

POLICE DEPARTMENT

TO: APPLICANTS

FROM: BURLESON POLICE DEPT.

SUBJECT: SOLICITATION IN THE CITY OF BURLESON

Applicants seeking a permit to solicit door-to-door in the residential areas of Burleson must complete the attached application and the DPS Computerized Criminal History (CCH) Verification form. Applicants must also provide a passport quality photograph of themselves, measuring 1 ½" X 2" and showing the head and shoulders of the applicants in a clear and distinguishing manner. The photograph must have been taken within the preceding 60 days before the filing of the application. Partially completed applications will not be accepted.

Minors who are engaged in solicitation activities involving fund-raising for nonprofit organizations, charitable organizations, religious organizations, civic organizations, or public or private schools or groups directly affiliated with such schools are not required to apply for a permit.

The city may investigate the application and issue a permit, with the following conditions:

No permit shall be issued without positive identification (e.g. picture I.D.) and proof of authority to serve as agent for the principal (where necessary).

No permit shall be issued to an individual who has been convicted of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property with five years preceding the date of application.

No permit shall be issued if one or more statements or answers are false in whole or in part or if the applicant is a person against whom a judgement based upon, or conviction for, fraud, deceit, or misrepresentation has been entered within five years preceding the date of application.

No permit shall be issued allowing solicitation on any public right-of-way.

Interstate commerce operators are exempt from the fees, but must fill out an application. The city shall issue a permit certifying that the applicant has registered with the city.

Applicants may check back with the Administrative Commander on their application. Applicants must purchase a surety bond issued to the City of Burleson in the amount of \$3,000 for 1-3 solicitors, \$4,000 for 4-6 solicitors, and \$5,000 for 7 or more solicitors. Applicants must also pay a fee of \$75 for the first five agents/employees. There will be a \$10 fee per agent for more than 5 agents/employees.

Within thirty (30) days before the expiration of the license issued, any person desiring to continue to engage in door-to-door selling shall apply again.



REGULATIONS FOR SOLICITATION

As stated in the City ordinances of Burleson:

A person shall not engage in solicitation activities in the city without first registering with the city and obtaining a registration certificate and identification badge from the Police Department. Minors who are engaged in solicitation activities involving fund-raising for nonprofit organizations, charitable organizations, religious organizations, civic organizations, or public or private schools or groups directly affiliated with such schools are exempt from the provisions of this ordinance.

The registration certificate must be carried by the solicitor while engaging in solicitation activities. The solicitor shall also wear the identification badge so that it may be easily read by those being solicited. If a badge becomes damaged, the solicitor shall return it to the city and receive a replacement badge. A registration certificate and an identification badge shall be used only by the person to whom they were issued and may not be transferred to another person.

A solicitor shall not engage in solicitation activities:

- (1) Between the hours of 9:00 p.m. and 9:00 a.m.;
- (2) On public property without first procuring authorization from the city council;
- (3) at a residence or business that has a sign posted giving clear notice that solicitors are not welcome, such as “no solicitors” or words of similar meaning;
- (4) on Sundays, New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Eve or Christmas Day; or
- (5) after having been verbally informed by the resident that the solicitation is not welcome.

If a person uses a vehicle in solicitation activities, there must be a sign located in a conspicuous place on the vehicle, identifying the name of the person or the company or organization that the person represents. If the name is an individual, it must be followed by the word “solicitor”. The lettering on the sign must be at least two and one-half inches high.

A registration certificate may be revoked or suspended for any of the following reasons:

- 1) fraud, misrepresentation, or false statement contained in the application for registration;
- 2) fraud, misrepresentation, or false statement made by a solicitor in the course of conducting solicitation activities;
- 3) conducting solicitation activities which were not described in the application;
- 4) conviction within the last five years for a felony, misdemeanor, or ordinance violation involving fraud, deceit, misrepresentation, a sex offense, trafficking in controlled substances, or any violent acts against persons or property
- 5) violation of the regulations listed above
- 6) conducting solicitation activities in such a manner as to create a public nuisance, constitute disorderly conduct, or endanger the health, safety, or general welfare of the public.

