

**SOLICITATION PERMIT APPLICATION
CITY OF BULLARD, TEXAS
903-894-7223**

DATE: _____

APPLICANT'S NAME: _____

ADDRESS: _____ **TELEPHONE:** _____

DATE OF BIRTH: _____ **FINGER OR THUMB PRINT:** _____

PHYSICAL DESCRIPTION: Sex _____ Race _____ Height _____
Weight _____ Hair Color _____ Eye Color _____

DRIVER'S LICENSE NUMBER: _____ **STATE:** _____
OR

**SOCIAL SECURITY NUMBER AND OFFICIAL GOVERNMENT ISSUED
PICTURE IDENTIFICATION CARD:** _____

VEHICLE LICENSE NUMBER: _____ **STATE:** _____
MAKE: _____ **TYPE:** _____ **YEAR:** _____

COMPANY OR ORGANIZATION:

NAME: _____

CONTACT: _____

ADDRESS: _____

TELEPHONE: _____

DESCRIPTION OF GOODS OR SERVICES TO BE DELIVERED: _____

Release Authorization

I authorize the Bullard City Manager or his designee to make an investigation of all information contained in this application for this permit. I do hereby authorize a review, full discloser, and release of all records, including but not limited to photocopies of records concerning myself, the company, or organization to any duly authorized agent of the Bullard City Manager or his designee, whether the said records are of public, private, or confidential nature. I further release from all liability all persons and agencies supplying such information. I understand that a Criminal History Record can be obtained through the Texas Department of Public Safety and it will be my responsibility to obtain and furnish the record with this application. The Driving Record can also be obtained through the same office and should be attached with this application. Proof of Social Security is required and should be attached to this application. Further, I understand that you may be requesting information from various Federal, State, and Local agencies regarding my past activities. I hereby authorize without reservation, any party or agency contacted by the City of Bullard to furnish the information referenced above or requested by said City.

Applicant's signature

Date approved/denied: _____

Signature of City Manager or Designee

Date fee paid: _____ Amount: _____

Bullard, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 24 - PEDDLERS AND SOLICITORS >>

Chapter 24 - PEDDLERS AND SOLICITORS [28]

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Sec. 24-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Peddler means any person who engages in commercial activities within the City Limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from house-to-house, business-to-business, or upon public property.

Solicitor means any person who solicits or attempts to solicit, from house-to-house, business-to-business, or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time.

(Ord. No. 2007-0710, § 1, 7-10-2007)

Sec. 24-2. - Permit required.

It is unlawful for any peddler or solicitor to engage in business within the City without first obtaining a permit from the City Manager or his designee.

(Ord. No. 2007-0710, § 2, 7-10-2007)

Sec. 24-3. - Exemptions.

(a) The following are excluded from permitting provisions:

(1) Newspaper carriers;

(2) Farmers who sell agricultural products that were raised or grown by them;

- (3) Locally-based nonprofit organizations;
- (4) Religious proselytizing or distribution of religious literature;
- (5) Political speech; or
- (6) Canvassers who attempt only to distribute handbills or to solicit political support or to determine opinions or sentiments.

(b) Persons who are exempt from the permitting requirements pursuant to section 24-2, shall be subject to the provisions of sections 24-13 and 24-14

(*Ord. No. 2007-0710, § 3, 7-10-2007*)

Sec. 24-4. - Written application required.

Any peddler or solicitor desiring to engage in activities as a peddler or solicitor within the City must file a written application for permit with the City Manager or his designee, which application shall give the following information:

- (1) Applicant's name, telephone number, address, birth date, physical description, finger or thumbprint, and either:
 - a. Driver's license number and state; or
 - b. Social security number and an official, government-issued picture identification card.
- (2) If the applicant is peddling or making solicitations for any commercial, charitable or political organization, the name, telephone number and address of such organizations.
- (3) Full and complete list of goods to be sold and/or services to be delivered.
- (4) For each individual involved in the peddling or solicitation campaign: name, telephone number, address, birth date, physical description, and either:
 - a. Driver's license number and state; or
 - b. Social security number and an official, government-issued picture identification card.
- (5) Description (year, make, type) and license plate number and state of all vehicles to be used in soliciting and peddling.
- (6) Applicant must provide original identifying documents to the City Manager or his designee upon request.

(*Ord. No. 2007-0710, § 4, 7-10-2007*)

Sec. 24-5. - Permit fees—Established.

All peddlers and solicitors not exempted by section 24-6 shall pay a permit fee to the City Manager or his designee of \$15.00 for one individual or \$25.00 for any group of two or more.

(*Ord. No. 2007-0710, § 5, 7-10-2007*)

Sec. 24-6. - Same—Exemptions.

