



SOLICITOR'S PERMIT APPLICATION

(MUST BE PRINTED IN COLOR)

PERMIT FEE:

\$200 COMPANY/ONE (1) AGENT
\$75 EACH ADDITIONAL AGENT

PERMIT NO. _____

This completed form must be on or about your person while soliciting within the City Limits.

NAME OF APPLICANT: _____

PERMANENT ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ CELL: _____

DRIVER'S LICENSE NUMBER: _____ STATE: _____

LAST FOUR OF SOCIAL SECURITY NUMBER: XXX-XX-____ _

COMPANY YOU REPRESENT:

PARTNERSHIP: _____ CORPORATION: _____ ASSOCIATION: _____ SOLE PROP: _____

COMPANY NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ SECOND NUMBER: _____

PLEASE GIVE NAME AND TELEPHONE NUMBER OF FIVE (5) REFERENCES: (**DO NOT INCLUDE** RELATIVES/PERSONS LIVING WITH YOU)

NAME: _____ TELEPHONE: _____

HOW OFTEN WILL YOU (APPLICANT) BE SOLICITING IN THE NEXT NINETY (90) DAYS:

BEGINNING DATE OF SOLICITATION: _____ CONCLUSION DATE: _____

LIST OF ALL ITEMS BEING SOLICITED:

DESCRIPTION OF METHODS AND MEANS THE SOLICITATION OF FUNDS IS TO BE ACCOMPLISHED:

(i.e. Handbills, Flyers, Door-to-Door Sales, COD, Orders to be delivered at a later date, etc.)

PLEASE LIST THE NAMES OF OTHER CITIES WHERE APPLICANT HAS WORKED WITHIN THE PAST SIX (6) MONTHS:

Customer Service Department

206 North Murphy Road • Murphy, Texas 75094 • Tel: 972.468.4100 • Fax 972.468.4127

Email: customerservice@murphytx.org Website: www.murphytx.org



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PERMIT ATTACHMENTS

- Two (2) identical recent color photos of the applicant's face not to exceed one (1) inch square in size.
If representing a Partnership, provide the names of all partners, the principal business address and telephone number of each partner.
If representing a Corporation, the person applying shall state whether it is organized under the laws of Texas or is a foreign corporation, and must show the mailing address, business location, telephone number, name of the individual in charge of the Murphy office of such corporation, the names and addresses of all officers/directors or trustees of said corporation, and, if a foreign corporation, the place of incorporation.
If representing an Association, the applicant shall show the associate's principal business address and telephone number, if any, and shall show names, principal business or residence addresses, telephone numbers of all members of the association unless they exceed ten (10) in number, in which case the application shall so state and the person registering may alternatively list the names, principal business or residence addresses and telephone numbers of the officers/directors or trustees of the association. If the association is part of a multistate organization or association, the mailing address and business locations of its local office.
Certificate or letter from the president, vice-president, general manager, sales manager, assistant sales manager or district or area manager of the company for which the applicant works, sells or solicits stating that the applicant is an employee and/or agent of such company.
A publication recognizing the company's financial rating; or a letter or certificate from an association or organization which has as its purpose the protection of citizens of the United States against illegal or unsavory business practices stating that the firm or company is a member in good standing of such association or organization. (i.e Better Business Bureau)
If applicant is an individual who is not canvassing, selling or soliciting for any firm or company, letters of recommendation from two (2) citizens of the applicant's permanent residence shall be submitted.
Surety bond in the amount of Five Thousand (\$5,000.00) Dollars naming the applicant for the permit as the principal.
Authorization to Release Information
Solicitor's Guidelines

ATTACHMENT FOR VEHICLES USED IN FOOD VENDING BUSINESS

- Vehicle and equipment inspection approved by the City Health Officer.
Proof of insurance: \$100,000 for property damage liability, \$100,000 bodily injury liability for each person and \$300,000 bodily injury for each occurrence.
Violations of traffic laws including but not limited to driving or parking vending vehicles on the wrong side of the street, blocking the normal flow of traffic, shall be grounds for revocation of the permit. Vehicles used in vending services may operate between the hours of 7:00 AM and 9:00 PM.

