

CHAPTER 116: SOLICITORS, CANVASSERS AND HANDBILL DISTRIBUTION

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GENERAL PROVISIONS

§ 116.01 PURPOSE.

(A) The purpose of this chapter is to provide for the general health, public safety and welfare, comfort, convenience and protection of the city and the residents of the city by:

- (1) Prohibiting door-to-door solicitation and canvassing activity at residences during the times when such activity is most intrusive and disruptive to citizens' privacy;
- (2) Regulating the manner in which any solicitation activity, canvassing activity or handbill distribution may occur to promote good order, prevent litter and protect citizens from aggressive and intimidating practices; and
- (3) Requiring solicitors to register with the city to aid crime detection and deter deceptive practices and fraud.

(B) The provisions of this chapter shall be construed to accomplish these purposes.

(Ord. 09-2021-51, passed 9-14-21)

§ 116.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR. The Assistant Chief or some other employee of the city designated by the Police Chief.

CANVASSER. A person who engages in canvassing activities.

CANVASSING or CANVASSING ACTIVITY. The act of:

- (1) Traveling either by foot or vehicle, going door-to-door, house-to-house, building-to-building; or
- (2) Occupying space in or traveling on or through any public place in the city;
- (3) Personally contacting persons to communicate in any manner, whether orally, by written or printed materials including, but not limited to, handbills, leaflets, hand signing or by any other method, direct or implied, for any purpose other than selling or taking orders for goods, wares, merchandise or services or collecting money.

CITY. The City of Cleburne, Texas.

DARK. The time of day identified by the United States Naval Observatory as being after the end of civil twilight on a particular day in the city.

HANDBILL. Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any manner.

HANDBILL DISTRIBUTION. Traveling either by foot or vehicle, going door-to-door, house-to-house or building-to-building without personally contacting persons to distribute or leave on or at each premises handbills for any purpose.

ITINERANT MERCHANT. Any person who engages in, does, or transacts any temporary or transient business and who, for the purpose of carrying on such business, occupies any location for a period of less than one year. **ITINERANT MERCHANT** includes any person who sells or takes product orders out of a vehicle parked on premises where there is no related business building.

NON-PROFIT ORGANIZATION. An organization or entity that is exempt from the payment of tax pursuant to § 501(c)(3) of the Internal Revenue Code.

POLICE CHIEF. The Police Chief of the city.

SELLING. To sell, dispense, peddle, hawk, display, offer to sell or solicit for sale by offering or exposing for sale any goods, wares, merchandise or services.

SOLICITATION ACTIVITIES. The act of:

- (1) Traveling either by foot or vehicle, going door-to-door, house-to-house, building-to-building; or
- (2) Occupying space in or traveling on or through any public place in the city; while personally contacting persons to ask, barter or communicate in any manner, whether orally, by written or printed materials including but not limited to handbills or leaflets, hand signing or by any other method, direct or implied, for the purpose of selling or taking orders for goods, wares, merchandise, or services. The term **SOLICITATION ACTIVITIES** includes any activities conducted by an itinerant merchant.

SOLICITOR. A person who engages in solicitation activities.

('68 Code, § 21-13) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021, passed 9-14-21)

§ 116.03 EXEMPTIONS.

(A) This chapter does not apply to:

- (1) The activity of a person with an appointment calling upon or dealing with manufacturers, wholesalers, distributors, brokers or retailers at their place of business and in the usual course of business;
- (2) The activity of a person acting at the request or invitation of the owner or occupant of a residence;
- (3) Sales made under the authority of and by judicial order;
- (4) The activity of a government employee acting within the course and scope of their official duties serving, delivering or posting official notices including notices of code violations, water restrictions, utility outages, burn bans, special event impacts or security issues; or
- (5) The activity of a person under the authority of a permit issued under Chapter 94 of this code.
- (6) The activity of a person who is a real estate agent, political candidate, or a person acting or campaigning on behalf of a political candidate or in response to an upcoming ballot issue.
- (7) The activity of a person approved or invited to sell items at established markets, charitable functions, and community festivals and special events.

(B) It shall be an affirmative defense to prosecution for any offense under this chapter that the activity of the defendant is listed in division (A).

(Ord. 09-2021-51, passed 9-14-21) Penalty, see § 116.99

§ 116.04 GENERAL REGULATIONS.

(A) A person commits an offense if the person engages in solicitation or canvassing activity at a residence:

- (1) Before 9:00 a.m.; or
- (2) After 7:00 p.m.
- (3) On Sundays or federal holidays.

(B) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution at a premises with a posted notice that such activity is not welcomed or invited. It shall be presumed that there is notice that solicitation or canvassing activity is not welcomed or invited when there is exhibited in a conspicuous place on or near the main entrance of the premises, a sign, not less than four inches by three inches in size, containing the words "No Solicitors," "No Trespassing," or words of similar meaning in letters not less than two-thirds of one inch in height.

(C) A person who is not the owner or tenant of a premises commits an offense if the person removes, defaces or

otherwise renders illegible a sign placed by the owner or tenant of the premises pursuant to division (B) of this section.

