



212 Main Street • Lake Dallas, Texas 75065 • (940) 497-2226 • (940) 497-4485 Fax
lakedallas@lakedallas.com

Solicitors Permit Application Process:

Fees:

- ❖ \$75.00 for a 30-day period per applicant
- ❖ \$250.00 for a 1-year period per applicant
- ❖ \$25.00 for each additional agent for either time period

Application:

- ❖ Complete all requested information. Incomplete applications will not be processed.

Submit with completed application:

- ❖ A bond in the amount of \$1,000.00, signed by applicant and surety authorized to do business in the State of Texas,
- ❖ Two photographs of applicant and any additional agent
- ❖ Copy of driver's license of each applicant and any additional agent

Questions:

- ❖ Contact Lake Dallas City Hall: (940) 497-2226, ext. 110

License valid for a period of one month or one year from date of issuance dependent upon application request.



212 Main Street*Lake Dallas, Texas 75065*(940)497-2226*(940 497-4485(Fax)* lakedallas@lakedallas.com

For Office Use Only:

Date Submitted _____ Date Issued _____ Permit No. _____ Receipt No. _____ Date Expires _____

APPLICATION FOR SOLICITOR'S PERMIT

Name _____ Address _____

Date of Birth _____ Race _____ Sex _____ Height _____ Weight _____ Eyes _____
Hair _____ Driver's License No. _____ State _____ Social Security # _____

Make & Model of Vehicle: _____ License Number and State _____

LIST BELOW ANY ARRESTS AND SHOW DATE, CHARGE, AND LOCATION - -

- 1. _____
Charge _____ Date _____ Location _____
- 2. _____
Charge _____ Date _____ Location _____

(Use reverse side if additional space is needed)

Are you a registered sex offender? Yes _____ No _____ (YOU MUST TRUTHFULLY ANSWER YES OR NO)

Name & Address of Firm _____ Telephone _____

Type of Goods or Services Offered _____ Texas Sales Tax I.D.Number _____

How Often Will You Solicit During the Year? _____

List Below the Names of Cities Where You Have Worked the Past Six Months - -

- 1. _____
- 2. _____
- 3. _____

List below the names, addresses and phone numbers of four personal references:

- Name _____ Address _____ Phone _____
- Name _____ Address _____ Phone _____
- Name _____ Address _____ Phone _____
- Name _____ Address _____ Phone _____

I swear and affirm the foregoing information which I have submitted to the Chief of Police of the City of Lake Dallas, Denton County, Texas, is true and correct.

Applicant's Signature

Subscribed and sworn to before me, a Notary Public in and for the State of Texas, County of Denton, this date being the _____ day of _____, 20__ A.D.

Notary Public

Space Below for Officer

Fingerprinted _____ Traffic Check _____ Photo _____ Record Check _____ Fee Paid _____ Dr. Certif. _____

ARTICLE I. IN GENERAL

Secs. 78-1—78-30. Reserved.

ARTICLE II. ITINERANT MERCHANTS

DIVISION 1. GENERALLY

Sec. 78-31. Definitions.

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

Interstate commerce means soliciting, selling or taking orders for or offering to take orders for any food, produce, pottery, objects of art, goods, wares, merchandise, services, photographs, newspapers, magazines or subscriptions to newspapers or magazines, which at the time the order is taken are in another state or will be produced in another state and shipped or introduced into this city in the fulfillment of such orders.

Itinerant merchant or *itinerant vendor* means any person engaged in any activity mentioned in section 78-51.

(Ord. No. 172, § 4, 1983; Ord. No. 88-05, § 5(C); Code 1989, § 5.12.010)

Cross reference—Definitions generally, § 1-2.

Sec. 78-32. Interstate commerce; registration required.

The other provisions of this article shall not apply to persons engaged in interstate commerce; however, it is unlawful for persons engaged in interstate commerce to sell such items as mentioned in section 78-51 from a motor vehicle or trailer parked in a single location on private or public property without having first registered with the city secretary, giving the following information:

- (1) Name, home address and local address, if any, of the registrant;
- (2) Name and address of the person, if any, that he represents or for whom or through whom orders are to be solicited or cleared;

- (3) Nature of the articles or things which are to be sold or for which orders are to be solicited;
- (4) Whether the registrant, upon any sale or order, shall demand or receive or accept payment or deposit of money in advance of final delivery;
- (5) Period of time in which the registrant wishes to solicit or sell in the city;
- (6) The place where the goods or property proposed to be sold or orders taken for their sale are manufactured or produced, where such goods or products are located at the time such application is filed, and the proposed method of delivery;
- (7) Two photographs of the applicant, taken within 60 days immediately prior to the date of the filing of the application, which pictures shall be two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner;
- (8) The fingerprints of the applicant, taken by the police, and the names of at least two reliable property owners who will certify as to the applicant's good character and business responsibility or, in lieu of the names of references, such other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility;
- (9) A statement as to whether or not the applicant has been convicted of any felony, misdemeanor or violation of any provision of any ordinance of the city, the nature of the offense and the punishment or penalty assessed.

(Ord. No. 172, § 7, 1983; Code 1989, § 5.12.080; Ord. No. 04-01, § 1, 1-8-2004)

Sec. 78-33. Violation; penalty.

