMC, City Clerk

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