

# TOWN OF ORO VALLEY SOLICITOR'S LICENSE APPLICATION

## GENERAL INFORMATION

It is the responsibility of the applicant to review all applicable sections of the Oro Valley Town Code, Zoning Code and any other Town regulations that may affect the applicant's business. The applicant is prohibited from soliciting prior to being issued an Oro Valley Solicitor's Badge.

Deliver the completed application to the Town Clerk's Office. Along with the completed application, the applicant is required to:

- Provide two headshot photos measuring approximately 1"x1" and taken within the last 60 days.
- Pay a \$20.00 processing fee. The Town accepts cash, checks or credit cards for payment of the fee. Please make checks payable to the Town of Oro Valley.
- Provide two copies of the applicant's valid driver's license.
- Provide a cashier's check or money order made out to the **Department of Public Safety** in the amount of \$22.00 and complete two fingerprint cards at the Oro Valley Police Department.
- Obtain an Oro Valley Business License.

The Oro Valley Police Department takes fingerprints during the following hours:

- ❖ Tuesday, 8:00 a.m. – 10:00 a.m.
- ❖ Thursday, 2:30 p.m. – 4:30 p.m.

**Please note:** A picture ID is required at the time of fingerprinting.

The fingerprint cards will be used to complete a background check. After the background check has been completed, the application will either be approved or denied. The Clerk's Office will contact the applicant regarding the status of the application. If approved, the applicant will be informed when the solicitor's badge will be ready for pick up. If denied, the applicant may contact the Oro Valley Police Department for an explanation of the reason for denial. The applicant has ten days from the date of notice of denial to file a written appeal with the Oro Valley Town Manager.

Both badge and business license must be renewed annually. However, the background information is valid for three years. At the end of the third year, the submission of a new Solicitor's License Application will be required.

It is unlawful for any peddler or solicitor to enter upon any residential premises in the Town to ring the doorbell or knock at any building where the owner, occupant or person legally in charge of the premises has posted in plain view at the entry to the premises, on or near the doorway of the premises or at the entry to the principal building on the premises, a sign bearing the words "No Peddler," "No Solicitors," "No Canvassers" or a similar message.

For questions or additional information, please call 520-229-4700. Return completed application and payment to:

Oro Valley Town Clerk's Office  
11000 N. La Canada Dr.  
Oro Valley, AZ 85737

## APPLICATION INSTRUCTIONS

### Section 1

- If the applicant is under age 18, Section 6 of the application must be completed by the applicant's parent or legal guardian.
- Please complete the vehicle information for any vehicles that will be used while soliciting in the Town of Oro Valley.

## **Section 2**

- If business is food related, a copy of the business' County Health Permit must be provided.
- Please be specific when describing the nature of the business and its goods and services.

## **Section 3**

- Provide complete information on the business for which you will be soliciting.

## **Section 4**

- The applicant is required to provide the names and addresses (excluding applicant's address) of two Pima County property owners who will act as character witnesses for the applicant.
- In lieu of the names of references, that applicant may provide other available evidence as to his/her good character and the business reputation of the applicant that will enable an investigator to properly evaluate the applicant's character and business responsibility.

## **Section 5**

- The applicant must provide complete and accurate information on all criminal convictions. For purposes of this application, the term "convicted" is defined as being convicted of a crime by:  
1) Entering a plea of guilty; 2) Entering a plea of no contest; or 3) Being convicted as a result of a trial.
- Providing false information or misrepresenting information is grounds for denial of the license.

## **Section 6**

- If the applicant is under age 18, a license cannot be issued unless the minor's parent or guardian appears personally before the Town Clerk or designee and provides evidence that he/she is in fact the parent or guardian of the applicant and gives written permission for the applicant to be licensed.

## **Section 7**

- If the applicant is under age 18, he/she must be supervised at all times while soliciting or peddling in the Town by a responsible adult who is a licensed solicitor in the Town of Oro Valley. The supervisor must sign the minor applicant's application.



