

## Solicitation Guidelines for Citizens and Applicants

The City of Colleyville 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 Home Solicitors, Commercial Home Distributors, and Itinerant Vendors are required to obtain a special permit.

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

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

**Commercial home solicitors** - solicitors at a residence for the purpose of selling or offering to sell goods, services or realty either in-person or through the door-to-door distribution of advertisements (other than through the United States mail).

**Commercial home 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.

**Itinerant vendors** - any person who sets up and operates a temporary business on privately owned property, whether improved or unimproved, in the City, soliciting, selling, or taking orders for, or offering to sell or take orders for any goods or services.

**Mobile frozen dairy food vendors** - any person who operates a vehicle on the streets of the City for the purposes of soliciting sales of frozen dairy food, either made or produced at the time of the sale, or prepackaged and wrapped in a covering.

**Mobile ice cream truck** - a mobile food unit that operates from a motor vehicle and sells only prepackaged, single-portion, ice cream or frozen confections.

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

#### **Commercial Home Solicitors and Commercial Handbill Distributors**

- 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 for the past year
- Copy of valid sales tax certificate
- Two full-faced photographs
- 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
- 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
- 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.

**Itinerant Vendors (includes mobile frozen dairy vendors and mobile ice cream trucks)**

- No convictions or pleas of nolo contendere to any felony
- Vehicle in good condition; current safety inspection
- Must provide copy of sales tax return filed for previous period
- Name of all cities where applicant has conducted sales activity in last 360 days
- Two full-face passport size photos
- Authorization to conduct a criminal background check
- List of three character witnesses
- Certified copy of sales tax permit
- Statement of kind, type, character of goods to be sold
- Period of time for sales or solicitation
- Location within the City where sales activity will be conducted
- If sales are to be conducted from one or more stationary locations, the applicant shall submit written consent of the property owner
- If handling or selling non prepackaged food must have current Tarrant County Public Health Department Food Handler Card and a valid health inspection certificate
- Applicant must be at least 18 years of age with no active driving suspensions

- Before permit is issued, the applicant must furnish a \$250,000 liability policy with notification to the City if cancelled

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

**Commercial Home Solicitors and Commercial Handbill Distributors**

- Hours permissible are 9:00 a.m. – 4:30 p.m. Monday through Saturday. Sundays and federally regulated holidays are prohibited
- Solicitation activity may be suspended on any day where the Department of Homeland Security has issued a formal, detailed alert regarding a specific or credible terrorist threat indicating an imminent or elevated threat level
- Must wear identifying badge and distributors must wear orange traffic safety vest
- May only approach front doors of residences
- Must leave materials no further than five feet from front door
- Children 15 years of age or less must be within 1,000 feet of the child's home or actively supervised by an adult who is at least 18 years of age and is within 100 feet of the child
- Must have copy of permit on their person during all solicitation or distribution

**Itinerant Vendors**

- Cannot remain at a single location for longer than 30 minutes
- Must have sign visible with business address and phone of permit holder in letters not less than two inches in height
- Must have a WATCH FOR CHILDREN sign on front, side and rear not less than four inches in height visible at 300 feet in normal sunlight
- Serving window capable of being closed and located curbside only
- Must have left and right outside mirrors, two additional wide angle mirrors on the front and back to enable the driver to see around the entire vehicle, operable flashing four way yellow hazard lights (back mirror is not required if the vehicle is equipped with a no ride bumper)
- Must have rear bumper cover or "no ride" bumper and trash receptacle
- Sound equipment may only be used between 11:00 a.m. and dusk
- Sound may not be broadcast within 100 yards of schools, hospitals, churches, courthouses, funeral homes, or cemeteries and shall meet all noise nuisance ordinances. Music must be played at a reasonably low volume while the unit is stopped for vending and must be turned off if stopped for longer than ten minutes.