(D) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution and remains or lingers on a premises after being informed by the owner or tenant that they are not welcome.

(E) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution in an aggressive or intimidating manner. The term **AGGRESSIVE OR INTIMIDATING MANNER** means:

(1) Blocking the path of a person who is the object of the activity; or

(2) Following behind, ahead or alongside a person who walks away from the solicitor after being solicited, approached, accosted or offered a handbill, leaflet or any other item.

(F) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution and distributes, deposits, places, throws, scatters, or casts a handbill at a residence except by:

(1) Handing or transmitting the handbill directly to the owner or occupant then present in or upon the premises; or

(2) Without using adhesive or tape, placing or depositing the handbill in a manner that secures the handbill and prevents it from being blown away, except that mailboxes may not be used when the use is prohibited by federal postal laws or regulations.

(G) A person commits an offense if the person secures a handbill at a residence in the manner described by division (F) (2) of this section:

(1) In a place that is more than five feet from the front door of the residence; or

(2) When another handbill has already been left or secured at the residence and has not been removed from the outside of the residence.

('68 Code, §§ 21-1, 21-2) (Am. Ord. 09-2021-51, passed 9-14-21) Penalty, see §116.99

§ 116.05 SOLICITATION FROM A VEHICLE.

(A) A person commits an offense if the person conducts solicitation activities from a vehicle and:

(1) The solicitation is conducted at a location within the right-of-way of any street or highway in the city which is designated as a highway or freeway, major or minor arterial on the city's thoroughfare plan; or

(2) The person stops the vehicle within a roadway to conduct business before the vehicle has been approached, called, or waived down by a prospective customer.

(B) A person commits an offense if the person operates a vehicle from which solicitation activities are conducted upon any street or highway within the city in a manner that blocks or impedes access to or from any alley, street or driveway, or impedes the flow of traffic on any public street or highway.

('68 Code, §§ 21-1, 21-2) (Ord. 09-2021-51, passed 9-14-21) Penalty, see §116.99

REGISTRATION FOR SOLICITATION

§ 116.15 REGISTRATION REQUIRED FOR SOLICITATION; FEES.

(A) A person commits an offense if the person engages in solicitation activities in the city without a valid registration certificate issued by the Administrator.

(B) A registration certificate shall be valid for one year following the date of its issuance unless a shorter period is requested by the applicant.

(C) An applicant for a registration certificate shall pay a non-refundable application fee at the time the application is submitted, and if required, shall submit a bond.

(D) (1) The amount of the non-refundable application fee shall be:

(a) Annual permit fee for person, firm, corporation or organization and a single agent, employee or volunteer: \$50.

(b) Annual permit for each additional agent, employee or volunteer: \$10.

(2) The non-refundable application fee shall be used for the purpose of defraying administrative expenses incident to the issuing of registration certificates.

(E) A non-profit organization or a person conducting solicitation activity on behalf of a non-profit organization is exempt from payment of the application fee and the bond requirement set forth in § 116.18 of this chapter.

('68 Code, §§ 21-14, 21-17, 21-18) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021-51, passed 9-14-21) Penalty, see § 116.99

§ 116.16 APPLICATION.

A person desiring to conduct solicitation activities within the city shall make a written application on a form provided by the Administrator for a registration certificate. The application shall contain or be submitted with the following information:

- (A) The full name, date of birth, phone number and address of the applicant;
- (B) A valid state driver's license number or a state-approved identification card number (the Administrator will make a photocopy and attach to the application) of the applicant;
- (C) Except as provided by § 116.17(C), two photographs of the applicant, measuring one and one-half inches by one and one-half inches and showing the head and shoulders of the applicant in a clear and distinguishing manner, which shall have been taken within the preceding 60 days before filing the application;
- (D) If a vehicle or vehicles are used to conduct the solicitation activity, a description of each vehicle, its license plate number and vehicle identification number, the name and license number of the driver who will operate each vehicle, and adequate proof under state law that each driver maintains financial responsibility for the vehicle they will operate shall be attached to the application;
- (E) If the applicant is acting as an employee, agent or volunteer, the name and physical street address (not a post office box) and telephone number of the employer, principal or organization with credentials in written form establishing the relationship and authority of the employee, agent or volunteer to act for the employer, principal or organization;
- (F) If applicable, the merchandise to be sold or offered for sale, the nature of the services to be furnished;
- (G) The approximate time period within which the solicitation is to be made, stating the date of the beginning of the solicitation activity, its projected conclusion and the proposed dates and times of solicitation;
- (H) Whether the applicant, upon any order obtained, will demand, accept or receive payment or the deposit of money in advance of final delivery, and if so, a copy of the bond required by § 116.18 of this chapter;
- (I) If the applicant, or the applicant's employer or principal has pled guilty, or nolo contendere to, or has been convicted of a felony or misdemeanor involving fraud, deceit, theft, embezzlement, burglary, larceny, fraudulent conversion, misrepresentation, or misappropriation of property within ten years preceding the date of application, a description of each such conviction or plea, the name of the court and jurisdiction in which the complaint or indictment was filed and the date of the offense;
- (J) If the applicant, or the applicant's employer or principal is a person against whom a civil judgment or administrative decision based upon fraud, deceit, theft, embezzlement, burglary, larceny, fraudulent conversion, misrepresentation, or misappropriation of property has been entered or ordered within ten years preceding the date of application, a description of judgment or action, the case or cause number, if any, and the court or administrative agency that rendered the judgment or decision;
- (K) If the solicitation activity is to be conducted on behalf of a non-profit organization, proof of such status shall be attached to the application.

