

**COMMONWEALTH OF KENTUCKY**

**SHELBY COUNTY FISCAL COURT**

**Ordinance No. 06-16-05, SERIES 2026**

**AN ORDINANCE REQUIRING A PERMIT FOR SOLICITATION OF DONATIONS ON ROADWAYS IN SHELBY COUNTY, KENTUCKY**

**WHEREAS**, the Shelby County Fiscal Court is authorized pursuant to Kentucky Revised Statutes Chapter 67 to enact ordinances necessary for the public health, safety, and welfare; and

**WHEREAS**, solicitation of donations from occupants of motor vehicles on public roadways may create traffic hazards and safety risks for both solicitors and motorists; and

**WHEREAS**, the Fiscal Court recognizes that solicitation of charitable contributions is a protected expressive activity under the First Amendment to the United States Constitution; and

**WHEREAS**, the purpose of this ordinance is to impose reasonable, content-neutral time, place, and manner restrictions to ensure public safety while preserving constitutional rights;

**SECTION 1. DEFINITIONS**

For the purposes of this Ordinance:

- “Roadway” means that portion of a public right-of-way improved, designed, or ordinarily used for vehicular travel.
- “Solicitation” means any request, oral or written, made in person for an immediate donation of money or anything of value from the occupant of a motor vehicle.
- “Permit” means written authorization issued by Shelby County allowing roadway solicitation under specified conditions.
- “Applicant” means any individual, group, organization, or entity seeking to solicit donations on a roadway.

**SECTION 2. PERMIT REQUIRED**

A. It shall be unlawful for any person or organization to engage in solicitation of donations from occupants of motor vehicles on any roadway within Shelby County without first obtaining a permit issued pursuant to this Ordinance.

B. This Ordinance applies only to solicitation conducted on or within roadways and medians and does not regulate solicitation occurring on sidewalks, private property, or other areas not within the roadway.

### **SECTION 3. APPLICATION FOR PERMIT**

A. Applications shall be submitted to the Shelby County Judge/Executive or designee at least seven (7) business days prior to the requested date(s).

B. The application shall include:

- Name and contact information of the applicant;
- Name of the organization (if applicable);
- Proposed date(s) and time(s) of solicitation;
- Specific location(s) of the roadway;
- Estimated number of participants;
- Proof of liability insurance in an amount determined reasonable by the County;
- Agreement to comply with all safety requirements set forth herein.

### **SECTION 4. ISSUANCE OF PERMIT**

A. The County shall approve or deny an application within five (5) business days of submission.

B. A permit shall be issued unless:

- The proposed activity would unreasonably interfere with traffic flow or create a demonstrable safety hazard;
- The application is incomplete;
- The applicant has previously violated this Ordinance;
- The requested location is prohibited under Section 5.

C. Any denial shall be provided in writing and shall state the specific reasons for denial.

### **SECTION 5. RESTRICTIONS ON LOCATION AND TIME**

Solicitation under this Ordinance shall be subject to the following content-neutral restrictions:

- No solicitation shall occur:
  - On limited-access highways or ramps;
  - Within active construction zones;
  - At locations where stopping vehicles would impede emergency services.

Solicitation shall occur only during daylight hours unless otherwise approved with additional safety measures.

Workers must remain on the striped lines using traffic cones with a minimum height of 30 inches. Workers must remain in the coned area for safety and will only be in traffic flow lanes while traffic is stopped at the controlled red light or stop sign to change workers.

### **SECTION 6. SAFETY REQUIREMENTS**

All permit holders and participants shall:

- Wear high-visibility safety apparel;
- Not obstruct traffic or delay vehicles beyond what is reasonably necessary;
- Not physically touch vehicles;
- Immediately comply with lawful orders from law enforcement or traffic control personnel.

**SECTION 7. FEES**

No fee shall be required for the issuance of a permit under this Ordinance.

**SECTION 8. ENFORCEMENT AND PENALTIES**

A. Violation of this Ordinance shall constitute a civil offense.

B. Any person violating this Ordinance may be subject to:

- o A fine not to exceed \$100 per occurrence;
- o Revocation of any issued permit.

**SECTION 9. SEVERABILITY**

If any section or provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions.

**SECTION 10. EFFECTIVE DATE**

This Ordinance shall take effect upon adoption and publication as required by law.

INTRODUCED, SECONDED, AND GIVEN A FIRST READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on this 2<sup>nd</sup> day of June, 2026.

INTRODUCED, SECONDED, AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court on this 16<sup>th</sup> day of June, 2026.

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DAN ISON,  
Shelby County Judge Executive

ATTEST:

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Tony Harover,  
Shelby County Clerk