## Town of Oro Valley Solicitor's License Application

### Section 1: Applicant Information

Name of Applicant:					
Home Address:					
City:			State:		Zip Code:
Phone No.:			Email:		
Mailing Address (if different than above):					
City:		State:		Zip Code:	
Are you under the age of 18: Yes          No					
Vehicle Information:	Make:	Model:	Year:	Color:	Plate No.:

### Section 2: Business Information

Name of Business:			Phone No.:		
Street Address:		City:		State:	Zip Code:
Mailing Address (if different than above):					
Business Description and Products Sold:					
AZ Transaction Privilege (Sales) Tax No:			Sales Tax Update Form for Oro Valley filed with State? Yes    No		
If business is food related, County Health Permit No.:					
Are you licensed in any other municipality or county: Yes    No    If yes, where:					
How long will the business be soliciting/peddling in the Town of Oro Valley:					
What is your position in the company:					
Have you or the business ever had a business license revoked: Yes    No    If yes, explain:					

### Section 3: Business Ownership

Ownership:    Sole Proprietor    Corporation    LLC    Partnership    Other					
Owner or Corporate Officer Name:				Title:	
Street Address:				Email:	
City:		State:	Zip Code:	Phone No.:	
Name and Address of Statutory Agent (if applicable):					

## Section 4: References

Pursuant to Oro Valley Town Code, Article 8-1, the applicant must provide the name and contact information of two property owners residing in Pima County to certify as to the applicant's good character and business reputation.

Name & Complete Address:	Phone No.:
Name & Complete Address:	Phone No.:

## Section 5: Criminal Background History

Provide complete and accurate information on all criminal convictions resulting from entering a plea of guilty, a plea of no contest or being convicted at trial. Failure to provide complete information may result in the application being denied. Providing false information is grounds to deny the application.

Date	Location	Offense	Felony or Misdemeanor	Penalty/Punishment

## Section 6: Parental Permission

If the applicant is under the age of 18, the applicant's parent or legal guardian must appear in person before the Town Clerk (or designee) and provide satisfactory evidence that he/she is in fact the parent or guardian of the applicant.

I, \_\_\_\_\_, certify that I am the parent / guardian of applicant and do hereby give permission for the minor applicant to obtain a solicitor's license to solicit/peddle within the Town of Oro Valley.

Parent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Street Address:			Email:
City:	State:	Zip Code:	Phone No.:

## Section 7: Supervision

If the applicant is under the age of 18, the applicant must be supervised directly at all times during times of soliciting/peddling within the Town of Oro Valley.

I, \_\_\_\_\_, am a responsible adult and have been issued a solicitor's license by the Town of Oro Valley pursuant to OVTC §8-1-8(D), and shall directly supervise the applicant at all times during times of soliciting/peddling within the Town of Oro Valley.

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Street Address:			Email:
City:	State:	Zip Code:	Phone No.:

**Section 8: Applicant's Signature**

I understand that the issuance of a solicitor's license by the Town of Oro Valley does not necessarily mean that my business has complied with all county, state and federal requirements which may apply to my business. I certify that the information contained in this application is true and correct to the best of my knowledge and agree to enter upon any residential premises only between the hours of 9:01 a.m. and 6:59 p.m. I further understand that transfer of this license, badge or ID Card is prohibited.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Subscribed and Sworn (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Section 9: Approvals**

Police Department

I have investigated this application in accordance with Article 8-1 et seq. of the Oro Valley Town Code and hereby  
\_\_APPROVE or \_\_DENY the application.

Police Chief's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for denial: \_\_\_\_\_  
\_\_\_\_\_

Town Clerk

I have investigated the application in accordance with Article 8-1 et seq. of the Oro Valley Town Code and hereby  
\_\_APPROVE or \_\_DENY the application.

Town Clerk's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for denial: \_\_\_\_\_  
\_\_\_\_\_

For Official Use Only

Two 1"x1" photos submitted: Yes \_\_\_ No \_\_\_ Exempt \_\_\_ Two copies of Driver's License: Yes \_\_\_ No \_\_\_ Exempt \_\_\_

Fingerprints (2 sets) taken by OVPD: Yes \_\_\_ No \_\_\_ Exempt \_\_\_ Health Permit: Yes \_\_\_ N/A \_\_\_

Money Order or Cashier's Check payable to DPS: Yes \_\_\_ No \_\_\_ Exempt \_\_\_

