



Gateway to the Dunes

LICENSE APPLICATION INSTRUCTIONS

Peddlers, Solicitors and Transient Merchants

This division is enacted for the purpose of regulating all transient or itinerant merchants, commercial solicitors, peddlers and hawkers by requiring licenses to engage in the activities to prevent fraud, crime, undue annoyance and harassment and to protect the privacy, safety, health and welfare of the citizens of the town.

It will be unlawful for any person in accordance with Ordinance 2011-07 to act as a peddler, vendor or solicitor without first obtaining a license.

You do not need a license if you are:

- A member of a religious or nonprofit organization conducting legitimate activities without harassment.
- A student or member of a qualifying local school or organization participating in authorized activities.
- An individual selling newspapers.

An application for vending or soliciting may be obtained from the Clerk-Treasurer's office and upon completion, be submitted to the Clerk-Treasurer with the appropriate processing fees. The application shall include the following information:

- The name(s) of the corporation(s), firm(s) or person(s) which the applicant proposes to represent.
- The name(s) of the person(s) managing or supervising the solicitors; the local and permanent addresses of the aforementioned person(s); and the telephone numbers. at which the person(s) can be reached.
- A description of the merchandise or services offered for sale.
- Where and when the parent organization was established or incorporated.
- Information as to whether the parent organization or the applicant has even been legally prohibited (by order) from soliciting.

- If the organization or the applicant has ever been convicted of a crime or found in any municipal ordinance involving moral turpitude.
- Each applicant must supply credentials from the parent organization for which the applicant proposed to do business, authorizing the applicant to act as a representative.
- Copies of any state or county licenses which are also required to operate or conduct activities proposed by the applicant must be attached to the application.
- An authorization and request for criminal record verification and fingerprint information must be filled out and signed by each applicant. Personal information shall be provided by the applicant including date of birth, driver's license number, state identification or military identification, permanent and local address and telephone number and a physical description including height, weight, color of hair and eyes. Individual applicants shall provide a copy of their Government issued photo I.D. Failure to sign the consent for a criminal background check could result in the application being denied.

At the time of filing the application, a non-refundable application fee of \$15.00 and a non-refundable criminal background check fee of \$16.32 for each individual applicant shall be paid to the Clerk-Treasurer in accordance with Ordinance 2018-04. The above fees must be paid with cash or certified funds. Additionally, each individual applicant will need to fill out and sign a background check authorization form. There is a mandatory processing period of five working days before a license can be issued.

The Chief of Police or his or her designee will investigate the application and contents. If, as a result of the investigation of the individual's application, the applicant's character and business responsibility are found to be unsatisfactory by the Chief of Police or his or her designee, the application shall be denied, and a license shall not be issued. Any application which is denied by the Chief of Police may be appealed to the Town Council. The Town Council may accept or reject the decision of the Chief of Police. All appeals must be made by submitting a formal request for an appeal to the Clerk-Treasurer, together with a \$50 nonrefundable processing fee.

If, as a result of the investigation, the applicant's character and business reputation appear to be satisfactory, the Chief of Police or his or her designee shall allow the Clerk-Treasurer to issue the requested license. The applicant who will be soliciting shall then obtain a license from the Clerk-Treasurer. The applicant must pay the license fee at the time the license is issued. The fee for the license must be paid in cash or certified funds.

The fee for the above stated license is as follows:

1. A \$200 fee per year
2. A \$120 fee every six months
3. A \$50 fee per month; or
4. A \$25 fee per day

A license shall not be granted unless liability insurance with the minimum limits listed below has first been filed with the Town:

- \$1,000,000 each occurrence
- \$300,000 damage to premises
- \$5,000 medical
- \$1,000,000 personal injury
- \$100,000 worker's compensation

Once the fees are paid and the insurance requirements have been met, the Clerk-Treasurer will issue the license to the applicant(s).

After the license is approved and issued, the approved applicant(s) must then make an appointment with the Porter Police Department where they will be issued a photo I.D. The photo I.D. must be always worn and visible while soliciting.

