

**AN ORDINANCE AMENDING SECTION 268-9 OF THE TOWN OF SMITHFIELD  
MUNICIPAL CODE ENTITLED "PEDDLING AND SOLICITING"**

**IT IS HEREBY ORDAINED BY THE TOWN OF SMITHFIELD AS FOLLOWS:**

Section 1. Section 268-9, of the Smithfield Municipal Code are hereby amended to read as follows:


**§ 268-9 Permit required to canvass or solicit; conditions; violations and penalties.**

- A. Required. To ensure the public health, safety, and welfare, no person shall canvass or solicit or call from house to house in the Town of Smithfield to sell or attempt to sell goods, merchandise, wares, or any personal property of any nature whatsoever, or take or attempt to take orders for services to be furnished or performed in the future, without first having received a written temporary or permanent permit therefor from the Town Clerk.
- B. Application; contents.
- (1) Any person desiring a permit to canvass or solicit in the Town shall file, on a form to be supplied by the Town Clerk, an application with the Town Clerk stating:
    - (a) Name of applicant;
    - (b) Permanent home address;
    - (c) Name and address of employer or firm represented;
    - (d) Place or places of residence of the applicant for the preceding three years.
    - (e) Date on which he/she desires to commence canvassing or soliciting;
    - (f) Nature of merchandise to be sold or offered for sale or the nature of the services to be furnished.
    - (g) Whether or not the applicant has ever been convicted of a crime, misdemeanor or violation of any ordinance and if so, when, where, and the nature of the offense;
    - (h) Names of other communities in Rhode Island in which applicant has worked as a solicitor or canvasser in the past two years;
    - (i) A copy of a recent photo identification. If no such identification is available, applicant must submit to the taking of a photo identification picture, for purposes of identification only, by the Town of Smithfield Chief of Police.
  - (2) Said application shall also be accompanied by a letter or other written statement from the individual, firm or corporation employing the applicant, certifying that the applicant is authorized to act as the employer's representative.
  - (3) No such application shall be filed more than three months prior to the time such canvassing or soliciting shall commence.

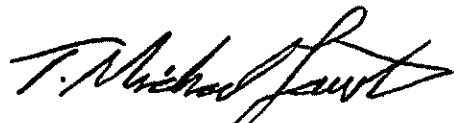
- C. Investigation; issuance of permit. Once an applicant has provided the necessary information to the Town Clerk, he/she will receive a temporary solicitation permit and is free to solicit in accordance with the laws of this section. The Town Clerk shall give a copy of the application to the Chief of Police who shall cause such investigation to be made of the information contained therein for the public good. He shall use any information available in other Rhode Island cities or towns, where the applicant has canvassed or solicited within two years last past. If the applicant is found to have solicited over the past two years without criminal incident and has confirmed authority to solicit for a legitimate cause, the Town Clerk will then issue a permanent solicitation permit for a period of two years. Upon expiration of the permanent solicitation permit, the applicant must reapply in accordance with Subsection B of this section.
- D. Time limitation. To prevent crime and ensure the peacefulness of the citizens of Smithfield's homes, no person shall engage in door-to-door solicitations before the hour of 9:00 a.m. to no later than 6:00 p.m. from April 1<sup>st</sup> to September 30<sup>th</sup> and 5:00 p.m. from October 1<sup>st</sup> to March 31<sup>st</sup>.
- E. Penalty. Any person, firm or corporation violating any provision of this section shall, upon conviction thereof, be fined in an amount not exceeding \$150. Each day said violation is permitted or is permitted to continue, shall constitute a separate offense and shall be subject to a penalty hereunder.

Section 3. These Ordinance Amendments shall take effect Thirty (30) days after their adoption by the Smithfield Town Council.

APPROVED AS TO FORM AND LEGALITY:

  
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 Anthony M. Gallone, Jr.  
 TOWN SOLICITOR

ADOPTED: December 5, 2023

  
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 T. Michael Lawton  
 TOWN COUNCIL PRESIDENT

  
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 Lyn M. Antonuccio  
 TOWN CLERK

