

See **Sections 14-71 thru 14-88** and **Sections 14-110 thru 14-125** of the LaPorte Municipal Code for complete text of the Peddlers, Solicitors and Canvassers Ordinance.

The Municipal Code can be viewed at the following web site: [www.municode.com](http://www.municode.com). Navigate as directed.

Copies of ordinances can also be obtained at the city Clerk/ Treasurer's office.



City of LaPorte  
Clerk/ Treasurer's office is located at:

LaPorte City Hall  
801 Michigan Avenue  
LaPorte, IN 46350  
Ph. (219) 362-9512

## State of Indiana Panhandling Law

The State of Indiana has a Panhandling Law set forth in **IC: 35-45-17**.

Panhandling means to solicit an individual on a street or other public place by *verbally* requesting an immediate donation of money or something else of value. This includes making a *verbal* request for a donation in exchange for performing music; singing; or engaging in another type of performance.

It does not include acts of passively standing, sitting, performing music, singing, or engaging in another type of performance by displaying a sign or other indicator that a donation is being sought, and without making a verbal request for a donation.

### IC 35-45-17-2

A person who knowingly or intentionally does any of the following commits Panhandling, a Class C misdemeanor:

Panhandling:

1. After sunset and before sunrise
2. When the person being solicited is:
  - at a bus stop
  - in a vehicle
  - in a facility use for transportation
  - in a motor vehicle that is parked or stopped on a public street or alley, unless the solicitor has the approval to do so by the local unit of government who has jurisdiction over the respective street or alley.
  - in the sidewalk dining area of a restaurant
  - within 20 feet of an automated teller machine or entrance to a bank.
3. While touching the person being solicited without that person's consent.
4. While the person being solicited is standing in line waiting to be admitted into a commercial establishment.
5. While blocking:
  - the path of the person being solicited
  - the entrance to a building or motor vehicle
6. While using profane or abusive language:
  - during a solicitation
  - after the person being solicited has declined a donation.
7. While making a statement, gesture, or another communication to the person being solicited that would cause a reasonable person to:
  - fear for their safety, or:
  - feel compelled to donate
8. With at least one (1) other person.
9. And then following or accompanying the solicited person without their consent after they have declined a donation.



## Peddlers, Solicitors and Canvassers Ordinance

## State of Indiana Panhandling Law

## What You Need to Know



Provided Courtesy of:  
**LaPorte Police Department**  
Crime Prevention

A Community Oriented Policing  
Services based agency

## Definitions

The following have their definitions set forth by city ordinance:

**Canvasser:** A person who seeks opinions, preferences or other information for commercial purposes.

**Open air business:** A person, firm, partnership, association or corporation that places or erects an open-air booth, shed, tent, trailer, or stand for the purpose of selling, bartering or exchanging on or from such place any goods, wares, or merchandise.

**Peddler:** A person or persons traveling from place to place selling and delivering goods.

**Solicitor:** A person or persons traveling from place to place NOT carrying goods, but taking orders for future delivery, or soliciting for money or other things of value.

**Street vendor:** A person or persons traveling on public and private streets, sidewalks, or property and carrying, conveying, or transporting goods, wares, or merchandise and offering or exposing the same for sale.

**Transient merchant:** A person, firm, partnership, association, or corporation that engages in the sale of merchandise in any place in the city on a temporary basis and does not anticipate becoming an established business merchant for a continuous period of time of 60 days or longer.

### The City of LaPorte Police Department

1206 Michigan Avenue  
LaPorte, Indiana 46350  
Ph. (219) 362-9446  
Fax (219) 324-4375  
www.lpcitypd.com

## Requirements

All peddlers, solicitors, canvassers, transient merchants, and open air businesses shall:

- Register *individually* with the City of LaPorte prior to engaging in any canvassing, selling, bartering or exchanging of any goods or merchandise. Registration shall be filed with the City of LaPorte Clerk-Treasurer's office.
- Each person shall at all times while soliciting or canvassing in the city carry upon his/ her person the registration certificate. The registration certificate shall be presented by such registrant whenever he/ she is required to do so by any police officer or by any person solicited.
- Limit their hours of operation to those hours between 9:00 a.m. and 9:00 p.m.
- Not enter uninvited into any private building, structure, or room.
- Not enter uninvited upon private property that is posted "no soliciting" or with a similar sign.
- Promptly leave the premises of any resident who has requested the peddler, solicitor or canvasser to do so.

At the onset of the conversation with a potential customer:

- Provide their identification and whom they represent.
- Explain the purpose of the person's call.

- Provide a description of the goods or services for sale in commonly understood terms.
- Inquire whether the person being solicited is interested in listening to a presentation; and immediately discontinue the solicitation if the person being solicited gives a negative response.
- During the solicitation states the total cost or the goods or services offered for sale AND the number, frequency and amount of the installment payments if an installment payment plan is being offered.

## Exceptions

The requirements listed shall not apply to:

- Officers or employees of the city, county, state or federal government engaged in official business.
- Persons soliciting funds for charitable, or religious purposes, or organizations of a non-commercial nature *provided the solicitor is not receiving monetary compensation for his/ her services.*
- Persons engaged in canvassing, promoting, or soliciting support for social, political, religious or other lawful causes.
- Persons selling, delivering, or soliciting sales to retail or other commercial or industrial businesses, such as wholesale distributors or manufacturers' representatives dealing in transactions other than direct sales to consumers.