



Edgewood Police Department Peddler and Solicitor Application

**Reference: City of Edgewood Code of Ordinances, Section
34-103 REQUIRED FEE: \$20.00 (per permit)**

Please type or print in ink. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Please note this fee is non-refundable.

This license is effective for 12 months from the date of its issuance.			
ORGANIZATION/EMPLOYER NAME:			
LOCAL ADDRESS:			
CITY:		STATE:	
		ZIP:	
PERSON RESPONSIBLE:		PHONE:	()
BUSINESS TAX RECEIPT NUMBER:		EXP. DATE	
APPLICANT'S FULL NAME:			
CITY:		STATE:	
		ZIP:	
DATE OF BIRTH:			
DRIVER'S LICENSE NUMBER		STATE:	
DESCRIPTION OF SOLICITATION TO BE MADE AND GOODS, WARES, MERCHANDISE OR SERVICES TO BE OFFERED:			
DATE(S) OF SOLICITATION:			
LOCATION(S) OF SOLICITATION:			
FOLLOWING INFORMATION ON EACH SOLICITOR:			
<u>NAME:</u>	<u>ADDRESS:</u>	<u>STATE/GOVERNMENT ID NO.</u>	<u>STATE</u>
LIST ADDITIONAL SOLICITORS ON A SEPARATE SHEET:			



Per F.S. 205.023 the application of a new owner **must** present a copy of the current fictitious name registration issued by the Division of Corporation of the Department of State or a written statement which sets forth the reason that the applicant or new owner need not comply with the Fictitious Name Act. If a business will use any name other than the given name of the owner, and the business is not incorporated, a fictitious name must be registered with the state.

The City of Edgewood may collect individual social security numbers when specifically authorized by law to do so or when it is imperative for the performance of the City's duties. If you do not provide your social security number, the City may not be able to provide the services or employment that you request without it. The City only collects your social security number for the following purposes, which purposes are authorized by law or are required in the performance of the City's duties: classification of accounts; collection and processing of local business taxes; accurate identification and verification; establishment credit worthiness; processing billing and payments; data collection; personal benefits processing and tracking; accurate law enforcement processing; and tax reporting. This information will be used solely for those purposes. The City will not collect social security numbers for any other purpose other than those above.

Applicant's Signature: _____ **Date:** _____

Please submit your completed application via email to info@edgewood-fl.gov, via facsimile at (407) 851-7361, or hand deliver to Edgewood Police Department located at 5565 S Orange Avenue. For additional questions, please call (407) 851-2820.

OFFICE USE ONLY	
Received Date:	
Received By:	
Forwarded To:	
Notes:	



This is to certify that _____
(Name of Solicitor)

Address _____
(Home Address)

is authorized to represent the _____
(Name of Business Firm)

Address _____

as a solicitor, to conduct business of door-to-door soliciting in the City of Edgewood, Florida. I further certify that the solicitation will be by responsible persons, and the solicitation will not be a fraud on the public.

Date firm was organized or incorporated _____

Where _____

Holds Business Tax Receipt as follows: _____

Signature of Applicant

Signature of City Official

Sworn to and subscribed before me

This _____ day of _____, 20 _____

Print Name

Notary Public, State at Large

My Commission Expires: _____



ARTICLE IV. - PEDDLERS AND SOLICITORS

- **Sec. 34-100. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means an individual representing a place of business, whether as an officer, employee, agent or independent contractor, who is engaged in a door-to-door canvass, selling, demonstrating or taking orders for any goods, wares or merchandise or services; or taking orders from samples where goods are to be delivered later.

Business means an individual, partnership association, organization or corporation acting as the commercial enterprise which provides the organizational framework or supervisory function for solicitors or peddlers.

Goods, wares and merchandise means the exchange of a photograph, coupons, or tickets for goods and merchandise.

Peddler means any person who goes upon the premises or any private residence in the city, not having been invited by the occupant thereof, carrying or transporting lawful goods, wares, merchandise or personal property of any nature and lawfully offering the same for sale. This definition also includes any person who solicits orders and as a separate transaction makes deliveries to purchasers as part of the scheme to evade the provisions of this article.

Person means any individual, company, corporation, co-partnership or association.

Solicitor means any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, for the purpose of taking lawful orders for the sale of subscriptions, goods, merchandise, wares, or other personal property of any nature for future delivery, or for services to be lawfully performed in the future. The term " Solicitor " shall include persons engaged in soliciting information door-to-door for the purpose of polls, surveys and similar activities for a commercial purpose. Except as otherwise specified, the terms " Solicitor " and " Solicitor " as defined above shall not include persons engaged in the exercise of their constitutional rights of freedom of speech, religion, and political activity, or any charitable or nonprofit organization conducting fund raising activities for charitable purposes. (Ord. No. 2003-03, § 1(14-49), 6-3-2003)

- **Sec. 34-101. - Permit and license required.**

(a) It is unlawful for any person to solicit or peddle, as defined in this article, whether or not engaged in interstate commerce, within residential areas of the corporation limits of the city, without first obtaining and having in personal possession a valid, current solicitor's permit in compliance with this article and having first obtained an occupational license as required by this chapter.