Background/Fingerprinting Fee (\$20.00) paid: Yes \_\_\_ No \_\_\_ Exempt \_\_\_

Business License Fee Amount: \$ \_\_\_\_\_ Date Paid: \_\_\_\_\_

## Article 8-1

### PEDDLER/SOLICITOR/TRANSIENT MERCHANT/CANVASSER/DEMONSTRATOR

#### Sections:

- 8-1-1 Definitions
- 8-1-2 Licensing Required
- 8-1-3 Application to Town Clerk
- 8-1-4 Investigation of Applicant; Issuance of License
  - 8-1-4.1 Repealed
  - 8-1-4.2 Repealed
- 8-1-5 Fees
- 8-1-6 Revocation, Restriction or Suspension of License
- 8-1-7 Appeals Process
- 8-1-8 License Required; Prohibited Activities
- 8-1-9 Penalties
- 8-1-10 Signs to be Observed
- 8-1-11 Charitable, Religious and Educational Organizations; Exemption
- 8-1-12 Bond Required
- 8-1-13 License Expiration
- 8-1-14 Transfer of Registration Prohibited
- 8-1-15 Hours of Solicitation

#### 8-1-1 Definitions

A. "Peddler" means any person, corporate or individual, firm or other entity, whether resident of the Town or not, who travels or whose agent travels from place to place, from house to house, from street to street or business to business for the purpose of selling, carrying, conveying or transporting goods, wares, merchandise, edible foodstuffs or other provisions, offering and exposing the same for sale or making sales and delivering such articles to purchasers. It is further provided that a person who solicits orders and, as a separate transaction, makes delivery to purchasers as a part of the scheme or design to evade the provisions of this title shall be deemed a peddler subject to the provisions contained in this chapter; provided, that the definition shall include any person or firm who, for himself or itself or for another person or firm, hires, leases, uses or occupies any building, permanent or temporary structure, hotel room, lodging house, apartment, shop, or any street, alley, sidewalk or other place within the Town.

B. "Solicitor" means any person, corporate or individual, firm or other entity, whether resident of the town or not, who travels, or whose agents travel, from place to place, from house to house, from street to street or from business to business taking or attempting to take orders for sale of goods, wares and merchandise, edible foodstuffs, or other personal property of any nature whatsoever for future delivery or for services to be furnished or performed in the future, whether collecting advance payments on those sales or not; provided, that the definition shall also include any person or firm who, for himself or itself or for another person or firm, hires, leases, uses or occupies any building, permanent or temporary structure, hotel room, lodging house, apartment, shop, or any street, alley, sidewalk or other place within the Town.

C. "Transient merchant" means any person, corporate or individual, firm or other entity, whether owner or otherwise, whether a resident of the town or not, who engages or whose agents engage in a temporary business of selling and delivering goods, wares, merchandise, edible foodstuffs, services or provisions within the town, and who, in furtherance of that purpose, shall include any person or firm who, for himself or itself or

for another person or firm, hires, leases, uses or occupies any building, permanent or temporary structure, hotel room, lodging house, apartment, shop, or any street, alley, sidewalk or other place within the Town.

D. "Canvasser" means any person, corporate or individual, firm or other entity, whether owner or otherwise, whether a resident of the Town or not, who travels or whose agents travel from place to place, from house to house, from street to street or business to business to solicit orders, or who conducts a survey of public opinion and who, in furtherance of that purpose, shall include any person or firm who, for himself or itself or for another person or firm, hires, leases, uses or occupies any building, permanent or temporary structure, hotel room, lodging house, apartment, shop, or any street, alley, sidewalk or other place within the Town.

E. "Demonstrator" means any person, corporate or individual, firm or other entity, whether owner or otherwise, whether a resident of the Town or not, who travels or whose agents travel from place to place, from house to house, from street to street or business to business demonstrating products for sale, and who, in furtherance of that purpose, shall include any person or firm who, for himself or itself or for another person or firm, hires, leases, uses or occupies any building, permanent or temporary structure, hotel room, lodging house, apartment, shop, or any street, alley, sidewalk or other place within the Town.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-2 Licensing Required

Subject to the provisions of ARS § 3-563, any person operating as a peddler, solicitor, transient merchant, canvasser or demonstrator within the Town shall register with the Town Clerk and obtain a license showing that registration.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-3 Application to Town Clerk

Applicants under this article must file with the Town Clerk a notarized application in writing on a form furnished by the Town Clerk, which shall contain, but not necessarily be limited to, the following information:

A. Name and physical description of applicant.

B. Complete business address and complete permanent home address of the applicant. In the case of a transient merchant, the local address from which the proposed sales will be made or facilitated.

C. A description of the product(s) to be sold in the Town, along with information regarding sales methods to be used. Applicants shall provide the names of, and a means of contacting, at least two property owners residing in Pima County, who will certify as to the applicant's good character and business reputation, or, in lieu of the names of such references, such other available evidence as to the good character and business reputation of the applicant as will enable an investigator to properly evaluate the applicant's character and business responsibility. Initial investigation by the Chief of Police under the provision of this article shall be completed within fifteen (15) business days after the applicant has submitted the required information. This time may be extended if information obtained during the initial investigation necessitates additional investigation. The applicant shall furnish information relating to other licenses obtained by the applicant, including whether such licenses have been revoked.