Any person violating any provision of this article is guilty of a misdemeanor and shall upon conviction be fined in any amount not less than

\$5.00 nor more than \$500.00, and each day violation continues shall constitute a separate offense. (Ord. No. 172, § 9, 1983; Code 1989, § 5.12.090)

Secs. 78-34—78-50. Reserved.

DIVISION 2. LICENSE

Sec. 78-51. Required.

It is unlawful for any person to sell food, produce, pottery, objects of art, goods, wares, merchandise, services, photographs, newspapers, magazines or subscriptions to newspapers or magazines, from a motor vehicle or trailer parked in a single location on private property or public property, or go door to door without first securing a license to do so from the city secretary. It is unlawful to make door to door solicitations before 9:00 a.m. or after 6:00 p.m.

(Ord. No. 172, § 1, 1983; Ord. No. 88-05, § 5(A); Code 1989, § 5.12.020; Ord. No. 03-18, §, 9-25-2003)

Sec. 78-52. When not required.

The provisions of this article shall not apply to sales made to dealers by commercial travelers or sales agents in the usual course of business, nor to sales made under authority and by order of law, nor to local nonprofit organizations.

(Ord. No. 172, § 6, 1983; Ord. No. 92-05, § 1, 1992; Code 1989, § 5.12.030)

Sec. 78-53. Application.

Any person desiring to sell or solicit orders for food, produce, pottery, objects of art, goods, wares, merchandise, services, photographs, newspapers, magazines or subscriptions to newspapers or magazines shall make written application to the city secretary for a license to do so, which application shall show:

- (1) The name and address of the applicant;
- (2) The name and address of the person, if any, that he represents;
- (3) The kind of goods offered for sale;

(4) Whether such applicant, upon any such sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery; and

(5) The period of time such applicant wishes to sell or solicit in the city.

(Ord. No. 172, § 2, 1983; Ord. No. 88-05, § 5(B); Code 1989, § 5.12.040)

Sec. 78-54. Investigation and issuance.

The chief of police shall cause an investigation of the applicant for a license under this division, to be made as he deems necessary for the protection of the public good. If as a result of such investigation the chief of police determines that a license shall not be issued, the city secretary shall notify the applicant that the application is disapproved and that no permit and license will be issued. Such finding may be based on a finding that an applicant is a fugitive from justice. If as a result of such investigation the chief of police determines that a license shall be issued, the city secretary shall, upon payment of the prescribed fee, deliver to the applicant the permit and issue a license. Such license shall contain the signature and seal of the city secretary and shall show the name, address and photograph of the licensee, the class of license issued and the kind of goods to be sold under the license, the date of issuance and the length of time the license shall be operative, as well as the license number and other identifying description of any vehicle used in such peddling, soliciting or canvassing. The city secretary shall keep a permanent record of all licenses issued and shall forward a copy of the license to the city police department.

(Ord. No. 172, § 8, 1983; Ord. No. 88-05, § 5(D); Code 1989, § 5.12.050; Ord. No. 04-01, § 2, 1-8-2004)

Sec. 78-55. Bond required.

The application mentioned in section 78-53 shall be accompanied by a bond in the penal sum of \$1,000.00, signed by the applicant and signed, as surety, by some surety company authorized to do business in the state, conditioned for the final delivery of food, produce, pottery, objects of art, goods, wares, merchandise, services, photographs, newspapers, magazines or subscriptions to news-

papers or magazines, in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any and all purchasers or customers for any and all defects in material or workmanship that may exist in the article sold by the principal of the bond, at the time of delivery, and that may be discovered by such purchaser or customer within 30 days after delivery, and which bond shall be for the use and benefit of all persons that may make any purchase or give any order to the principal on the bond, or to an agent or employee of the principal; provided, that in case the applicant is a person engaging in any activity mentioned in this section through one or more agents or employees, such person shall be required to enter into only one bond, in the sum of \$1,000.00 as required in this section, which bond shall be made to cover the activities of all its agents or employees.

(Ord. No. 172, § 3, 1983; Code 1989, § 5.12.060)

Sec. 78-56. Fee; duration.

The license fee for an itinerant merchant or an itinerant vendor shall be \$75.00 for a period of 30 days from the date of issuance or \$250.00 for a period of one year from the date of issuance; however, when any person engages in any activity mentioned in section 78-51 through one or more agents or employees, such person shall, in addition to the \$75.00 or \$250.00 fees mentioned in this section, pay a license fee of \$25.00 for each agent or employee so engaged, all of which licenses shall be valid for a period of either 30 days or one year from the date of issuance, depending on duration of license purchased. An option for renewal of an annual license fee is available if application for renewal is made prior to the expiration date of the current license. The fee for an annual renewal license shall be \$200.00 plus a license fee of \$25.00 for each agent or employee so engaged. The fees provided for in this section shall be used for the purpose of defraying expenses incident to the issuing of the licenses.

(Ord. No. 172, § 5, 1983; Code 1989, § 5.12.070; Ord. No. 04-01, § 3, 1-8-2004; Ord. No. 04-11, § 1, 7-22-2004)