



VENDOR PERMIT APPLICATION

ALL vendor perm applications will have a 48 hour processing period prior to permit approval or denial. See Sec. 5 of Solicitation Ordinance (attached). THERE WILL BE NO SOLICITING DURING THIS 48 HOUR PERIOD!!

FEE: \$10.00 PER DAY PER SOLICITOR

Application Date: _____ Issuance Date: _____

Expiration Date: _____

The persons listed are engaged in soliciting in the City of Bellville for the period from _____ to _____.

Representing (Name of Business/Organization) _____

Tax Certificate # _____

Permanent Address _____

City _____ State _____ Zip Code _____

Phone # _____

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

Whether registrant, upon sale or order demand or receive or accept payment or deposit money in advance of final delivery: (Yes or No) _____

Whether engaged in Interstate Commerce: (Yes or No) _____

Does the State of Texas regulate the activity that you will be conducting? ____ Yes ____ No

If the answer is yes, please provide the agency issuing the license, the license permit number, and expiration date of the license or permit: _____

If you claim that the City has been preempted and may not require either a permit or a fee to be a vendor within the City limits of Bellville, please state the authority on which you assert the preemption: _____

_____ # of Solicitors for _____ days = \$ _____ total fee

Remarks: _____

Approved by Chief of Police

Approved by City Administrator

NAME & ADDRESSES OF SOLICITORS

NAME: _____
ADDRESS: _____ CITY: _____
STATE: _____ ZIP CODE: _____
DRIVER'S LICENSE #: _____ STATE: _____ EXPIRATION DATE: _____
DATE OF BIRTH: _____ PHONE #: _____
TYPE OF VEHICLE: _____ LICENSE #: _____
COLOR: _____ YEAR: _____

NAME: _____
ADDRESS: _____ CITY: _____
STATE: _____ ZIP CODE: _____
DRIVER'S LICENSE #: _____ STATE: _____ EXPIRATION DATE: _____
DATE OF BIRTH: _____ PHONE #: _____
TYPE OF VEHICLE: _____ LICENSE #: _____
COLOR: _____ YEAR: _____

NAME: _____
ADDRESS: _____ CITY: _____
STATE: _____ ZIP CODE: _____
DRIVER'S LICENSE #: _____ STATE: _____ EXPIRATION DATE: _____
DATE OF BIRTH: _____ PHONE #: _____
TYPE OF VEHICLE: _____ LICENSE #: _____
COLOR: _____ YEAR: _____

NAME: _____
ADDRESS: _____ CITY: _____
STATE: _____ ZIP CODE: _____
DRIVER'S LICENSE #: _____ STATE: _____ EXPIRATION DATE: _____
DATE OF BIRTH: _____ PHONE #: _____
TYPE OF VEHICLE: _____ LICENSE #: _____
COLOR: _____ YEAR: _____

4.02.001Penalty.

A violation of this article, upon conviction, shall be punished by a fine in accordance with the general penalty provision found in section 1.01.009 of this code.

(1994 Code, art. 4.200(h))

§ 4.02.002Soliciting on posted premises.

It shall be unlawful for anyone issued a permit hereunder to solicit at any residence or business house which has on display a sign or has otherwise clearly evidenced that the owners or their agents desire not to be disturbed or to receive unrequested solicitations.

(1994 Code, art. 4.200(f))

§ 4.02.003Hours of operation.

All solicitation of homes permitted hereunder shall commence no earlier than 9:00 a.m. and shall be completed no later than 7:00 p.m. Solicitation of any home except during permitted hours shall be considered a violation of this article and shall be punished in accordance with the range of punishment contained herein.

(1994 Code, art. 4.200(g))

§ 4.02.004through § 4.02.030. (Reserved)

Division 2Permit

§ 4.02.031Required; conditions for issuance.

It shall be unlawful for any person or any other entity to solicit funds for any purpose whatsoever at any residence without a permit. Any person desiring to sell any product or service house-to-house within the corporate limits of the city must make application to the city administrator. The city administrator shall issue the permit after the following conditions have been met:

(1)

The identity and the permanent address of the applicant, and the identity and principal place of business of any business entity represented by the applicant, have been verified, and a verification that there are no warrants for the arrest of the individual outstanding.

(2)

The individual and business entity possess and display all licenses necessary to sell the product or service and such licenses are current and in force.

(3)

Verification that the business has valid tax certificates from the state and that the business has in place sufficient accounting procedures to insure that all sales taking place within the city will be properly reported and the city will in fact receive all sales taxes to which it is entitled.

(4)

After the city administrator has determined that adequate control of solicitors has been provided by the organization and that a permanent representative of the organization will be available during and for a reasonable period of time following the solicitation.

§ 4.02.032 Charitable, religious and public service organizations.

A permit shall be granted by the city administrator to recognized charitable, religious, and public service organizations after application and after the city administrator has determined that adequate control of solicitors has been provided by the organization and that a permanent representative of the organization shall be available in the area following the solicitation.

(1994 Code, art. 4.200(b))

§ 4.02.033 Contents; display.

The permit shall identify the person, the organization, the owner, if applicable, the dates of issuance and the expiration date. The permit shall be prominently displayed during any solicitation.

(1994 Code, art. 4.200(c))

§ 4.02.034 Fee.

(a)

A fee as provided for in the fee schedule found in appendix A of this code shall be paid to the city for each solicitor employed by a resident for each year. A permit shall be valid from the first day of October of the year in which it is issued until the 30th day of September of the following year. For purposes of this article, a resident is defined as a person who has had an established house of business within the city limits for a six (6) month period, or can demonstrate a financial commitment to remain in the community for at least a six (6) month period. The commitment to remain in the community shall be determined in the discretion of the city administrator, but must be demonstrated by written instrument. By way of example, but not by limitation, a written lease for a term of at least six (6) months could suffice for the requisite demonstration of commitment.

(b)

A fee as provided for in the fee schedule found in appendix A of this code shall be paid to the city by each nonresident for each day the permit is valid. A nonresident is defined as any person who does not meet the definition of a resident.

(c)

The solicitation permit may be waived by the city administrator for recognized charitable organizations.

(d)

No fee shall be required of those solicitors engaging in interstate commerce; however, all other provisions of this article shall apply.

(1994 Code, art. 4.200(d))

§ 4.02.035 Time of application.

All persons must apply for such solicitation permit forty-eight (48) hours prior to its use.

(1994 Code, art. 4.200(e))

§ 4.02.036 Suspension.

The city administrator shall immediately suspend the license issued under this article in the event that he has good reason to believe and does believe that a home solicitor has violated any term of this article or the laws of the state or the United States or has been convicted of a felony or other crime involving moral turpitude. In the event a license is suspended by the city administrator, the solicitor shall refrain from doing business within the city limits until the council reviews the suspension during its next regularly scheduled council meeting.