HAVE YOU EVER BEEN CONVICTED OF A FELONY OR A MISDEMEANOR INVOLVING MORAL TRUPITUDE?

PLEASE CHECK: YES: _____ NO: _____

THIS PERMIT IS ONLY AUTHORIZED FOR DOOR TO DOOR SALES IN RESIDENTIAL AREA.S. I, THE APPLICANT, UNDERSTAND THAT THIS PERMIT WILL NOT ALLOW VENDOR SALES WITHIN COMMERCIAL DISTRICTS. I, THE APPLICANT, LISTED ABOVE HAVE IN GOOD FAITH COMPLETED THIS APPLICATION COMPLETELY AND HONESTLY TO THE BEST OF MY KNOWLEDGE. I HAVE SIGNED THE ATTACHED AUTHORIZATION TO RELEASE INFORMATION. I HAVE RECEIVED, READ, UNDERSTAND AND AGREE WITH THE SOLICITOR'S/VENDOR'S GUIDELINES.

APPLICAN'TS SIGNATURE: _____ DATE: _____
STATE OF TEXAS

COUNTY OF: _____
Sworn to and subscribed before me on this _____ day of _____, 20 _____
By _____

Notary Public in and for the State of Texas: _____

LET IT BE KNOWN, THAT THE ABOVE APPLICANT HAS OBTAINED A SOLICITOR'S PERMIT FROM THE CITY OF MURPHY IN ACCORDANCE WITH THE ORDINANCE NUMBER 04-03-602 TO PARTICIPATE IN DOOR TO DOOR/ VENDING SALES. THE ISSUANCE OF THE PERMIT IS NOT AN ENDORSEMENT BY THE CITY OF MURPHY OR ANY OF ITS OFFICERS OR EMPLOYEES.

BUILDING OFFICIAL: _____ DATE: _____



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PER CHAPTER 6, ARTICLE 6.04 OF THE CITY CODE THIS PERMIT WILL NOT BE ISSUED LESS THAN TWO (2) BUT NO MORE THAN TEN (10) BUSINESS DAYS OF COMPLETION AND FILING OF YOUR APPLICATION.

APPLICATION MUST BE COMPLETE WITH ALL ATTACHMENTS AND NOTORIZED. Incomplete applications will NOT be processed.

PERMIT FEE \$200.00 PER COMPANY/ONE AGENT. \$75.00 EACH ADDITIONAL AGENT.

This fee is to be paid at time of application and is non-refundable even if denied.

(EACH AGENT MUST APPLY IN PERSON AND OBTAIN A PERMIT)

SURETY BONDS OF \$5,000.00 ARE REQUIRED for each agent engaging in solicitation activities which involve the potential for any financial transaction now or in the future.

ALL APPLICANTS must provide a valid state driver's license or proper state identification.

AUTHORIZATION TO RELEASE INFORMATION must be signed and dated along with the application.

PROOF OF MOTOR VEHICLE INSURANCE (100,000/100,000/300,000) must be shown at time of application for all vehicles vending.

SOLICITORS MUST USE SIDEWALKS AND DRIVEWAYS TO GO FROM HOUSE TO HOUSE – WALKING ACROSS FRONT YARDS IS STRICTLY PROHIBITED.

SOLICITOR HOURS permitted are 9 AM to Sunset (deemed by the National Weather Service) Monday through Saturday. No solicitation on Sunday, New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving or Christmas Day.

ALL SOLICITORS MUST CARRY AND DISPLAY THEIR SOLICITOR'S PERMIT AND SOLICITOR'S ID BADGE WHILE SOLICITING WITHIN THE CITY OF MURPHY.