Soliciting hours are only allowed Monday through Saturday 9:00 a.m. to sunset. Individuals may not approach, knock on doors, or ring doorbells where "No Solicitors" or "No Trespassing" signs are displayed.

All violations shall be punishable by a fine not to exceed **Two Thousand Dollars (\$2,000)**. If the itinerant merchant fails to pay the fine, the right to solicit or sell merchandise or services door-to-door will automatically terminate.



Gateway to the Dunes

APPLICATION

**FOR PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS
LICENSE**

Date: _____

Name of applicant: _____

Address of applicant: _____

City: _____ State: _____ Zip code: _____

Phone number: _____

Name of business: _____

Business address: _____

City: _____ State: _____ Zip code: _____

Phone number: _____ Fax number: _____

Owner/Contact person's name: _____

Phone number: _____

Email address: _____

Name of person supervising the solicitor: _____

Phone number: _____

Email address: _____

Description of the merchandise or services offered for sale: _____

Where and when was the business/organization established or incorporated?

Has the parent organization or the solicitor/itinerant merchant ever been legally prohibited (by court order) from soliciting? If so, explain below.

Yes _____ No _____

Has the solicitor or parent organization named in the application been convicted of a crime or found in violation of any municipal ordinance involving moral turpitude, (an example of the crimes being theft, burglary, robbery, fraud, deceit or any crime of violence)? If so, explain below.

Yes _____ No _____

Applicants must attach the following documentation to the completed application:

1. Credentials or written statement from the parent organization for which the applicant proposes to do business, authorizing the applicant to act as a representative.
2. Copies of any state or county licenses which are also required to operate or conduct activities proposed by the applicant.

Applicant Disclaimer and Acknowledgement

"By signing this application, the applicant hereby acknowledges and agrees to the following:

- **Waiver of Liability:** The applicant shall hold the **Town of Porter**, its officers, employees, and agents, harmless from any and all claims, actions, causes of action, or charges arising out of or related to the applicant’s activities while acting as a transient vendor, itinerant merchant, peddler, or solicitor.
- **Accuracy of Information:** The applicant certifies that all information provided in this application is true and correct. The applicant understands that providing false information on the application form is grounds for immediate denial of the permit or revocation of an existing license.
- **Duty to Report Changes:** The applicant agrees to report any material changes to the information provided in this application to the Clerk-Treasurer within seven (7) calendar days.
- **No Endorsement:** The applicant understands that the issuance of a license does not constitute an endorsement by the Town of Porter of the products, services, or the parent organization involved."

Applicant signature _____ Date _____

Applicant printed name _____

OFFICE USE ONLY			
Date received _____	Application fee paid \$15.00	Y/N	
Background check fee(s) paid \$16.32/Person	Y/N	Receipt number _____	
Date approved or denied _____			
License fee paid	Y/N	Amount _____	Receipt number _____ License number _____

AUTHORIZATION AND REQUEST FOR CRIMINAL RECORDS VERIFICATION AND FINGERPRINT INFORMATION

I, _____, hereby authorize **Town of Porter** to obtain and/or request information about my criminal history and fingerprints from any entity chose specifically for conducting this search, to release information regarding any record or charges or convictions contained in its files, or in any criminal file maintained on me, whether said file is a local, state, or national file and including but not limited to accusations and convictions for crimes committed against minors, to the fullest extent permitted by city, county, state, and federal law. I do release said entities from all liability that may result from any such disclosure made in response to this request. I may revoke this request at any time, but that revocation must be in writing and give 30 days' notice of same.

Individual applicants shall provide a copy of their Government issued I.D.

Name (Last)	(First)	(Middle)	
Address	City	State	Zip Code
Other names used by applicant (if any)		Phone number	
Date of birth	Place of birth	Social Security Number	
Driver's License #	Issuing state	License expiration date	
Height	Weight	Hair color	Eye color

Signature of Applicant: _____ Date: _____