



APPLICATION FOR ITINERANT MERCHANT

NOTE: Permit expires on December 31 of the current year

Date: _____

Applicant (first, middle, last name): _____

Date of Birth: _____ (If under 17 years of age, attach copy of birth certificate.)

Current Address: _____

(including city, state, zip code) _____

Permanent Address: _____

(including city, state and zip code) _____

Current Telephone: _____ Permanent Telephone: _____

D.L. No. / ID No.: _____ State: _____

NOTE: Positive proof of identification of applicant is required. Driver's license or state identification card with photograph are two of the preferred forms of identification.

Name of Business or Organization: _____

Address: _____ Business Telephone: _____

_____ (including city, state and zip code)

Address(es) of Applicant During the Past Five (5) Years. *Use Second Sheet if Necessary.*

Include **Name** and **Telephone Number** of One (1) Reference in Each Community

Address: _____
(include city, state, zip code)

Reference Name: _____ Phone Number: _____

Address: _____
(include city, state, zip code)

Reference Name: _____ Phone Number: _____

Type of Product or Service for Which You Will Be Soliciting: _____

Are Products Being Sold Edible? _____ If Yes, Please Attach Health Certificate.

Must Submit Copy of Limited Sales Tax Permit Issued By The State of Texas

_____ Sales Tax Permit _____ Tax Exemption Form

Will you be going door-to-door? _____ **OR** In a stationary location _____

If Stationary, Provide Location Address: _____
Attach Letter of Permission From Property Owner. (include zip code)

Have you ever Been Convicted of Any Crime Of Moral Turpitude?

____ Yes ____ No

If Yes, please state Charge, Date, Location and Disposition:

THE STATEMENTS ON THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HAVE READ THE ATTACHED REGULATIONS AND UNDERSTAND ANY VIOLATION OF CITY CODE WILL RESULT IN REVOCATION OF MY SOLICITOR'S PERMIT.

APPLICANT SIGNATURE

DATE

CITY USE ONLY

Name of Applicant: _____

POLICE DEPARTMENT:

FINGERPRINTS AND WARRANT CHECK

I have received and processed request and the results are:

____ Identification Verified

____ Identification Not Verified

____ No Warrants

____ Outstanding Warrants

Signature of Person Processing Information

CITY SECRETARY:

_____ Issued Permit to Expire December 31, _____

_____ Denied Permit

Chapter 16 - PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS

ARTICLE I. - IN GENERAL

Sec. 16-1. - Refusing entrance to private residence; posting notice.

- (a) A person desiring that no merchant, salesman or solicitor or other person engage in religious or publication solicitation at his residence shall exhibit, in a conspicuous place upon or near the main entrance to the residence, a weatherproof card not less than three (3) inches by four (4) inches in size containing the words "No Solicitors." The letters shall be not less than two-thirds (2/3) of an inch in height.
- (b) Every itinerant merchant, salesman, solicitor or person engaging in charitable or publication solicitation, upon going onto any premises upon which a residence is located, shall first examine the residence to determine if any notice prohibiting soliciting is exhibited upon or near the main entrance to the residence. If a notice prohibiting soliciting is exhibited, the merchant, salesman, solicitor or person who engages in charitable, religious or publication solicitation shall immediately depart from the premises without disturbing the occupant, unless the visit is the result of a request made by the occupant.
- (c) No person shall go upon any residential premises and ring the doorbell, rap or knock upon the door or create any sound in a manner calculated to attract attention of the occupant of the residence for the purpose of securing an audience with the occupant and engaging in or attempting to engage in charitable, religious or publication solicitation, or sale of merchandise as an itinerant merchant transaction, if a card as described in subsection (a) above is exhibited in a conspicuous place upon or near the main entrance to the residence, unless the visit is the result of a request made by the occupant.
- (d) No person other than the occupant of the residence shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (a) above.
- (e) Any merchant, solicitor or person engaging in charitable, religious or publication solicitation who has gained entrance to a residence or audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by the occupant.

(Code 1965, § 16-31; Ord. No. 1202, § 1, 8-11-87)

Sec. 16-2. - Shouting of peddlers, hawkers, vendors.

The raucous shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood is hereby prohibited.

(Code 1965, § 13-15)

Cross reference— Noise, § 14-21 et seq.

Sec. 16-3. - Soliciting in roadways prohibited.

No person shall stand or walk on any roadway (as defined by the traffic laws of the State of Texas) for the purpose of soliciting funds or for advertising or selling merchandise or service.

(Ord. No. 1174, § 1, 2-10-87)

Cross reference— Streets, sidewalks and storm sewers, Ch. 20; traffic generally, Ch. 24.

Secs. 16-54—16-65. - Reserved.

ARTICLE IV. - ITINERANT MERCHANTS

DIVISION 1. - GENERALLY

Sec. 16-66. - Definition.

For the purpose of this article, an Itinerant merchant is any person who sells or takes orders from house to house or from place to place in the city or who sells out of a vehicle parked on premises where there is no related business building.

(Code 1965, § 16-1)

Sec. 16-67. - Sale of edible merchandise.

Every person who is licensed as an itinerant merchant to peddle edible merchandise as required by this chapter shall keep all articles for sale to the public in a clean and sanitary condition, as well as the wagons, vehicles or other conveyances used in the transportation of such merchandise.

(Code 1965, § 16-3)

Sec. 16-68. - Quality, accurate measures.

It shall be unlawful for any itinerant merchant to sell or offer to sell any unsound or unwholesome merchandise or to give a false weight or measure to such article sold or offered for sale.

(Code 1965, § 16-4)

Secs. 16-69—16-80. - Reserved.

DIVISION 2. - PERMIT

Sec. 16-81. - Required.

Every itinerant merchant as defined in this article shall be required to obtain a permit prior to engaging in the business of an itinerant merchant. An applicant for such permit shall file an application in writing with the city secretary not less than ten (10) days before the first month in which he proposes to engage in business as an itinerant merchant. The application must contain the following information:

- (1) The full name of the person applying for a permit, his address and telephone number if any, and, if the itinerant merchant is selling on behalf of an organization, the name and address of the parent organization;
- (2) The addresses of the itinerant merchant during the previous five (5) years with the name of at least one (1) reference in each community;
- (3) The fingerprints of the itinerant merchant;
- (4) A copy of a limited sales tax permit issued by the state or proof that the goods sold are not subject to

such sales tax;

- (5) A statement of the type of goods or wares to be sold; and
- (6) A copy of a current health certificate if merchandise of edible quality is to be sold; provided, however, this shall not apply to the sale of candy, nuts or other edibles prepared and packaged by a nationally recognized manufacturer or a Texas manufacturer meeting standards imposed by state and local health codes, if such packages are unbroken.

(Code 1965, § 16-2)

Sec. 16-82. - Cancellation.

Each itinerant merchant permit issued under this article shall be subject to cancellation for any violation of any provision of this chapter applicable to itinerant merchants.

(Code 1965, § 16-5)

Sec. 16-83. - No permits to certain persons.

No itinerant merchant permit shall be issued to any person who shall have been convicted of any crime of moral turpitude.

(Code 1965, § 16-6)

Sec. 16-84. - Expiration; fee.

Each itinerant merchant permit shall expire at the end of the calendar year in which it was issued. A fee of fifty dollars (\$50.00) shall be paid to the city for the issuance of each permit under this article.

(Code 1965, § 16-7)

Secs. 16-85—16-89. - Reserved.