This permit is only authorized for door to door sales in residential areas. **The applicant understands that this permit will not allow vendor sales within commercial districts. I, the applicant, have read, understand and agree with the guidelines and by signing below have received a complete copy of Chapter 22 of the City of Murphy's Code of Ordinances.**

Applicant's Signature _____ Date _____



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TO: CITY OF MURPHY ADMINISTRATION

I hereby request and authorize you to furnish the City of Murphy with any and all information they may request concerning my work record, educational history, military record, financial status, criminal record, general reputation, and past or present medical condition. This authorization is specifically intended to include any and all information of a confidential or privileged nature as well as photocopies of such documents, if requested. The information will be used for the purpose of determining my eligibility for a solicitor/vendor permit in the City of Murphy.

I hereby release you and your organization from any liability which may or could result from furnishing the information requested above or from any subsequent use of such information in determining my qualifications to serve in the civilian capacity.

Printed Name: _____

Driver's License: _____

Applicant's Signature: _____

Date: _____

FOR OFFICE USE ONLY	
APPROVED <input type="checkbox"/>	DENIED <input type="checkbox"/>
_____ SIGNATURE	_____ DATE

§ 6.04.004. Permits.

(a) Permit required; restrictions.

- (1) It shall be unlawful for any person to attempt or to peddle, sell, solicit, canvass, or take orders for any services, wares, merchandise, or goods, or any article of value, including plants, flowers, paintings, novelties, painting house numbers on streets, firewood, books, magazines, photographs, or any articles for future delivery, on a sidewalk, parking lot or parkway within the city or from door to door without having first obtained a permit therefor from the city.
- (2) Each person engaged in peddling or soliciting or selling as defined in subsection (a)(1) of this section must have a permit issued under the terms of this section, and such permit shall be personal to the applicant and shall not be reproduced nor assigned nor transferred to any other person. Any such attempted transfer or reproduction shall render the permit void.
- (3) Each permit shall expire as of the date noted thereon, which date shall be in accordance with the provisions of this article, and such permit shall indicate the hours when peddling, solicitation and selling within the city is permitted in accordance with the provisions of this article.
- (4) It shall be unlawful for any person who shall solicit funds in the city to represent in connection with such solicitation of funds that the issuance of a permit or identification card by the city constitutes an endorsement thereof.
- (5) It shall be unlawful for any person to solicit funds for a purpose other than that set out in the registration statement or application upon which the permit was issued.
- (6) A permit shall not be issued to any person under 13 years of age.
- (7) Solicitation shall be deemed completed when made, regardless of whether the person making the solicitation receives any contribution or makes any sale.

(b) Application. Every person desiring to solicit in the city shall unless otherwise excepted apply for a permit from the city permits and inspections department. Each application for a permit required by this section shall be in writing, under oath, notarized and shall set out the following:

- (1) Name of the applicant, with his permanent residence;
- (2) Whether the person represents a partnership, corporation or association, and:
 - (A) The business address and telephone number of the applicant;
 - (B) If a partnership, the names of all partners and the principal business address and telephone number of each partner;
 - (C) If a corporation, the person applying shall state whether it is organized under the laws of the state or is a foreign corporation, and must show the mailing address, business location, telephone number, the name of the individual in charge of the city office of such corporation, and the names and addresses of all officers and directors or trustees of said corporation, and, if a foreign corporation, the place of incorporation;
 - (D) If an association, the application shall show the association's principal business address and telephone number, if any, and shall show names and principal business or residence addresses and telephone numbers of all members of the association unless they exceed ten

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in number, in which case the application shall so state and the person registering may alternatively list the names and principal business or residence addresses and telephone numbers of the officers and directors or trustees of the association. If the association is part of a multi-state organization or association, the mailing address and business locations of its local office;

