

ORDINANCE NO. 23

AN ORDINANCE TO LICENSE CHARITABLE AND OTHER ORGANIZATIONS, INSTITUTIONS, OR ASSOCIATIONS, THEIR AGENTS OR REPRESENTATIVES, FOR SOLICITING AND RECEIVING PUBLIC DONATIONS.

The Village of Beverly Hills Ordains:
Section 1.01. Definitions

(a) The words "solicit" and "solicitation" shall mean the request of money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value, or any part thereof, will be used for a charitable, religious, patriotic, civic, educational or philanthropic purpose, by telephone, personal interview, or otherwise. The said words shall also mean and include the sale or offer to sell any article, tag, ticket, emblem, publication, advertisement, subscription or other thing, whether of value or not, on the plea or representation that such money, credit, property, financial assistance or other thing of value, or any part thereof, whether received by the solicitor or purchased by the buyer, will be used for a charitable, religious, patriotic, civic, educational or philanthropic purpose.

(b) The word "person" shall mean any individual, firm, co-partnership, corporation, company, association or joint stock association, church, religious sect, religious denomination, society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof.

Section 2.01. Permit Required.
No person shall solicit for any cause whatsoever, except as herein otherwise provided, within the Village of Beverly Hills, without permit from the Village Clerk authorizing such solicitation. No person shall solicit or act as an agent, runner, closer, representative or otherwise, of any person conducting a solicitation project outside the village limits. Provided, however, that the provisions of this ordinance shall not apply to solicitations conducted exclusively within the membership of an organization by its own officers and members.

Section 3.01. Application for Permit.
Applications for permits under this ordinance shall be filed with the Village Clerk upon blanks to be furnished by the Village Clerk. The application shall contain the following information, or in lieu thereof, a detailed statement of the reason why such information cannot be furnished:

(a) Name, address, telephone number and headquarters of the person applying for the permit.

(b) The purposes for which such solicitation is to be made and the use or disposition to be made of any proceeds therefrom; or property purchased if the same is to be distributed by the solicitor;

(c) The name of the person by whom the receipts of such solicitation shall be disbursed;

(d) The names, addresses and telephone numbers of the person or persons who will be in direct charge of conducting the solicitation, and the names of all solicitors, plus their addresses and telephone numbers;

(e) An outline of the method or methods to be used in conducting the solicitation;

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

(g) The amount of any wages, fees, commissions, expenses or emoluments to be expended by anyone in connection with such solicitation, together with the manner in which such wages, fees, expenses, commissions, or emoluments are to be paid, to whom paid and the amount thereof;

(h) A statement of all anticipated expenses relating to the solicitation, including the cost of all articles, tags, tickets, emblems, publications, advertisements, subscription, printing, distribution or other expense incidental to the solicitation.

(i) A financial statement for the last preceding fiscal year, of any funds collected for the purposes set out in paragraph (b) of the application.

(j) A full statement of the character and extent of the charitable, civic, educational, patriotic, or other purposes to be promoted by the applicant within the Village of Beverly Hills.

(k) Such other information as may be required by the Village Clerk for him 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.

Section 4.01. Filing False Application.
It shall be a violation of this ordinance for any person, knowingly, to file, or cause to be filed, an application containing one or more false statements.

Section 5.01. Standards for Clerk's Action in Granting or Denying Applications.
The Village Clerk shall authorize the permit provided for in Section 2.01 hereof whenever he shall find the following facts to exist:

(a) That the applicant is a person or organization which is, as a matter of fact, educational, patriotic, civic, educational, philanthropic or religious activity, or engaged in raising funds for distribution to such persons or organizations.

(b) That the net proceeds from the solicitations authorized under the permit shall be used exclusively for charitable, civic, educational, patriotic, philanthropic or religious purposes.

(c) That none of the solicitations authorized by the permit will be divided in any manner with persons who actually make the solicitations.

(d) That the solicitations authorized by the permit will not be divided or in any manner shared, either directly or indirectly, with any person or organization other than the applicant for the permit, or the person or organization for whose benefit the solicitation is made.

(e) That expenses incidental to the solicitation shall not exceed Thirty Percent (30%) of the gross proceeds, assuring the donor that at least Seventy Percent (70%) of the donation shall be used for the charitable, civic, educational, patriotic, philanthropic or religious activity named; provided, however, that where the solicitation is incidental to the sale of something claimed to be of value, the Village Clerk may, in his discretion, authorize a departure from the above ratio.

Section 6.01. Fee.
At the time when a permit is issued, there shall be paid to the Village Treasurer the sum of \$1.00 to cover the cost of an investigation into the qualifications of the applicant as above provided. There shall be no further charge for the permit, but the sum of ten cents (10c) shall be paid for each facsimile copy of the permit that is desired. All permits shall specify the period of solicitation, and all annual permits shall expire December 31st following date of issuance.

Section 7.01. Permit Non-Transferable.
Any permit approved and issued under this ordinance shall be non-transferable, provided, however, that this shall not prevent any permittee from using any number of solicitors and representatives as shall be reported to the Village Clerk, and provided further, that the Village Clerk may at his discretion, require that each solicitor and representative shall carry a facsimile copy of such permit, and be engaged in solicitation. All permits and facsimile copies shall be returned to the Village Clerk within two (2) days of the date of expiration.

