

## DUPLIN COUNTY

## PEDDLING AND SOLICITATION ORDINANCE

WHEREAS, the Duplin County Board of Commissioners has received numerous complaints about unwanted door-to-door sales calls being made on citizens throughout the County;

WHEREAS, the Board believes that it would be in the public interest to prohibit door-to-door sales for commercial purposes;

WHEREAS, North Carolina General Statute §153A-125 gives counties the authority to regulate and restrict such activities;

WHEREAS, the Board believes that it should not prohibit door-to-door sales by non-profit organizations (or subgroups thereof) such as schools, churches, volunteer fire departments, rescue squads, historic preservation groups, garden clubs, and/or other charitable organizations.

NOW THEREFORE, PURSUANT TO NORTH CAROLINA GENERAL STATUTE SECTIONS §153A-125, 153A-121, AND 153A-12, RESPECTIVELY, IT IS HEREBY ORDAINED:

**Section 1. Prohibited Acts.** Except as otherwise provided herein, the practice of going in and upon private residence within the jurisdiction of Duplin County by solicitors, peddlers, hawkers, itinerant merchants, or transient vendors of merchandise not having been requested or invited to do so by the owner or occupant of such private residence for the purpose of soliciting orders for the sale of goods, wares, services or merchandise or disposing of or peddling or hawking the same is hereby declared to be a nuisance and punishable as a misdemeanor.

**Section 2. Exceptions.** This Ordinance shall not apply to sales of any kind or nature by non-profit organizations (or subgroups thereof) such as schools, churches, volunteer fire departments, rescue squads, historic preservation groups, garden clubs, and/or other charitable organizations.

**Section 3. Violations.** This Ordinance shall be enforced by the Duplin County Sheriff Department. Any violation of a provision of this Ordinance shall constitute a Class 3 Misdemeanor, punishable upon conviction as provided in North Carolina General Statute § 14-4 or any successor statute by a maximum fine as provided by statute.

**Section 4. Cooperation of Complainants.** Before initiating a criminal proceeding pursuant to this Ordinance, the Duplin County Sheriff shall have the option of requesting the complaining party sign a sworn statement of the alleged offense and require the cooperation of the complaining party in any court appearance arising out of said complaint. Nothing contained in

this Ordinance shall obligate Duplin County, the Duplin County Sheriff, their officers, or their employees from pursuing any proceedings hereunder where the complaining party is unwilling to sign a sworn statement and/or cooperate in court appearance arising out of said complaint.

**Section 5. Effective Date.** This Ordinance shall become effective January 1, 2012.

Adopted this the 3<sup>rd</sup> day of October, 2011.

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Frances Parks, Chairman  
Duplin County Board of Commissioners

ATTEST:

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Mike Aldridge, Clerk  
Duplin County Board of Commissioners