

AN ORDINANCE REGULATING THE SOLICITATION OF MEMBERSHIP IN CERTAIN ORGANIZATIONS FROM AMONG THE CITIZENS OF THE TOWN OF HAMILTON, ALABAMA, AND WITHIN ITS POLICE JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND PAYMENT OF FEES FOR THE SOLICITATION OF MEMBERSHIP IN SUCH ORGANIZATIONS; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMILTON, ALABAMA, AS FOLLOWS:

Section 1. Before any person shall solicit membership from among the citizens of the Town of Hamilton, Alabama, for any organization of any kind which requires from its members the payment of membership fees or dues, or which is entitled to make assessments against its members, he shall make application in writing to the governing body of said Town for the issuance of a permit to solicit members in such organization.

Section 2. Each application shall give the name and nature of the organization for which the applicant desires to solicit members, whether the organization is incorporated or unincorporated, the location of its principal office and place of business, the name of its officers, the date of its organization, and the amount of its assets and liabilities. Each application shall also contain the places of residence, and the business or profession in which the applicant has been engaged in, during the ten years next preceding the date of the application; information as to whether the applicant is a salaried member or employee of the organization for which he is soliciting members; and the amount of compensation, if any, he receives for obtaining members. Each application shall be accompanied by the names and addresses of at least three persons who can attest to the applicant's good character.

Section 3. The application shall be presented to the governing body of said Town at a regular meeting thereof, and in the event such body desires to investigate further the information contained in the application, or in the event the applicant desires a formal hearing on the application, a hearing shall be set for a time not later than the next regular meeting. At such hearing, the applicant may submit any evidence that he may desire bearing on the application, and any interested person shall have the right to appear and give evidence to the contrary.

Section 4. In passing upon each application, the governing body shall consider the character of the applicant, the nature of the business or the organization for which members are desired to be solicited, and the effect of the nature of the business of the organization upon the general welfare of the citizens of said Town. The grant or denial of an application for a permit shall be determined by vote of the members of such body in the same manner that other matters are passed upon by it.

Section 5. Any person making application for a permit who is a salaried officer or employee of the organization for which he desires to solicit members from among the citizens of said Town of Hamilton, Alabama, or who receives a fee or other compensation for obtaining members for such organization shall pay a license fee of one thousand dollars upon the issuance of a permit. In addition, he shall pay a fee of twenty-five dollars for each member of the organization recruited by him from among the citizens of said Town. Any permit issued under the provisions of this section shall be valid until the first day of January next succeeding the date of issuance. All fees collected under the provisions of this section shall be paid into the general fund of the said Town.

Section 6. Any person soliciting members for any organization which requires from its members the payment of membership fees or dues, or which is entitled to make assessments against its members, without first obtaining the permit provided for by this Ordinance, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars and may be sentenced to hard labor for the said Town for a period not exceeding six months.

Section 7. Before any person shall solicit membership from among the citizens outside the corporate limits of the said Town of Hamilton, Alabama, but within its police jurisdiction, for any organization described in Section 1 of this Ordinance, such person shall comply with all of the provisions of Sections 1, 2, 3, 4, and 5 of this Ordinance but he shall only be required to pay one-half of the license fee and recruiting fee provided for in Section 5 hereof. Should any person solicit membership from among the citizens outside the corporate limits of the said Town of Hamilton, Alabama, but within the police jurisdiction, for any organization described in Section 1 hereof, and should such person fail to comply with all of the provisions of Sections 1, 2, 3, and 5 hereof, he shall be subject to the same penalties and punishment as provided for in Section 6.

Section 8. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid, illegal, or unconstitutional, such declaration shall not affect the part which remains. This Ordinance shall take effect immediately.

Adopted the 11th day of July, 1955.

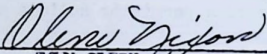
Approved J. D. Sexton  
Mayor

Authenticated by:  
Oliver Nixon  
Town Clerk

STATE OF ALABAMA,  
COUNTY OF MARION,  
TOWN OF HAMILTON.

I, Glene Nixon, Town Clerk in and for said Town of Hamilton, Alabama, hereby certify that the above and foregoing ordinance was duly published by posting copies thereof in three public places within the corporate limits of said Town of Hamilton, one of which was the Mayor's office; that said copies of said ordinance were so posted on the 12th day of July, 1955, and that the Town of Hamilton is a Town of less than three thousand inhabitants; further, that said copies remained so posted for more than five days continuously after the 12th day of July, 1955.

This, the 16th day of July, 1955.

  
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TOWN CLERK