D. If employed, the name and address of the employer, together with proof establishing the employment relationship. No post office boxes will be accepted.

E. The length of time for which the right to do business is desired.

F. A description of any vehicles, including license number and valid vehicle registration to be used in conducting business in the Town.

G. The applicant shall furnish two photographs of the applicant taken within sixty (60) days immediately prior to the date of filing of the application, measuring one and one-half inches (1-1/2") by two inches (2"), and showing the head and shoulders of the applicant in a clear and distinguishing manner. One shall be attached to the applicant's identification card and the other shall be retained by the Police Department.

H. The Chief of Police shall require the applicant to file his/her fingerprint identification with the Police Department.

I. A statement as to whether or not the applicant has been convicted of: (1) any criminal offense, whether felony or misdemeanor, other than minor traffic violations; and (2) any violation of any municipal laws. As to any such offense, the date and place of conviction, the nature of the offense, and the punishment or penalty imposed must be provided as part of the application.

J. The most recent counties, cities or towns, if any, where the applicant carried on business preceding the date of application and the address from which the business was conducted in those municipalities.

K. If the applicant is under the age of eighteen (18), such applicant shall not be fingerprinted but no license shall be issued unless the minor's parent(s) or guardian(s) appear personally before the Town Clerk or the authorized designee and provide the following:

1. Satisfactory evidence that the person or persons are in fact the parent(s) or guardian(s) of the particular applicant.

2. A written statement signed by the parent(s) or guardian(s) and witnessed by the Town Clerk, or his/her designee, giving permission for the applicant to be licensed upon the meeting of the provisions of this article.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-4 Investigation of Applicant; Issuance of License

A. Upon receipt of an application, the Town Clerk's office shall forward a copy of the application to the Chief of Police or his/her designee, who shall conduct a background check on the applicant, as deemed necessary for the protection of the health, safety and general welfare of the public.

B. If, as the result of investigation regarding the business reputation and the criminal record of the applicant, the Town Clerk and/or Chief of Police find that issuance of a license will endanger the public health, safety or general welfare, the Town Clerk's or Chief of Police's denial and the reasons for denial shall be noted on the application, and the applicant shall be notified by the Town Clerk that his/her application is denied and that no license shall be issued. Examples of instances in which denial may occur include, but are not limited to, the following: applicant has criminal convictions whether misdemeanors and/or felonies involving crimes of dishonesty, deceit, trickery, fraud and/or assault or violent crimes; applicant is associated with a company that has engaged in fraudulent dealings; the proposed or previous sales of applicant include or have included some element of trickery, fraud, dishonesty or deceit. Notice of denial of a license shall be mailed, certified mail, return receipt requested, to the applicant at the address shown on the application form, or at the applicant's last known address. The applicant may request a review of such denial pursuant to Section 8-1-7.

C. If, as the result of investigation, both the business reputation and the criminal record of the applicant are found to be satisfactory by both the Town Clerk and the Chief of Police, the Chief of Police shall endorse his/her approval on the application and shall return the application to the Town Clerk who shall endorse his/her

approval on the application. Upon such endorsement and payment of the prescribed business license fee, the Town Clerk shall issue the required license/identification card to the applicant.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-4.1 Repealed

((O)07-01, Repealed, 01/17/2007)

#### 8-1-4.2 Repealed

((O)07-01, Repealed, 01/17/2007)

#### 8-1-5 Fees

A. Before issuing a license, the applicant shall pay a fee which is due and collected on or before January 31st of each year. The fee for such license is eighty dollars (\$80.00).

B. Any annual business license fee unpaid after it is due and payable is delinquent. The Town Clerk shall, on the day the business license fee becomes delinquent, add thereto a penalty in the sum of twenty-five percent (25%) of the total unpaid fee. If a delinquent business license fee remains unpaid for a period of fifteen (15) days, the licensee shall be guilty of the civil violation or operating a business as defined by this chapter without a license.