It shall be unlawful for any person to peddle, hawk, sell, solicit, or take orders for any services, wares, merchandise, or goods on parking lots, streets, rights-of-way, medians, or sidewalks within the City of Burleson, or any other location at which the City of Burleson has not issued a certificate of occupancy for the activity conducted, unless the activities involve:

- 1) a City-sponsored or authorized festival or carnival;
- 2) a sidewalk or parking lot sale conducted by a merchant whose permanent place of business is immediately adjoining; or
- 3) the sale of Christmas trees between November 15 and December 25.

CITY OF BURLESON
APPLICATION FOR SOLICITOR'S PERMIT

APPLICANT'S NAME _____ PHONE (____) _____

ADDRESS _____

COMPANY NAME _____ PHONE (____) _____

ADDRESS _____

(If the solicitor is an agent of a company, attach credentials establishing the relationship and the authority of the agent to act for the employer or principal)

Nature of the articles or items which are to be sold or for which orders are to be solicited: _____

Hours of solicitation activities: _____ Location of the solicitation activities: _____

Will applicant demand or receive payment or deposit of money in advance of final delivery? Yes _____ No _____

Make and model of vehicle to be used in carrying on the solicitation activities: _____

Color of vehicle: _____ Year of vehicle: _____ License plate # and state of registration: _____

If you will be requiring cash deposits or payment for future delivery, or a contract to finance the sale of goods or services for future delivery or for services to be performed in the future, you must supply a bond in accordance with Section 11-85 of the City's Code of Ordinances. If applicable, attach the appropriate bond to your application.

APPLICANT'S DESCRIPTION:

Driver's License # (copy attached) _____ Social Security # _____

Date of Birth _____ Age _____ Sex _____ Height _____ Weight _____ Hair Color _____

Eye Color _____

APPLICANT RESPONSIBLE FOR FOLLOWING INFORMATION
APPLICANT'S CRIMINAL RECORD, IF ANY:

Have you been convicted within the last five years of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property? _____

Has any employee or agent of yours been convicted within the last five years of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property? _____

Have you had a judgment or conviction entered against you within the last five years for fraud, deceit, or misrepresentation? _____

ALL OF THE FOREGOING STATEMENTS ARE TRUE & CORRECT.

_____ DATE _____

Approved by : _____
Date: _____
Permit # _____

ATTACH TWO RECENT PASSPORT-QUALITY PHOTOGRAPHS HERE: (at least 1 1/2" X 2", clearly showing head and shoulders of applicant, taken within last 60 days)

Records -Clear Not Clear Date Initials /Warrants -Clear Not Clear Date Initials

DPS Computerized Criminal History (CCH) Verification
(AGENCY COPY)

I, _____, have been notified that a Computerized Criminal History (CCH) verification check will be performed by accessing the Texas Department of Public Safety Secure Website and will be based on name and DOB identifiers I supply.

APPLICANT or EMPLOYEE NAME (Please print)

Because the name-based information is not an exact search and only fingerprint record searches represent true identification to criminal history, the organization conducting the criminal history check for background screening is not allowed to discuss any criminal history record information obtained using the name and DOB method. Therefore, the agency may request that I have a fingerprint search performed to clear any misidentification based on the result of the name and DOB search.

For the fingerprinting process I will be required to submit a full and complete set of my fingerprints for analysis through the Texas Department of Public Safety AFIS (Automated Fingerprint Identification System). I have been made aware that in order to complete this process I must make an appointment with L1 Enrollment Services, submit a full and complete set of my fingerprints, request a copy be sent to the agency listed below, and pay a fee of \$24.95 to the fingerprinting services company, L1 Enrollment Services.

Once this process is completed and the agency receives the data from DPS, the information on my fingerprint criminal history record may be discussed with me.

(This copy must remain on file by your agency. Required for future DPS Audits)

Signature of Applicant or Employee

Date

Burleson Police Department
Agency Name (Please print)

Agency Representative Name (Please print)

Signature of Agency Representative

Date

Please: Check and Initial each Applicable Space	
CCH Report Printed:	
YES <input type="checkbox"/>	NO <input type="checkbox"/> _____ initial
Purpose of CCH: _____	
Hire <input type="checkbox"/>	Not Hired <input type="checkbox"/> _____ initial
Date Printed: _____	_____ initial
Destroyed Date: _____	_____ initial
Retain in your files	