(b) A business shall require and be responsible to ensure that all of its agents shall have a current city solicitor's permit before that agent is authorized to solicit or peddle within the residential areas of city on behalf of the business. No owner, proprietor, partner, officer, manager, supervisor, or employee of a business shall authorize or permit an agent to solicit or peddle within the residential areas of city on behalf of the business, unless the agent has a current city solicitor's permit.

(c) It shall be construed to be soliciting or peddling on behalf of a business for the purposes of this section, if the business receives all or part of the financial consideration paid for the goods or services, either directly or indirectly. Sales of goods by the business to its agents for subsequent sale to the public by soliciting or peddling shall be construed to be soliciting or peddling on behalf of the business, unless the business clearly demonstrates to the city that the business only acts as a wholesaler, the business has no control over the solicitors or peddlers, and the business does not provide any organizational or promotional support to the solicitors or peddlers.

(Ord. No. 2003-03, § I(14-50), 6-3-2003)

- **Sec. 34-102. - Prohibitions.**

(a) It is unlawful for any individual solicitor, agent or peddler, including persons whose speech is fully protected by the federal and state constitutions, to:

- (1) Enter the premises of a private resident for the purpose of selling or soliciting orders for goods, wares or merchandise, personal services or information when a "no solicitors" sign is posted;
- (2) Remain upon any residential premises after the owner-occupant requests the solicitor to depart;
- (3) Conduct business between 9:00 p.m. and 9:00 a.m. or at any time on Sundays;
- (4) Approach back or rear doors of the sides or rear of residential premises;
- (5) Intentionally make any physical contact with or touch the person solicited without that person's consent;
- (6) Block the free passage of the person being solicited;
- (7) Intentionally approach in such a manner or use obscene or abusive language or gestures intended to or likely to cause a reasonable person to be intimidated into responding affirmatively to the solicitation.

(b) Prior to engaging in any form of solicitation or peddling, including persons whose speech is fully protected by the federal and state constitutions or who are engaging in fundraising for charitable purposes, a solicitor or peddler, if requested, shall announce to the person being solicited the true identity of the organization he or she is soliciting for and shall produce such identification, including a solicitor's permit if applicable. Failure to do so or intentionally misrepresenting any such fact is unlawful and punishable as provided in [section 34-109](#).

(Ord. No. 2003-03, § I(14-51), 6-3-2003)

- **Sec. 34-103. - Application and fee.**



(a) An individual applying for a solicitor or peddler permit, as an individual or as a representative of a business, must file a sworn written application on forms provided by the city and pay a nonreturnable fee in the amount established by resolution to cover processing costs, except as provided herein.

(b) The application shall provide at least the following information for review by the police department:

(1) Name, personal identification description (copy of valid driver's license, articles of incorporation, or other legally recognized form), permanent residence and complete local home and business address of applicant.

(2) Number of valid city occupational license and the name issued to.

(3) Description and license number of vehicle to be used in solicitation.

(4) Business name and address of company represented and complete name and address of immediate supervisor with credentials establishing the applicant's exact relationship.

(5) The length of time business is to be conducted in the city.

(6) Description of the nature of solicitations to be made, goods, wares, merchandise or services to be offered, or orders to be taken.

(7) The location, manufacturer or fabricator of goods, wares or merchandise to be offered. If a producer of products of farm or grove, the location and number of acres in production.

(8) Names and current addresses and telephone numbers of two or more persons who will certify to the applicant's good character and business responsibility, or other satisfactory evidence of good character and business responsibility of the applicant.

(9) A statement of any convictions, nolo contendere plea, or forfeitures for violating any local, state or federal law, excluding traffic fines of \$50.00 or less, the nature and location of the offense and the penalty imposed.

(10) Two photographs of the applicant which shall have been taken within 60 days immediately prior to the date of filing of the application. The photographs shall show, minimally, the head and shoulders of the applicant in a clear and distinguishing manner.

(c) Any falsification of the above information is grounds for denial, suspension or revocation of the permit. Any change in the above information must be recorded in an affidavit filed with the city.

(d) The city shall retain application records in accordance with applicable law but for not less than five years.

(Ord. No. 2003-03, § I(14-52), 6-3-2003)

- **Sec. 34-104. - Investigation of applicant.**

Upon investigation of an application for a permit under this article, the original shall be referred to the chief of police, who shall conduct an investigation to determine if the applicant is of good moral character with a good reputation for truthfulness and honesty, and proposes to engage in a lawful, commercial, or professional enterprise, supervised by responsible and reliable persons. If, as a result of the investigation, the applicant's character or business responsibility is found to be unsatisfactory, or if the applicant is found to have falsified information in the application, the chief of police shall so notify the city clerk, who shall notify the applicant that the application is disapproved, and the city clerk shall follow the provisions of [section 34-105](#).