C. Prorating Annual Fees. Annual business license fees shall be diminished by one-twelfth (1/12) of the full annual license fee for each month of the business license period which has fully lapsed at the date of the license application.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-6 Revocation, Restriction or Suspension of License

A. A license under this article may be revoked, restricted or suspended by the Town after notice by the Town Clerk for any of the following causes: (1) fraud, misrepresentation or false statement contained in the application; (2) fraud, misrepresentation or false statement made by the applicant in the course of carrying on the business of peddler, solicitor, transient merchant, canvasser or demonstrator; (3) conviction of any assault or violent crime(s); (4) violation of any provision of this article; (5) conviction of any crime involving moral turpitude; (6) conducting the business of peddler, solicitor, transient merchant, canvasser or demonstrator in such a manner as to constitute a breach of the peace or pose a danger to the health, safety or general welfare of the public; (7) failure to pay any license fee or sales tax; (8) violation of licensing or other ordinances; (9) unlawful business practices; (10) unlawful conduct of employees of the licensee; (11) violation of regulations of a federal administrative agency; (12) cancellation of the licensee's bond by a surety; (13) unlawful conduct by the licensee; and (14) as deemed necessary in the interest of public safety and protection.

B. If a license is revoked, the revocation shall be effective immediately and the applicant shall not conduct any business activity within the Town.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-7 Appeals Process

At the time of denial or revocation, the Town Clerk shall give written notice by certified mail, return receipt requested, to the person in control of the business that the license has been denied or revoked. The notice shall also advise that the applicant or licensee shall have ten (10) business days to file and appeal to the Town

Manager or his/her designee for the purpose of determining whether the license should have been denied or revoked. Any appeal shall be in writing, on a form provided by the Town Clerk, and shall set forth all facts and arguments concerning whether the license should have been denied or revoked. If the appeal is not timely made, the Clerk's decision is final. The decision of the Town Manager and/or his/her designee is final and binding. The written decision shall be sent by regular mail to the business address.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-8 License Required; Prohibited Activities

When displaying the license issued by the Town, only the original license shall be displayed. It is unlawful for:

- A. Any peddler, solicitor, transient merchant, canvasser, or demonstrator to act in furtherance of the commercial activity described in Section 8-1-1 by entering upon private residential property, public or Town property without having first obtained a license and identification card; without having the Town Clerk-issued identification card in their possession; or failing to exhibit such identification card when request is made for the card by the owner, occupant or person legally in charge of the premises.
- B. Any peddler, solicitor, transient merchant, canvasser, or demonstrator to erect or maintain any moveable booth, stand or counter on any sidewalk, street or alley in the Town for the carrying, conveying or transporting of goods, wares, merchandise, edible foodstuffs, services or provisions in any wagon, cart, wheel, vehicle, moveable booth or stand for the purpose of carrying, conveying or transporting goods, wares, merchandise, edible foodstuffs, services or provisions and/or canvassing and demonstrating.
- C. Any peddler, solicitor, transient merchant, canvasser, or demonstrator to operate in a congested area where the operation may impede or inconvenience the public use of the street, alley, sidewalk or right-of-way. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, is conclusive as to whether the area is congested and the public is impeded or inconvenienced.
- D. Any child or children under the age of eighteen (18) years to be a peddler, solicitor, transient merchant, canvasser, or demonstrator within the Town pursuant to a permit granted under this chapter unless supervised by a responsible adult holding a permit issued pursuant to this chapter.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-9 Penalties

- A. Criminal. Any person found guilty of violating this article shall be guilty of committing a Class 1 misdemeanor punishable by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense.
- B. Civil. In the alternative, the Town may pursue enforcement of this article by filing a civil action. In such instance, if a violation of any portion of the article occurs, a complaint shall be filed with the Town Magistrate Court and served upon the defendant by certified mail. At the violation hearing, the Town is required to prove the violation charged by a preponderance of the evidence. Technical rules of evidence do not apply except for statutory provisions relating to privileged communications. If the defendant is found to have violated any provision of this article, the magistrate shall impose a civil penalty of up to two thousand five hundred dollars (\$2,500.00). In the event the defendant should fail to appear, the Town may seek judgment by default. Each day that the violation continues shall constitute a separate offense.

((O)07-01, Adopted, 01/17/2007)

## 8-1-10 Signs to be Observed

It is unlawful for any peddler, solicitor, transient merchant, canvasser, or demonstrator, while conducting the business of peddler, solicitor, transient merchant, canvasser, or demonstrator, to enter upon any residential premises in the Town to ring the doorbell or knock at any building where the owner, occupant or person legally in charge of the premises has posted in plain view at the entry to the premises, on or near the doorway of the premises, or at the entry to the principal building on the premises a sign bearing the words "No Peddlers," "No Solicitors," "No Canvassers" or a similar message.

