



City of Holyoke

IN CITY COUNCIL

Introduced by Councilor Linda L. Vacon

Ordered, that we adopt state law Chapter 17A if necessary or enforce this State Law if adoption of the law is not needed.

Section 17A. Whoever, for the purpose of soliciting any alms, contribution or subscription or of selling any merchandise, except newspapers, or ticket of admission to any game, show, exhibition, fair, ball, entertainment or public gathering, signals a moving vehicle on any public way or causes the stopping of a vehicle thereon, or accosts any occupant of a vehicle stopped thereon at the direction of a police officer or signal man, or of a signal or device for regulating traffic, shall be punished by a fine of not more than fifty dollars. Whoever sells or offers for sale any item except newspapers within the limits of a state highway boundary without a permit issued by the department shall for the first offense be punished by a fine of fifty dollars and for each subsequent offense shall be punished by a fine of one hundred dollars. Notwithstanding the provisions of the first sentence of this section, on any city or town way which is not under jurisdiction of the department, the chief of police of a city or town may issue a permit to nonprofit organizations to solicit on said ways in conformity with the rules and regulations established by the police department of said city or town.

In City Council, October 17, 2017. Received and referred to the Ordinance Committee. Copy to Law Department..

In City Council, on November 21, 2017, the report of Committee received and the Ordinance passed its first reading.

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

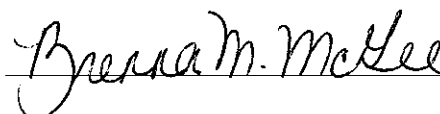
The Committee has considered the same and find that it is truly and properly enrolled.

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays 0--Absent 3 (Bresnahan, Greaney Jr., Valentin). VETO BY THE MAYOR.

In City Council, on December 19, 2017, a motion was made and seconded to override the Mayor's Veto.

The report of Committee received and Adopted the motion on a call of the roll of the yeas and nays --Yeas 12--Nays 3 (Lebron-Martinez, Lisi, Valentin)--Absent 0.


Clerk

IN THE YEAR TWO THOUSAND AND SEVENTEEN

NINE HUNDRED AND FORTIETH AMENDMENT TO CHAPTER 86 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF HOLYOKE, MASSACHUSETTS 1997

AN ORDINANCE

Be it ordained by the City Council of the City of Holyoke as follows:

SECTION 1. Article II entitled “Authority and Duties of Police” of Chapter 86 entitled “Traffic and Vehicles” of the Revised Code of Ordinances of the City of Holyoke, Massachusetts, 1997, as amended, is hereby further amended by the following:

ADDING:

Section 86-35: Soliciting from vehicles on public ways

The chief of police is hereby authorized to enforce Massachusetts General Laws Chapter 85, Section 17A, which states,

“Whoever, for the purpose of soliciting any alms, contribution or subscription or of selling any merchandise, except newspapers, or ticket of admission to any game, show, exhibition, fair, ball, entertainment or public gathering, signals a moving vehicle on any public way or causes the stopping of a vehicle thereon, or accosts any occupant of a vehicle stopped thereon at the direction of a police officer or signal man, or of a signal or device for regulating traffic, shall be punished by a fine of not more than fifty dollars. Whoever sells or offers for sale any item except newspapers within the limits of a state highway boundary without a permit issued by the department shall for the first offense be punished by a fine of fifty dollars and for each subsequent offense shall be punished by a fine of one hundred dollars. Notwithstanding the provisions of the first sentence of this section, on any city or town way which is not under jurisdiction of the department, the chief of police of a city or town may issue a permit to nonprofit organizations to solicit on said ways in conformity with the rules and regulations established by the police department of said city or town.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on the date of passage.

APPROVED AS TO FORM:



Crystal Barnes
Assistant City Solicitor