***How often do I need to renew my permit?***

- Permits for commercial home solicitors and commercial home distributors are valid for a period of 180 days. They may be renewed prior to expiration.
- Permits for Itinerant vendors, including mobile frozen dairy vendors and mobile ice cream trucks are valid for up to one year and expire at midnight on December 31<sup>st</sup> each year regardless of date of issue.

***What are the fees?***

- \$15 non-refundable application fee plus a \$50 permit fee per person
- Group registration option is available for commercial handbill distribution only
  - 2 – 9 persons: \$15 non-refundable application fee plus \$15 permit fee per person
  - 10+ persons: \$15 non-refundable application fee plus \$10 per person
- Renewal fee of \$25.00 if renewed during the valid permit period
- Must apply for an indigent exemption
- Exemptions - religious organization, anonymous political speech, charitable purposes

***How do I receive additional information?***

Please contact the Colleyville Police Department at 817-503-1242, via email at [colleyvillepd@colleyville.com](mailto:colleyvillepd@colleyville.com) or visit the City's website at [www.colleyville.com](http://www.colleyville.com)

Officers observing Commercial Home Solicitors, Commercial Home Distributors or Itinerant Vendors 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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Name of Applicant

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Date

Photographic examples of signs compliant with the  
Colleyville Solicitation Ordinance

Signage must be no smaller than three (3) inches by four (4) inches in size bearing the words: No Trespassing, No Peddlers, No Advertisements, No Solicitation, No Handbills or any similar notice indicating in any manner that the occupants of such premises do not desire to have any handbills left or solicitation upon their premises.

The letters on such signage shall not be less than two-thirds ( $\frac{2}{3}$ ) of an inch in height.



## Handbill Distributor Permit Front and Back

<p>Photo Here</p> <p><b>City of Colleyville Solicitors Permit</b> <b>Valid thru: 12/31/2011</b></p> <p><b>John Smith Handbill Distributor</b></p> <p><b>Permit #</b> _____ <i>Steve C. Dye, Chief of Police</i></p>	<p><b><u>Times Permitted:</u></b> Monday thru Saturday 9:00 AM – 4:30 PM No Sundays or federally designated holidays Not on any day Dept. of Homeland Security has issued a specific or credible terrorist threat</p> <p><b><u>Handbill Distributors:</u></b> No materials further than 5 feet from front door May only approach the front door Must wear orange traffic safety vest at all time Do not leave materials if sign is present requesting "No Solicitors", "No Handbills", "No Advertisers", etc.</p>
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## Sample Orange Traffic Safety Vest (Handbill Distributors only)



## Solicitor Permit Front and Back

<p>Photo Here</p> <p><b>City of Colleyville Solicitors Permit</b> Valid thru: <b>12/31/2011</b></p> <p><b>John Smith Solicitor</b></p> <p>Permit # _____ <i>Steve C. Dye, Chief of Police</i></p>	<p><b><u>Times Permitted:</u></b> Monday thru Saturday 9:00 AM – 4:30 PM No Sundays or federally designated holidays Not on any day Dept. of Homeland Security has issued a specific or credible terrorist threat</p> <p><b><u>Solicitors:</u></b> No materials further than 5 feet from front door May only approach the front door Do not leave materials if sign is present requesting “No Solicitors”, “No Handbills”, No Advertisers”, etc.</p>
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## Itinerant Vendor Permit Front and Back

<p>Photo Here</p> <p><b>City of Colleyville Solicitors Permit</b> Valid thru: <b>12/31/2011</b></p> <p><b>John Smith Itinerant Vendor</b></p> <p>Permit # _____ <i>Steve C. Dye, Chief of Police</i></p>	<p><b><u>Times Permitted:</u></b> Sound equipment only between 11:00 AM and dusk and is limited to music or human speech</p> <p><b><u>Itinerant Vendors:</u></b> May not remain at a single location longer than 30 minutes If stopped longer than 10 minutes, music must be turned off Sound may not be broadcast within 100 yards of schools, hospitals, churches, courthouses, funeral homes, or cemeteries and must meet all noise nuisance provisions</p>
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