

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE BOROUGH OF BELLEFONTE, CENTRE COUNTY, PENNSYLVANIA AMENDING CHAPTER 410, PEDDLING AND SOLICITING OF THE CODE OF ORDINANCES.**

Be it enacted and ordained by the Council of the Borough of Bellefonte, and it is hereby enacted and ordained by the authority of the same.

**SPECIFIC PROVISIONS**

Amend Chapter 410, Peddling and Soliciting; Article I, Solicitors, Peddlers and Transient Merchants; Article II, Panhandling and Solicitation; to add and amend:

**§ 410-1. Definitions.**

Add the following definition:

**CANVASSING** — Any non-commercial door-to-door or in-person activity in which a person communicates with residents or members of the public for purposes including, but not limited to, political campaigning, advocacy, charitable or nonprofit fundraising, religious expression or proselytization, community outreach, or other activities protected by the First Amendment to the United States Constitution. Canvassing does not involve the commercial sale of goods or services and is not subject to the license requirements of this article.

Amend the definition of **PEDDLING** by amending Subsection C and adding Subsection I as follows:

C. The sale of goods, wares and merchandise donated by the owners thereof, the proceeds wherefore are to be applied to any charitable, philanthropic or religious purpose.

I. Canvassers. Persons engaged in canvassing as defined in this article are not subject to the licensing or permit requirements of this article.

Amend the definition of **SOLICITING** by inserting "for a commercial purpose" after "contributions" in the first sentence, as follows:

**SOLICITING** — Subject to the exceptions provided for in the definition of "peddling" in this section, "soliciting" means the seeking or taking of contracts or orders for any goods, wares, services or merchandise for future delivery or for subscriptions or contributions, **for a commercial purpose**, upon any of the streets or sidewalks or from house to house by visitation to private residences or by entering in or upon private property within the Borough.

**§ 410-2. Charitable, religious or nonprofit causes.**

Amend § 410-2 in its entirety to read as follows:

Solicitation and canvassing by persons or organizations for charitable, religious, nonprofit, or other non-commercial causes are protected speech activities and are not subject to any registration requirement, fee, or advance notice requirement under this article.

**§ 410-3. Religious proselytization.**

Amend § 410-3(A) in its entirety to read as follows:

A. Members of any duly constituted religious organization or any group affiliated with or forming an integral part of such organization are permitted to minister, proselytize or communicate its goals, purposes or philosophies on a door-to-door basis without advance registration, fee, permit, or identification requirement. Such activity constitutes canvassing as defined in § 410-1 and is not subject to the licensing requirements of this article.

Amend § 410-3(B) to read as follows:

B. Upon written complaint of any citizen or resident of the Borough that any member or group of any organized and duly constituted religious organization has failed to leave the premises after being requested to do so or has behaved in any manner to give offense to such resident, the Chief of Police or his/her designee shall investigate the complaint and, if warranted, initiate appropriate action as permitted by law.

**§ 410-4. Peddler, solicitor or transient merchant application and permit.**

Amend § 410-4 to read as follows:

**This section applies to commercial peddlers, solicitors and transient merchants only.** A peddler, solicitor or transient merchant application and permit is available at the Police Department and may be updated from time to time. Conditions may be placed on vendor activities. Licenses are valid for 30 days and may be revoked at the discretion of the Bellefonte Chief of Police or his/her designee.

**§ 410-5. License required.**

Amend § 410-5 to read as follows:

No person shall engage in **commercial solicitation**, peddling or transient merchandising in the Borough without first obtaining a license therefor as hereinafter provided.

**§ 410-6. License application.**

Amend § 410-6 to replace "soliciting" with "commercial solicitation" in both instances where that term appears in the introductory paragraph.

**§ 410-10. License fees.**

Amend § 410-10(A) to read as follows:

A. A license fee shall be paid to the Borough Police Department, for the use of the Borough, upon the issuance of any license under this article. A separate application shall be filed and a separate permit fee shall be paid by each person who actually conducts the **commercial** soliciting, hawking, peddling or transient merchandising.

B. The fee to be paid for a license shall be as established **in the Fee Schedule** of the Borough Council **and may be updated as needed without amendment to this ordinance.**

**§ 410-11. Effective period of licenses; renewals.**

Amend § 410-11 to insert "commercial" before "soliciting" in the second sentence.

**§ 410-12. License to state products and services and be carried at all times.**

Amend § 410-12 to insert "commercial" before "soliciting" in the second sentence.

**§ 410-13. Hours and days of work permitted.**

Amend § 410-13 in its entirety to read as follows:

No person licensed as a commercial solicitor or peddler under this article shall engage in soliciting or peddling on any day of the week before 9:00 a.m., prevailing time, or after 9:00 p.m.