The following are exempt from the permit fee:

- (1) Any individual soliciting or peddling for a philanthropic, charitable, political or religious organization;
- (2) Any individual engaged in interstate commerce.

(Ord. No. 2007-0710, § 6, 7-10-2007)

Sec. 24-7. - Permit denial.

- (a) The City Manager or his designee shall review the application and make such investigation as deemed necessary concerning the applicant's record and background, as shall be reasonably necessary to protect the public. An application for permit under this chapter may be denied where:
 - (1) Required application information is incomplete or incorrect;
 - (2) Applicant is currently wanted on warrant for arrest;
 - (3) Applicant has been convicted of any offense reportable by the City to the state department of public safety or the Federal Bureau of Investigation under "Index Crimes" Part I and/or Group A of the National Incident Base Reporting System or Crime Index programs or other law enforcement reporting system (e.g., aggravated assault, burglary, larceny-theft, motor vehicle theft, murder, nonnegligent manslaughter, robbery, and offenses for which the applicant is required to register as a sex offender).
- (b) If the City Manager or his designee denies a permit, applicant may appeal this decision in writing to the City Council, which may affirm, modify or reverse the decision of the City Manager or his designee.

(Ord. No. 2007-0710, § 7, 7-10-2007)

Sec. 24-8. - Issuance, duration.

- (a) If the City Manager or his designee finds that the application is completed in conformity with requirements of this chapter, a permit shall be issued within five working days. The permit shall contain sufficient information to identify the permittee and the organization permittee represents, if any, with an official stamp indicating approval by the City Manager or his designee. Each permit will be valid for 12 months from date of issue.
- (b) The permittee is required to notify the City Manager or his designee before any peddling or soliciting under the issued permit is conducted in any new calendar month after the issuance of the permit. At this time, the permittee will update any information required under section 24-4 that has changed. The City Manager or his designee will retain one copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the City of the purposes of a solicitation or a product offered by the permittee.
- (c) Only those peddlers or solicitors whose names are listed on the approved application may conduct business under the issued permit. If any new peddlers or solicitors join the campaign after the original permit is issued, they must supply the City Manager or his designee with the information required in section 24-4.

(Ord. No. 2007-0710, § 8, 7-10-2007)

Sec. 24-9. - Display.

Each peddler or solicitor will carry his or her permit at all times while engaging in business in the City. Upon request or demand, the peddler or solicitor will exhibit the permit to indicate compliance with all of the relevant requirements of this chapter.

(Ord. No. 2007-0710, § 9, 7-10-2007)

Sec. 24-10. - Nontransferability.

Permits issued under the provisions of this chapter are not transferable in any situation and will be clearly marked "Not Transferable."

(Ord. No. 2007-0710, § 10, 7-10-2007)

Sec. 24-11. - Permit—Suspension.

- (a) The City Manager or his designee may, upon documented complaint or violation of law, suspend and confiscate a permit issued under this chapter.
- (b) Peddlers and solicitors whose licenses have been suspended may appeal the suspension to the City Council.

(Ord. No. 2007-0710, § 11, 7-10-2007)

Sec. 24-12. - Same—Revocation.

- (a) Upon the permittee's request, the City Manager or his designee shall provide the permittee with written notice containing particulars of any and all complaints against him or her, and the time, date and place for the hearing on the appeal of the suspension.
- (b) The City Council shall conduct a hearing to determine whether the permit shall be restored or revoked.
- (c) After notice, the City Manager or his designee may revoke any permit issued under this chapter for the following reasons:
 - (1) Fraudulent statements, omissions on permit application or in conduct of permitted business;
 - (2) Violation of law;
 - (3) Endangerment of public welfare, health or safety.
- (d) If the City Manager or his designee revokes a permit, applicant may appeal this decision in writing to the City Council, which may affirm, modify, or reverse the decision of the City Manager or his designee.
- (e) Revocation of any permit shall bar the permittee from eligibility for any person under this chapter for a period of one year.

(Ord. No. 2007-0710, § 12, 7-10-2007)

Sec. 24-13. - Hours and places of solicitations.

No peddler or solicitor may conduct activities defined in section 24-1, except between the hours of 8:00 a.m. and 8:00 p.m.

(Ord. No. 2007-0710, § 13, 7-10-2007)

Sec. 24-14. - No solicitor signs.

Any peddler or solicitor who conducts or attempts to conduct business at a place where a sign clearly indicates that solicitors or peddlers are unwelcome is in violation of this chapter.

(Ord. No. 2007-0710, § 14, 7-10-2007)

FOOTNOTE(S):

⁽²⁸⁾ *State Law reference— Authority to regulate hawkers and peddlers, V.T.C.A., Local Government Code § 215.031; regulation of sales and solicitation, V.T.C.A., Occupations Code ch. 1801 et seq. (Back)*



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