- (3) Name and address of each person to solicit under the permit;
 - (4) The names, mailing address and telephone number of all individuals who will be in direct charge or control of the solicitation of funds;
 - (5) The kind, type and character of goods or services he proposes to offer for sale, including the name brand, manufacturer and distributor of goods and commodities and the name, publisher and distributor of all books, magazines or periodicals to be offered for sale;
 - (6) Names and addresses of five persons as references, excluding relatives and persons living with the applicant;
 - (7) How often the applicant will solicit during the year;
 - (8) The time period within which the solicitation of funds is to be made, giving the date of the beginning of solicitation and its projected conclusion;
 - (9) A description of the methods and means by which the solicitation of funds is to be accomplished;
 - (10) The names of any cities where the applicant has worked within the previous six months;
 - (11) Whether the applicant, or any solicitor listed in the application, has ever been convicted of a felony or a misdemeanor involving moral turpitude;
 - (12) State driver's license number or a state-approved identification card number of applicant and each solicitor;
 - (13) Social security number of the applicant and each solicitor.
- (c) Attachments. In addition, there shall be attached to each application for a permit the following:
- (1) Two recent photographic likenesses of the applicant's face, and any solicitor soliciting under said permit, which photographs shall not exceed one inch square in size.
 - (2) A certificate or letter from the president, vice-president, general manager, sales manager, assistant sales manager or district or area manager of the company for which the applicant works, sells or solicits stating that the applicant is an employee and/or agent of such company.
 - (3) A reference to a recognized financial rating publication, which reference shall show the page on which the company's or firm's financial standing can be found; or a letter or a certificate from an association or organization which has as its purpose the protection of citizens of the United States against illegal or unsavory business practices stating that the firm or company is a member in good standing of such association or organization.
 - (4) In the event that the applicant is an individual who is not canvassing, selling or soliciting for any firm or company, letters of recommendation from two citizens of the applicant's permanent residence shall be submitted.

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- (d) Application fee. The fee for a permit under this article shall be determined by the currently adopted city fee schedule, as printed in appendix A to this code. No fee shall be required of those persons engaging in interstate commerce.
- (e) Investigation of applicant. It shall be the duty of the chief building inspector, or his authorized designee, to secure a background check through any lawful means on each applicant, and all other persons listed on the application, before issuance of a permit, which investigation may include but is not necessarily limited to personal interviews with named individuals, criminal history checks, verification of references and information contained within the application.
- (f) Issuance of permit. A permit applied for under this article shall be issued by the city permits and inspections department not earlier than two and not more than ten business days after the application is completed and filed, unless it is determined that the applicant has provided false or incomplete information on his application. A permit requested under this article shall be issued for the length of time requested, not to exceed ninety (90) days. An expired permit may be renewed under the same terms and conditions as the original application and subject to the same fees.
- (g) Form of permit. Each permit shall be printed in black except that the following shall be printed prominently thereon in red: “The issuance of the permit is not an endorsement by the city or any of its officers or employees.” Each permit shall bear a permit number which is the same as the file containing the application filed by the applicant.
- (h) Permit to be displayed. It shall be unlawful for any person to sell or solicit in the city without carrying the identification card and displaying the permit required by this section on his person, in plain view, while engaged in such soliciting or selling.
- (i) Exhibiting permit. Every solicitor or peddler or seller shall identify himself as a salesman upon approaching a citizen in a public place or at a private dwelling and explain his purpose, whether it be direct sales, solicitation of orders or the demonstration of goods or merchandise, or any combination of purposes thereof, and shall produce for inspection, upon request by any person, the solicitor’s permit issued by this city.
- (j) Solicitors’ identification cards. Each identification card issued by the city permits and inspections department shall bear the name of the applicant, the application number, the name of the solicitor or agent, and the expiration date of the permit, and it shall have printed prominently thereon in red: “This identification card is not an endorsement of the solicitation by the city or any of its officers or employees. It is your duty to verify all information given to you by this solicitor.” The applicant shall provide, by a separate list, the names and addresses of all agents or employees for whom identification cards are to be issued.
- (k) Responsibility for acts of solicitors. The recipient of a permit or named applicant shall be responsible for the acts of his authorized representatives or solicitors listed in the permit application in connection with solicitation activities. In this regard, the recipient of the permit shall actively supervise all persons listed in the permit application, which supervision shall include but not be limited to remaining within the corporate city limits during all solicitation activity and responding promptly (within ten minutes) to calls by city representatives relative to the solicitation activity, which may include responding to an on-site complaint from a citizen.
- (l) Revocation of permit.
- (1) If, after the permit required by this section has been issued, the building official, or his authorized designee, finds that the permit was obtained by false representation in the

