

# City of Stephenville

## Solicitation Guidelines for Citizens and Applicants

The City of Stephenville wishes to promote good order in the community and ensure the safety and privacy of its residents by reasonably limiting the hours of solicitation and requiring permits. As a result, Commercial Solicitors and Commercial Distributors are required to obtain a special permit.

This information sheet will assist you in understanding the solicitation and distribution requirements and related permitting process.

### **Who is required to obtain a solicitation permit?**

**Commercial Solicitors** - means any person who through a course of conduct solicits orders for the sale of goods, wares, merchandise, services or anything of value or shall attempt to dispose of such, whether in exchange for payment or not, to an individual or a commercial entity.

**Commercial Distributors** - any person engaged in the business for hire or gain of distributing handbills or advertisements, other than newspapers distributed to subscribers, and any person receiving compensation directly or indirectly for the distribution of such handbills or advertisements.

### **What are the requirements for a permit?**

#### **Solicitors and Distributors**

- Forms must be complete and printed legibly, forms that are incomplete or unreadable will not be processed.
- Names, mailing address, phone numbers of applicant (also whether part of a partnership, corporation or association and contact information), contact information for all in direct charge or control of solicitation
- Time period and location of solicitation/distribution and frequency
- Description of methods, merchandise type
- Whether monies will be accepted in advance of final delivery
- List of cities worked in the past year
- Copy of valid sales tax certificate
- Two recent full-face photographs of each applicant, two inches square
- Authorization to conduct criminal background check
- If applicant is 15 years of age or less, must have copy of parental consent form required by section 51.0145 of the Texas Labor Code and name, address and phone number of person supervising the activities of the applicant
- 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 or distributes stating that the applicant is an employee and/or agent of such company;
- 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

- Permit will be denied if applicant has a conviction or plea of nolo contendere (no contest) to a misdemeanor involving fraud, theft, embezzlement, burglary, larceny, fraudulent conversion, or misappropriation of property within the preceding 10 years; or convicted of or plea of nolo contendere to any felony or a crime involving moral turpitude.
- A statement whether the applicant has ever been:
  - Found liable in a civil or administrative action in which the complaint or petition alleged fraud, theft, embezzlement, fraudulent conversion, misappropriation of property, or the use of untrue or misleading representations in an attempt to sell or dispose of property; or
  - Subject to an injunction or restrictive court order relating to business activity as a result of action brought by a federal, state, or local public agency, including an action affecting a vocational license.

### **Are there any specific restrictions?**

#### **Solicitors and Distributors**

- Hours permissible are 9:00 a.m. – 4:30 p.m. Monday through Saturday. Sundays and federally regulated holidays are prohibited
- Must wear identifying badge
- May only approach front doors of residences
- Must leave materials no further than five feet from front door
- Must have copy of permit on their person during all solicitation or distribution

#### **Consumer's right to cancel**

- The merchant, peddler, or seller shall provide to the consumer in writing the right to cancel a solicitation transaction made in person or by telephone in which the consideration exceeds five dollars (\$5.00), until midnight of the third business day after the day on which the consumer signs an agreement or offer to purchase in a solicitation. Date of transaction means the day that the consumer receives the goods, services, or realty purchased in a solicitation transaction.
- If the consumer chooses to cancel the solicitation transaction, notification by mail shall be considered given at the time mailed as evidenced by the postmark; notification by email shall be considered given at the time recorded that it was sent; notification by telegram shall be considered given at the time filed for transmission; and notification by any other writing shall be considered given at the time delivered to the merchant's designated place of business.
- It shall be unlawful for a merchant, peddler, or seller to refuse to allow the customer to cancel the solicitation transaction.

#### **What are the fees?**

\$25 non-refundable application fee plus a \$25 non-refundable Investigation fee per person

**How do I receive additional information?**

Please contact the Stephenville Police Department at 254-918-1200, via email at [spd@stephenvillepolice.org](mailto:spd@stephenvillepolice.org) or visit the Police Departments website at [www.stephenvillepolice.org](http://www.stephenvillepolice.org).

Officers observing Solicitors or Distributors while on patrol may make contact and verify valid permits.

**FOR APPLICANTS ONLY:**

I have read and understand the above regulations and agree to comply with them.