Canvassers engaged in non-commercial speech activity as defined in this article are not subject to the licensing restrictions of this section. However, canvassers visiting private residences shall confine such visits to the hours of 9:00 a.m. to 9:00 p.m., prevailing time, any day of the year. Canvassers must respect any "no solicitation" or "no trespassing" sign posted on private property. Failure to do so constitutes defiant trespass under Pennsylvania law.

**§ 410-14. Extended parking; depositing refuse prohibited.**

Amend § 410-14 to add the following paragraph at the end:

It shall be unlawful to park any vehicle upon any street, highway, or alley of Bellefonte Borough overnight or for storage purposes unless a waiver has been obtained in advance. All parking shall comply with the regulations enumerated in Chapter 530, Vehicles and Traffic; Article VIII, Parking Generally of the Bellefonte Borough Code of Ordinances.

**§ 410-15. Fixed locations prohibited.**

Amend § 410-15 to insert "commercial" before "soliciting".

**§ 410-17. License suspension or revocation.**

Amend § 410-17(A)(5) to insert "commercial" before "soliciting".

**§ 410-18. Hawking; use of sound devices prohibited.**

Amend § 410-18 to insert "commercial" before "solicitor."

**§ 410-19. Panhandling.**

Amend § 410-19(B) by deleting Subsections (4) and (8) and renumbering as required:

Delete subsection (4): "In a public park, fairground, or sporting facility, including entryways or exits thereto;"

Delete subsection (8): "On public property in the downtown core district."

Amend § 410-19(C)(2) and (3) to read as follows:

(2) By continuing to solicit a person after that person has refused the initial solicitation, or by following a person in a public place after that person has declined to donate;

(3) By obstructing a public sidewalk, building entrance, or vehicle lane of travel while soliciting; or

**§ 410-20. Solicitation and off-premises canvassing on public property.**

Amend § 410-20(B)(2)(a) by deleting "present" before "donation" and deleting "or exchange" at the end of that clause.

**§ 410-21. Sitting/lying on sidewalks in downtown core district prohibited.**

Amend § 410-21(C)(6) by deleting ", for which proper Borough permits have been obtained".

**§ 410-22. List of homes not wishing to be solicited.**

Amend § 410-22(A) to read as follows:

Any resident of the Borough of Bellefonte may register with the Borough of Bellefonte Police Department by signing a registration list, application or through any Borough-approved electronic means indicating that such owner or resident of such home does not wish to be **contacted by commercial peddlers or solicitors licensed under this chapter**. The Borough of Bellefonte shall place the address only upon a registration list for the same. Any person seeking a licensing permit under the provisions of this chapter shall, in signing the application to obtain the same, agree that he or she will not **contact for commercial peddling or soliciting purposes** addresses on the list which indicates that such owner or resident of such home does not wish to be **contacted**. Such a list shall be made available to the residents of the Borough and shall be held by the Department of Police, and a copy thereof, with addresses only, shall be given to each person obtaining a license and identification card under the provisions of **this chapter**.

Add the following as a new numbered paragraph at the end of Subsection A:

The 'Do Not Knock' list maintained under this section applies only to commercial peddlers and solicitors licensed under this chapter. It shall not be applied to canvassers or persons engaged in non-commercial speech activity as defined in § 410-1. A property owner's most effective remedy against unwanted non-commercial door-to-door visitors is to post a clearly visible "no solicitation" or "no trespassing" sign on their property; failure to observe such a sign subjects the canvasser to prosecution for defiant trespass under Pennsylvania law.

Amend § 410-22(B) to replace "solicit" with "commercially solicit or peddle at."

**§ 410-23. Violations and Penalties.**

Add § 410-23 as a new section to read as follows:

Any person, firm, association or corporation who or which shall violate or fail, neglect or refuse to comply with the provisions of this chapter shall, upon conviction thereof, in a proceeding commenced before a Magisterial District Judge pursuant to the Pennsylvania Rules of Criminal Procedures, be sentenced to a fine of not less than \$35, nor more than \$1,000, plus costs, and, in default of payment of said fine and costs, a term of imprisonment not to exceed 90 days. Each day that a violation occurs or is committed shall constitute a separate offense. Violations may also result in the revocation of the violator's permit.

ENACTED AND ORDAINED into an Ordinance this \_\_\_\_ day of \_\_\_\_\_ 2026, by the Council of the Borough of Bellefonte in lawful session assembled.

ATTEST:

BOROUGH OF BELLEFONTE:

\_\_\_\_\_  
David G. Pribulka  
Borough Manager/Secretary

\_\_\_\_\_  
Douglas Johnson  
President of Council

AND NOW, to wit, this \_\_\_\_ day of \_\_\_\_\_ 2026, the within and above Ordinance is approved.

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Gene "Buddy" Johnson, Mayor