(Ord. No. 2003-03, § I(14-53), 6-3-2003)



- **Sec. 34-105. - Denial of permit.**

(a) Upon the city clerk's review of the application, the city clerk may refuse to issue a permit to the applicant under this article for any of the following reasons:

- (1) An investigation reveals that the applicant falsified information on the application;
- (2) The applicant has been convicted of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances or any acts against persons or property, which conviction being entered within the ten years preceding the date of application;
- (3) The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit, or misrepresentation has been entered within the ten years immediately preceding the date of application;
- (4) There is no proof as to the authority of the applicant to serve as an agent to the principal;
- (5) The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the city clerk that the reasons for such earlier denial no longer exist; or
- (6) The results of the investigation by the chief of police regarding the applicant's character or business responsibility are found to be unsatisfactory.

(b) The city's disapproval and the reason for disapproval shall be noted on the application and the applicant shall be notified that the application is disapproved and that no permit shall be issued. Notice shall be mailed to the applicant at the address shown on the application form or at the applicant's last known address. The applicant shall be informed of his or her right to appeal the decision to the city council pursuant to [section 34-108](#).

(Ord. No. 2003-03, § I(14-54), 6-3-2003)

- **Sec. 34-106. - Issuance of permit.**

(a) Upon receipt of an application, the city clerk, or other authorized representative, shall review the application.

(b) If the city clerk finds the application to be satisfactory, including the investigation by the chief of police, the city clerk shall endorse his or her approval on the application and shall, upon payment of the prescribed fee, deliver the required permit to the applicant.

(c) The permit shall show the name, address and photograph of the permittee, the class of permit issued, the kind of goods or services to be sold or delivered, the date of issuance, and the length of time that the permit shall be in effect. The permit shall also show the permit number and identifying description of any vehicle to be used in carrying on the business for which the permit is issued.

(Ord. No. 2003-03, § I(14-55), 6-3-2003)

- **Sec. 34-107. - Duration and validity.**

(a) No permit shall be valid for a period longer than 12 months from the date of its issuance.



(b) A permit is not transferable between solicitors. When a solicitor changes employers, or his or her permit is revoked, the permit is automatically void and he or she shall return the void permit to the city.

(c) A valid solicitor's permit determined by the city to be lost, stolen or destroyed may be reissued by the permittee's filing an affidavit and paying a \$10.00 fee.

(d) The city may after 12 months renew a permit to a solicitor engaged in the same work and product line with the same employer after his or her submission of a notarized affidavit stating there are no felonies or misdemeanors charged to him or her for which action is pending, to which he or she has pled nolo contendere, forfeited bond, or for which he or she has been convicted since the original application. A nonreturnable renewal fee of \$10.00 in lieu of the initial fee in the amount established by resolution, will be required if the city determines only a local investigation is necessary.

(Ord. No. 2003-03, § I(14-56), 6-3-2003)

• **Sec. 34-108. - Denial, revocation, and appeal.**

(a) *Revocation.* Permits used as provided by this article may be revoked by the city clerk, or his or her designee, after notice and hearing, for any of the following offenses:

- (1) Fraud, misrepresentation for a false statement in the application.
- (2) Fraud, misrepresentation or a false statement in conduct of the business.
- (3) Violation of any condition, provision or qualification provided in the application.
- (4) Conviction, nolo contendere plea or forfeiture resulting from violation of any city, state or federal law involving moral turpitude.
- (5) Any violation of this article.
- (6) Conducting business in an unlawful manner or in such manner as to threaten a breach of the peace or menace, public health, safety or welfare.

(b) *Notice and hearing on revocation.* Notice of a hearing for revocation of a permit issued under this article shall be provided in writing and shall set forth specifically the grounds for the proposed revocation and the time and place of the hearing before the city council. Notices shall be mailed to the permittee at the address shown on the permit application or at the last known address of the permittee. If, after the hearing, the city shall determine that the permit should be revoked, and continuance to engage in solicitation for which the permit has been issued shall constitute a violation of this article, and the permittee will be subject to penalties.

(c) *Appeals for denials.* Any person aggrieved by the decision to deny a permit applied for under the provisions of this article shall have the right to appeal such action or decision within 15 days after the notice of the decision has been mailed to the applicant's address as shown on the permit application form or to the last known address. The appeal shall be taken by filing with the city a written statement setting forth the grounds for the appeal. Hearing before the city council shall be set as soon as practicable after the receipt of the written statement of appeal.

(d) *Time and place for hearings.* Notice of the time and place of hearing shall be mailed to the permittee/applicant no sooner than five days of the date of the hearing. Failure of the permittee/applicant to appear at the hearing before the city council shall create an admission that the permittee/applicant does not contest the revocation/denial and that the permit should be revoked/denied. The decision of the city council on the appeal shall be final.

(Ord. No. 2003-03, § I(14-57), 6-3-2003)



- **Sec. 34-109. - Penalties.**

(a) Violators of any of the provisions of this article shall be subject to reduced civil penalties under [section 2-270](#) of this Code, as well as code enforcement proceedings under [chapter 2](#), article VII of this Code. Each separate day of violation constitutes a separate offense.

(b) Violators of any of the provisions of this article shall be subject to having permits denied or revoked.

(c) In addition to any criminal enforcement, the city or any individual may pursue any available civil remedies deemed appropriate and necessary.

(Ord. No. 2003-03, § I(14-58), 6-3-2003)