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Printed Name of Applicant

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Signature of Applicant

Date

**CITY OF STEPHENVILLE POLICE DEPARTMENT  
SOLICITATION PERMIT APPLICATION**

**BUSINESS INFORMATION: (Please Print Legibly)**

**Forms that are incomplete or unreadable will not be processed.**

Legal Name of Business: \_\_\_\_\_

Business Nickname/Alias: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Type: Individual                      Partnership                      Corporation                      Association

Brief description of the nature of the business: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ Fax #: \_\_\_\_\_

List of cities worked in the previous 365 days: \_\_\_\_\_

**If a PARTNERSHIP, list the names of all partners, principal business address, and phone number for each partner**

Partner Name                      Business Address                      Phone Number

Partner Name                      Business Address                      Phone Number

Partner Name                      Business Address                      Phone Number

Partner Name                      Business Address                      Phone Number

Partner Name                      Business Address                      Phone Number

Partner Name                      Business Address                      Phone Number

**If a CORPORATION, the person applying shall state whether it is organized under the laws of this state, another state or is a foreign corporation, and must show the mailing address, business location, telephone number, name of the individual in charge of such corporation, and, if a foreign corporation, the place of incorporation**

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**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 (10) in number, in which case the application shall so state and the person registering may alternatively list the name and principal business or residence addresses and telephone numbers of the officers and directors or trustees of the association**

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Association Member Name	Business/Residence Address	Phone Number
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Association Member Name	Business/Residence Address	Phone Number
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Association Member Name	Business/Residence Address	Phone Number
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**INDIVIDUAL APPLYING FOR SOLICITATION PERMIT:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Permanent Address: \_\_\_\_\_

DL/ID#, State/Agency and Exp: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**HAS THE ABOVE APPLICANT:**

- Y N 1. Been convicted of or pleaded nolo contendere to a misdemeanor involving fraud, theft, embezzlement, burglary, fraudulent conversion, or misappropriation of property within the preceding ten (10) years, or convicted of or pleaded nolo contendere to any felony; or a crime involving moral turpitude
- Y N 2. Been found liable in a civil or administrative action in which the complaint or petition alleged fraud, theft, embezzlement, fraudulent conversion, misappropriation of property, or the use of untrue or misleading representations in an attempt to sell or dispose of property or to obtain money or a thing of value from another;
- Y N 3. Been found liable under any law regarding the use of unfair, unlawful, or deceptive business practices;
- Y N 4. Been subject to an injunction or restrictive court order relating to business activity as the result of an action brought by a federal, state, or local public agency, including an action affecting a vocational license.

Name, address and phone number of 5 persons as references, do not include relatives, persons living with you or current or former co-workers, including supervisors or subordinates:

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Name	Address	Phone Number
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Name	Address	Phone Number
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Name	Address	Phone Number
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Name	Address	Phone Number
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Name	Address	Phone Number
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Name, publisher and distributor of all books, magazines or periodicals offered for sale:

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**DESCRIPTION OF METHOD AND MEANS TO ACCOMPLISH SOLICITATION:** \_\_\_\_\_

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**PLANNED SOLICITATION DATES, LOCATIONS, AND FREQUENCY DURING PERMIT DURATION:**

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO

From: \_\_\_\_\_ To: \_\_\_\_\_ Frequency: \_\_\_\_\_

Location: \_\_\_\_\_

Method to be used: \_\_\_\_\_

Product(s) or Service(s) Offered: \_\_\_\_\_

WILL MONEY BE TAKEN AT TIME OF ORDER IN ADVANCE OF FINAL PRODUCT DELIVERY: YES NO



## NOTICE

**A Permit granted under this ordinance shall be valid only until the termination of the solicitation period specified in the permit or for 30 days whichever is less. At the end of that time, the applicant may apply for an extension of the permit. The City of Stephenville reserves the right to limit maximum days of permit duration at its discretion. There is a \$25.00 Investigation Fee payable at the time you submit your paperwork. All fees are non-refundable. Failure to complete the entire application will result in immediate rejection of the application. Please return the Application to the Stephenville Police Department.**

I, \_\_\_\_\_ (Print), being duly authorized to sign for the business named above, hereby make application for a Solicitation Permit to solicit for the sale of goods or services within in the City of Stephenville, Texas. I certify that I have read and understand the City of Stephenville Ordinance 112 and will provide the information to persons participating listed above. I certify that the information provided by me is true and correct to the best of my knowledge. I also consent to a criminal background check and driving record check as part of the permitting process.

*(NOTE: DO NOT SIGN this application until a notary is present)*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ (date) by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Name of Notary Typed, Printed, or Stamped