

Municipal Council Workshop
Tuesday, September 12, 2006, 6:30PM
Town Hall Auditorium

2006-028 An Act to change Article 9-18 Solicitation Policy of the APD Regulations – Mayor Kezer sponsor cont.

Mike Cronin, Chief of Police – Chief Cronin reviewed the three versions of the Solicitation Policy that have been prepared, the original Mayor Kezer version, the Modified Mayor Kezer version and the More Comprehensive version written by the Ordinance committee and does not recommend any of three. He recommends a portion of the modified Mayor Kezer version with some added language to the first paragraph, a slight change to the second paragraph and eliminates the third paragraph. He likes the wording that giving the Police Department the authority to decline issuing the permit. He does not recommend the More Comprehensive Version because in part it lists a number of reasons why the permit can be rejected. His concern is listing some reasons but not others leaves the Department open for challenges.

He does not feel the need of the third paragraph of the modified Mayor Kezer version because it is trying to reinforce the Trespassing Law. Massachusetts has a very strong and broad based Trespassing law that gives Police the power of arrest.

He would like to see some added language that is not in the modified Mayor Kezer version that says something like “notwithstanding the provisions of the Ordinance, no person, organization or body shall solicit or present any items within 500’ of a school zone while that school is in session”. The reason is because that does include religious solicitation and the schools have had problems in the past with people handing out religious pamphlets at school doors. In one particular case the person was asked to leave the school property which he did however he stood just off the property and continued to hand out pamphlets stating he was exercising their first amendment right to free speech. He would also like see the hours read “the maximum hours between 8:00 a.m. and 8:00 p.m.” and maybe even limit the hours especially in the winter when it gets dark at 5:30 p.m.

Councilor Thone suggests having the people who are soliciting carry a permit on them to prove that they have been in touch with the police department and Chief Cronin explains the permit stays at the police station in case a resident calls so he will have all the information at hand and asks who would produce them.

Councilor Brennick asks how many requests for permits are received Chief Cronin states probably 30 to 50 a year.

Councilor Benson asks if a permit is required to solicit businesses Chief Cronin responds that you do not need a permit to solicit businesses. He further explains if you have an office and the public does come into you office to do business you are considered private. If the doors are open, solicitors can walk in, the way around that is to post a sign; no solicitors.

Councilor Lawrence asks about people running for political office. Chief Cronin states there is no permit required for politicians.

Councilor Lindstrom asks how the Solicitation Policy affects kids selling for their schools or groups. Chief Cronin states a person from the organization or school will contact the police telling them when they will be out soliciting, how many kids, area of town and the police will give them safety suggestions.