Section 8.01. Permit Not Endorsement by Village.
No person shall represent that the granting of a permit hereunder is an endorsement by the Village of Beverly Hills of the particular organization involved, and any such representation is hereby declared to be a misrepresentation of fact and subject to the provisions for revocation of the permit as herein provided.

Section 9.01. Procedure for Revocation of Permit.
If, upon receipt of written information or upon his own investigation, the Village Clerk has reason to believe that any officer, agent or representative of a permittee is misrepresenting facts or making untrue statements, or has misrepresented facts or made untrue statements either with words or by implication, with regard to solicitations or the purposes thereof, or has made untrue statements in the application, or that in any other way the solicitations have been conducted, or are being conducted, in violation of any part of this ordinance and not in conformity with the intent and purpose of this ordinance, then the Village Clerk shall immediately suspend such permit. Provided, however, that before any permit is suspended, the Village Clerk shall cause to be mailed to the permit holder a notice that a hearing is to be had before the Village Council, and such notice shall be mailed, or served upon the permittee personally, at least twenty-four hours before said hearing, and at such hearing the facts shall be ascertained and reported to the Village Council at its next meeting, and if it shall find any of the reasons above set forth for revoking the permit exist, the permit shall be revoked.

Section 10.01. Separability.
If any clause, sentence, paragraph or part of this ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 11.01. Penalties.
Any person violating any of the provisions of this ordinance, or filing, or causing to be filed, an application for a permit or certificate under this ordinance containing false or fraudulent misstatements, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than One Hundred Dollars (\$100.00) and not more than ninety (90) days, or may be punished by both fine and imprisonment.

Section 12.01. Repeal of Conflicting Ordinance.
All ordinances or parts of ordinances of the Village of Beverly Hills inconsistent herewith are hereby repealed so far as inconsistent with the provisions of this ordinance.

Section 13.01. Short Title.
This ordinance shall be known and may be cited as "The Village of Beverly Hills' Charitable Solicitations Ordinance."

Section 14.01. This ordinance shall take effect ten (10) days after its publication.

Made and passed by the Village Council of the Village of Beverly Hills on the 7th day of April, A.D. 1959.

Marvin B. Cline
President
Alice M. Spencer, Village Clerk



Safety Patrol Boys Have New Look

Birmingham Police Lt. Robert Schaulé inspects the white helmet Brian Thomas, Pierce safety patrol boy, is wearing. The Birmingham Lions club purchased 28 helmets. They are now being used by Pierce school on a trial basis. If they prove successful, Schaulé said they will be issued to all schools in the city. The helmets are regular army helmet liners that have been painted white. Schaulé said they make the patrol boys more visible to motorists, plus having a morale boosting effect on the boys.

Hills Postoffice Dispatching Mail On Sundays Now

Bloomfield Hills post office has started dispatching mail on Sundays. Postmaster Wayne Mortimer said. Mail deposited in the box in front of the postoffice up to 3 p.m. Sundays will be dispatched that evening. Mortimer said letters designed for delivery within a one-mile radius of Detroit this will be received Monday, the postmaster said.

Are you in the market for a home? Then read the "Houses for Sale" columns in the Classified Ad section of this week's Birmingham Eccentric.

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Rec Board Approves New \$101,730 Budget

The Birmingham recreation board approved a record \$101,730 1959-60 budget at the meeting Thursday. The budget will now be presented for approval to the joint city commission-board of education meeting.

Biggest item in the new budget is the Eton park artificial ice rink which will cost \$20,680 next season.

Salaries and administration will cost \$18,866 and summer swimming will cost an estimated \$17,350. These are the three biggest expenditures in the local recreation program.

OPERATION of the playgrounds during the summer will cost the recreation board \$2,750 and the baseball program budget is set at \$4,200.

Saturday swimming (winter program) will cost an estimated \$7,715. Revenue from this program, however, totals \$5,200.

Some of the recreation programs are self sustaining and several are nearly completely subsidized by revenue.

THE LIFE saving class, slim-trim classes and adult softball programs are completely paid for by participants and the diving class, Saturday swimming and family swimming programs are almost completely subsidized by revenue.

Some of the costs of various programs are: music, \$2,650; adult recreation, \$1,040; basketball, \$1,272; natural ice rinks, \$2,500; senior league basketball, \$781; archery, \$690; day camp, \$550; and tennis, \$735.

Others include the youth program at \$420; golf, \$630; special swimming, \$540; hockey league \$706; hockey clinic, \$250; senior men's club, \$125; ski slope, \$325, and carp carnival, \$50.

Janes Replaces Miss Estella Martin

A story in The Birmingham Eccentric last week regarding the appointment of Robert Janes as executive director of Family Service of Oakland county should have said he was filling the position for 13 years by Miss Estella Martin.

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You Are Cordially Invited To Attend the final spring furniture showing at our **open house** Sunday April 12th 12 noon — 7 p.m.

For the convenience of those who were not able to attend our open house April 5th, we will again be open this Sunday.

While Visiting Our Open House See Our Huge Display of **CALIFORNIA REDWOOD FURNITURE** by VANDYCRAFT

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