((O)07-01, Adopted, 01/17/2007)

## 8-1-11 Charitable, Religious and Educational Organizations; Exemption

A. Any organization, society, association or corporation or other entity desiring to solicit, or have solicited in its name, money, donations of money or property, or financial assistance of any kind, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons, other than members of such organization, upon the streets, in office or business buildings, by house-to-house canvass, or in public places for a charitable, religious, educational, or similar nonprofit purpose, shall be exempt from the payment of fees as provided in Section 8-1-5, provided there is filed a sworn application in writing on a form to be furnished by the Town Clerk which shall give the following information:

1. Name and purpose of the cause for which permit is sought.
2. Names and addresses of the officers and directors of the organization.
3. Period during which solicitation is to be carried on.
4. Names and addresses of all persons who will engage in solicitation activities.
5. Whether or not any commission, fees, wages or emoluments are to be expended in connection with such solicitation and the amount thereof.
6. Exempt applicants shall cite to the Town Clerk the statute or other legal authority under which exemption is claimed and shall provide proof of qualification for such exemption.
7. Before commencing any fund drive, the organization shall file with the Town Clerk the dates of solicitation and a verified statement or a declaration under the penalty of perjury, signed by the president or other duly authorized officer of the organization, indicating that the organization qualifies as tax exempt under Federal or State income tax laws.

B. Upon being satisfied that such organization, association or corporation is a religious, educational, charitable, or similar nonprofit organization, the Town Clerk shall issue a permit without charge to such organization, association or corporation to solicit in the Town. Such organization, association or corporation shall furnish all of its members, agents or representatives conducting solicitation written credentials stating the name of the organization, name of the agent and purpose of solicitation.

C. Notwithstanding the provision of this section, individuals soliciting for nonprofit, charitable and religious purposes must refrain from soliciting if the premises is posted in the manner set forth in Section 8-1-10 with a sign bearing the words "No Peddlers," "No Solicitors," "No Canvassers" or words of similar import and shall be subject to the prohibitions set forth in Section 8-1-8.

((O)07-01, Adopted, 01/17/2007)

## 8-1-12 Bond Required

Any peddler, solicitor, transient merchant, canvasser, or demonstrator, before any license is issued to any person, corporate or individual, firm or other entity, pursuant to this article, shall file with the Town Clerk a good and sufficient bond in the sum of one thousand dollars (\$1,000.00) payable to the Town executed by two (2) or more good and sufficient sureties or by a surety company authorized to become surety on such bonds in the State or in lieu thereof shall file a cash deposit of one thousand dollars (\$1,000.00) with the Town Clerk. Such bond or cash deposit shall be conditioned that the whole or any part of such sum of one thousand dollars (\$1,000.00) shall be paid to any person failing to receive a delivery of goods ordered or services to be performed in accordance with the terms of any order given, for the amount such person has advanced as payment in whole or in part on any such order, and such bond or cash deposit shall be conditioned further that any person aggrieved by the action of any such person shall have a right of action against such bond for the recovery of money or damages or both. Every business, firm, company or corporation, which has employees or agents acting in the capacity of peddler, solicitor, transient merchant, canvasser, or demonstrator, shall file with the Town a blanket surety bond or cash deposit covering all such employees or agents and payable to the Town in the amount of five thousand dollars (\$5,000.00). Such bond shall be retained by the Town for a period of ninety (90) days after the expiration of the license granted at the time of the filing of such bond and shall be paid to any person failing to receive a delivery of the goods ordered or services to be performed in accordance with the terms of any order given for the amount such person has advanced as payment in whole or in part on any such order, and such bond or cash deposit shall be conditioned further that any person aggrieved by the action against such bond for the recovery of money or damages or both.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-13 License Expiration

All licenses issued under the provisions of this article shall expire at the end of the calendar year in which it was issued unless an earlier expiration date is noted on the license.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-14 Transfer of Registration Prohibited

No license issued under the provisions of this article shall be assigned or transferred to any other person, corporation, partnership or other entity without first obtaining permission from the Town Clerk.

((O)07-01, Adopted, 01/17/2007)

#### 8-1-15 Hours of Solicitation

It is unlawful for any person, while conducting the business of a peddler, solicitor, transient merchant, canvasser or demonstrator, to enter upon any residential premises between 7:00 p.m. and 9:00 a.m.

((O)07-01, Adopted, 01/17/2007)