

COPY

AMENDMENT TO PAWNBROKERS, PEDDLERS AND SOLICITORS ORDINANCE, CHAPTER 110 OF THE CODE OF MURPHY, NORTH CAROLINA

WHEREAS, the General Statutes of the State of North Carolina authorize local governments to restrict or prohibit persons from standing on any street, highway, or right of way, excluding sidewalks, while soliciting or attempting to solicit any employment, business, or contributions from the driver or occupants of any vehicle; and

WHEREAS, persons standing on a street, highway, or right of way, excluding sidewalks, while soliciting or attempting to solicit employment, business, or contributions from the driver or occupants of a motor vehicle, can result in danger to the person making the solicitation as well as danger to the drivers and occupants of motor vehicles being operated on the street or highway; and

WHEREAS, it is the opinion of the Board of Commission of the Town of Murphy, North Carolina, that the Pawnbrokers, Peddlers and Solicitors Ordinance, Chapter 110 of the Code of Murphy, North Carolina, should be amended to regulate same.

NOW, THEREFORE, IT IS ORDAINED BY THE BOARD OF COMMISSION OF THE TOWN OF MURPHY, NORTH CAROLINA:

SECTION 1. AMENDMENTS. Chapter 110 of the Code of Murphy, North Carolina, be and hereby is amended by striking and deleting Section 110.01(D) in its entirety and inserting in lieu thereof the following:

D. Prohibited locations for solicitation. Soliciting or attempting to solicit employment, business, or contributions from the driver or occupants of any motor vehicle by a person located on any street, highway, or right of way, excluding sidewalks, within the corporate limits of the Town of Murphy, North Carolina, is prohibited.

The provisions of this subsection shall not apply to members of the Town of Murphy Volunteer Fire Department soliciting contributions on behalf of the Town of Murphy Volunteer Fire Department.

SECTION 2. ENFORCEMENT. It shall be the duty of the Police Department of the Town of Murphy to enforce the provisions of this Ordinance.

SECTION 3. EXERCISE OF POLICE POWER. This entire Ordinance shall be deemed and construed to be an exercise of the police power of the Town of Murphy, State of North Carolina, for the preservation and protection of public safety and all of its provisions shall be liberally construed with a view to the effectuation of such purpose.

SECTION 4. SEVERABILITY. If any section, phrase, sentence or

portion of this ordinance is held void, invalid, unconstitutional or unenforceable for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective immediately upon final adoption and passage.

ADOPTED AND PASSED by unanimous vote of the Board of Commissioners of the Town of Murphy, North Carolina, at a regular meeting on the 2nd day of October, 2023.

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner