

ORDINANCE NO. 2812

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CHARITABLE SOLICITATION REPEALING SECTIONS 7.56.010 THROUGH 7.56.030 INCLUSIVE, AS ADOPTED BY ORDINANCE 2241 AND ADOPTING NEW REGULATIONS CONSISTENT WITH RCW CHAPTER 19.09.

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

Section 1. Chapter 7.56 of the Kirkland Municipal Code, including Sections 7.56.010, 7.56.020 and 7.56.030, all as adopted by Kirkland Ordinance 2241 is hereby repealed.

Section 2. There is hereby added to the Kirkland Municipal Code a new chapter relating to charitable solicitations to read as follows:

Section 7.56.010 Definitions. The following words and phrases shall, for the purposes of this ordinance, carry the same meaning as set forth in RCW 19.09.020:

"Charitable organization," "contribution," "person," "professional fund raiser," "professional solicitor," and "solicitation."

Section 7.56.020 Registration with the Washington State Secretary of State required. It is unlawful for any charitable organization, or any professional fund raiser or solicitor to carry on a solicitation for charitable contributions for or on behalf of any charitable organization within the City, without having first filed with the Washington State Secretary of State's office, its registration statement and disclosure requirements, unless qualified as exempt therefrom, all as required by Chapter 19.09 Revised Code of Washington.

Section 7.56.030 Additional local regulations authorized by RCW 19.09.100(2). A charitable solicitation to be conducted within the City of Kirkland shall conform to the following:

Before commencing any charitable solicitation campaign, the person or organization soliciting such charitable contributions shall file with the Kirkland Department of Administration and Finance the following information:

A. The beginning and estimated ending date for the solicitation campaign.

B. The name, address and telephone number of the person or organization conducting the campaign, or making the solicitation for charitable contributions.

C. A verification of the registration and filing of disclosure documents required by RCW Chapter 19.09, or, in the alternative, verification of exemption therefrom.

D. The name of each person who will be acting as a charitable solicitor, or, in the alternative, a facsimile copy of the solicitor's identification, if such identification is to be furnished, by the organization conducting the campaign, to each of its individual solicitors.

2. Each person or organization soliciting charitable contributions shall disclose verbally or in writing to each person or organization solicited:

A. The name of the individual making the solicitation;

B. The name of the charitable organization;

C. The purpose of the solicitation and the name of the organization that will receive the funds contributed; and

D. Upon request, the estimated percentage of the money collected which will be applied to the cost of the solicitation or to the charitable purpose.

3. For the purposes of this chapter, charitable solicitation by telephone call shall be deemed to have occurred within the City of Kirkland if either the telephone from which the call is made or the telephone to which the call is placed is located within the City.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and posting or publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 21st day of May, 1984.

Signed in authentication thereof this 21st day of May, 1984.

David Cooper
MAYOR

ATTEST:

Tam Adelson
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

[Signature]
City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 22 day of May, 1984 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

Janice Perry
Clerk