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application, or the permit has been reproduced or transferred or assigned to another person, or the applicant has led someone to believe the permit is an endorsement of the applicant's product or service by the city, or in the event of fraud or misrepresentation by the permit holder, or in the event of conviction of the permit holder of a felony or a misdemeanor involving moral turpitude, or in the event the permit holder has failed to furnish the items required by this article, such permit may be revoked by the city building official or his authorized designee.

- (2) If a police officer or the building official has probable cause to believe that a solicitor has engaged in prohibited conduct as defined by this article, the officer may revoke the permit of the permit holder.
- (3) If more than one complaint of misconduct by a solicitor or group of solicitors working for the same company is received, the permit may be immediately revoked by the city.

(m) Appeal from denial or revocation of permit. Should an applicant be denied a permit, or have a permit revoked, he may appeal that action to the city manager by submitting a letter to the city building official within ten days to complain of the action. The city manager shall render a decision on the appeal within 15 days of receipt of the letter. No new application for a permit will be considered for six months after denial or revocation, unless said denial or revocation is without prejudice or is conditional and the conditions have been satisfied as determined by the city building official.

(n) Exemptions. The following are exempt from the permit requirements of this section:

- (1) The following persons engaged in the activities set out in subsections (n)(1)(A) through (C) of this section in the city shall first register with the permits and inspections department by filling out a form to be promulgated by the city buildings and inspections department in accordance with the provisions of this article and by furnishing proof that he is actually engaged in such activity in the city, and the city building official shall issue to such person a registration certificate exempting him from the terms and conditions of this section and from paying a fee therefor, namely:
 - (A) Public utility companies or others operating under a franchise granted by the city;
 - (B) Commercial agents dealing with local business establishments in the usual course of business; and
 - (C) Insurance salesmen, real estate salesmen and others licensed by the state.
- (2) Solicitations related to children's activities, including but not limited to Girl Scouts, Boy Scouts, and Big Brothers and Sisters, which may involve children under the age of 13 years. Children under the age of 13 years may participate in such activities to the extent they are actively supervised by a parent, guardian or other adult person, at least 18 years of age, who is responsible for the well-being of the child.
- (3) Religious, political or nonprofit organizations and their representatives distributing handbills or pamphlets only for the purpose of communicating issues of general interest to the public need not register with the city permits and inspections department or pay a permit fee. A donation received from the distribution of handbills or pamphlets does not affect this exemption.
- (4) Ordinary commercial travelers who sell or exhibit for sale goods, wares or merchandise to persons selling and dealing in the same within the city. This exemption applies only to commercial vendor sales.

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(5) Vendors of farm products including vegetables, poultry, eggs and other farm products.

(o) Bond. Each person engaging in solicitation activities requiring cash deposits or taking orders on delivery purchases (COD) or who requires a contract of agreement to finance the sale of any goods, services or merchandise for future delivery, or for services to be performed in the future, shall furnish to the city a cash surety bond in the amount of \$5,000.00, naming the applicant for the permit as principal. The bond shall be in full force and effect for one year from the date of issuance of the permit, unless otherwise extended by demand of the city due to the revocation of the permit, or an anticipated delivery date beyond 12 months, in order to protect the citizens of the city from potential losses associated with such solicitations.

(2006 Code, secs. 22-123, 54-3; Ordinance 04-03-602, sec. 2 (112.03), adopted 3/1/04; Ordinance adopting 2015 Code)