

Organized Solicitors in Highland Creek

Recently, a group of hard-core and well-trained solicitors have been challenging our community. Whether upon request from HC residents or not, Universal's Security Officers confront the solicitors, take a picture of them and their IDs, explain to them the no soliciting policy, and ask them to leave the premises. When they refuse to leave, Universal's Security Officers call 911 and a Police Officer shows up. The solicitor shows his/her credentials, and his/her properly obtained solicitation permit to the inquiring Police Officer, and he/she goes on soliciting. This has been the #1 issue this month, and it has captured the attention of CMPD and Concord PD. Both CMPD and Concord PD confirmed that the core of the issue lies in the fact that legally speaking solicitors have every right to walk on any public street (everywhere in HC) and knock on any door and solicit even without a permit unless there is a sign that says "no soliciting" posted on the front door of a residence, or a resident asks the solicitor to leave the premises. As stated by Officer Greer of Concord PD, Police Officers can intervene upon the request of a resident, if he/she calls 911 and states that the solicitor refuses to leave. This will result in a trespass notification.

Following is a document issued by CMPD Officer Kopp summarizing the matter:

"Soliciting is an age-old business practice which dates back over decades. [...] In the City of Charlotte, the act of soliciting is not illegal in a residential neighborhood. The City of Charlotte has specific ordinances which address the method and times solicitation is legally allowed.

The following ordinances address soliciting:

Sec. 6-438. Restricted hours in residential areas.

It shall be unlawful to peddle any article of merchandise from any vehicle or on foot between the hours of 8:00 p.m. and 8:00 a.m. in areas zoned for residential purposes within the corporate limits. However, during such periods that daylight saving time is in effect, these hours shall be from 9:00 p.m. to 8:00 a.m.

Sec. 14-282. Soliciting from street or median strip.

- (a) It shall be unlawful for any person to stand in a roadway or median strip for the purpose of soliciting a ride, employment or business from the occupant of the vehicle.
- (b) It shall be unlawful for any person to stand on or in proximity to a street or highway for the purpose of soliciting the watching or guardian of any vehicle while parked or about to be parked on a street or highway or parking lot.
- (c) It shall be unlawful for any person to stand, sit or loiter in any street or highway, including the shoulders or median strip, but excluding sidewalks, and to stop or attempt to stop any vehicle for the purpose of soliciting or accepting contributions from occupants of any vehicle or for the purpose of distributing merchandise or services to the occupants of any vehicle.

Sec. 15-15. Public solicitation and begging regulated.

- (b) It shall be unlawful for any person to beg, solicit or panhandle on a public sidewalk, public right of way or within a public park owned by the city.

The residents need to understand this is not a criminal offense. CMPD will address these solicitors as such:

- We will attempt to find and identify the individual(s).
- We will NOT tell them they have to leave the neighborhood. We will NOT threaten them with arrest if they do not leave.
- If they are asked to leave private property and refuse to do so, then we can arrest or cite for 2nd Degree Trespass.
- Only the actual property owner may speak for their property in regards to preventing the subject from trespassing on their property. A "No Solicitors" sign does not constitute a warning, and holds no legal authority.
- Multiple calls for service regarding the same individual does not escalate CMPD's enforcement.

We strongly encourage residents to call 911 if they observe any suspicious people or activity. No call is too small. The caller can call anonymously, and they do not have to meet with an officer. Allow law enforcement the opportunity to identify these individuals, their company and their intent. Law enforcement uses this data collection to better investigate crimes within the community. I understand the frustration of residents who do not want uninvited guests walking around their neighborhood, but it is not a criminal matter. CMPD officers have been trained on dealing with solicitors. Please let the community know the responding officer is not "failing to do his/her job" but in fact they are doing their job based on state law and local ordinances."

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