('68 Code, § 21-15) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021-51, passed 9-14-21)

§ 116.17 SOLICITATION BY MINORS; APPLICATIONS.

- (A) A minor who conducts solicitation activities shall be sponsored or employed by a person over the age of 18, a corporation, firm or organization. The person, corporation, firm or organization that is sponsoring or employing the minor(s) is responsible for controlling the conduct of the minors and the minors shall be under the constant supervisor of a person 18 years of age or older.
- (B) A person, corporation, firm or organization that sponsors or employs one or more minors as solicitors must submit one application and pay the nonrefundable application fee, in the amount set forth in § 116.15(D), except as provided for in § 116.15(E), for the registration of the minors regardless of the number of minors who conduct solicitation activities. The sponsor or employer shall provide the administrator the name(s), date(s) of birth, address(es) and driver's license number(s) (if applicable), and a notarized parental consent for each minor that will be conducting solicitation activities. The parental consent form, which shall be provided by the Administrator, shall acknowledge the release of the information set forth above.
- (C) A minor who conducts solicitation activities is exempt from §116.20 shall be required to carry while conducting solicitation activities only a copy of the approved solicitor's registration application.

(Ord. 09-2021-51, passed 9-14-21) Penalty, see § 116.99

§ 116.18 COMPLIANCE WITH LAW.

The applicant for a permit required by this subchapter shall furnish satisfactory proof that all laws and regulations governing his or her business or the sale of products or services by such business have been complied with. This shall expressly include, but shall not be limited to, the state sales tax laws. In addition hereto, all applicants and permit holders shall not violate any consumer protection laws. **CONSUMER PROTECTION LAWS** as used in this section means any federal, state or local laws or regulations which are intended to protect consumers in business transactions. This term shall expressly include, but is not limited to, the Home Solicitation Transactions Act, being Tex. Rev. Civ. Stat., Art. 5069-13.01 through 5069-13.07, as it is hereinafter amended.

('68 Code, § 21-16) (Ord. 12-1978-58, passed 12-12-78)

§ 116.19 APPLICATION REVIEW AND REGISTRATION ACCEPTANCE.

(A) Upon receipt of an application, the Administrator shall review the application to ensure compliance with this chapter.

(B) The Administrator shall authorize the registration within 30 days of receipt of the application unless:

(1) An investigation reveals that the applicant or the applicant's employer, principal or organization falsified information on the application;

(2) Within ten years preceding the date of application, the applicant or the applicant's employer, principal or organization has pled guilty or nolo contendere to, or has been convicted of, a felony or misdemeanor described in § 116.16(I);

(3) Within ten years preceding the date of application, a civil judgment or administrative decision described in § 116.16(J) has been entered or ordered against the applicant or the applicant's employer, principal or organization;

(4) The applicant provided no proof of authority to act on behalf of the employer, principal or organization;

(5) The application does not contain the information or documents required by §116.16

(C) The denial and the reasons for the denial shall be noted on the application, and the applicant shall be notified of the denial by notice mailed to the applicant and the applicant's employer, principal or organization at the address shown on the application or the last known address. The notice of denial shall be mailed within 30 days of the receipt of the application.

('68 Code, § 21-19) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021-51, passed 9-14-21)

§ 116.20 REGISTRATION CERTIFICATE.

(A) Upon authorization of the registration, the Administrator shall deliver a registration certificate for each solicitor.

(B) The registration certificate shall be in the form of a photo identification tag and shall contain the following information:

(1) The name and address of the solicitor;

(2) The solicitor's employer, principal or organization, if applicable;

(3) The kind of goods or services to be sold or offered for sale, if applicable;

(4) A description and license plate number of any vehicle to be used in carrying out the solicitation activities, if applicable;

(5) A registration number; and

(6) The dates of issuance and expiration of the certificate.

(C) The registration certificate shall be worn constantly in a conspicuous place by the permit holder while conducting solicitation activities in the city. A person commits an offense if the person engages in solicitation activities and fails or refuses to show or display the registration certificate upon the request of any person.

(D) A registration certificate shall be used only by the solicitor for whom it was issued and may not be transferred to another person. A person commits an offense if the person wears or displays a photo identification tag issued to another person.

(E) A permit holder who conducts solicitation activities related to alarm systems shall advise all potential purchasers of the city's regulations related to alarm systems found in Chapter 104 of the Code of Cleburne, Texas.

('68 Code, § 21-19) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021-51, passed 9-14-21)

§ 116.21 REVOCATION OR SUSPENSION OF REGISTRATION.

A registration certificate issued pursuant to this chapter may be revoked or suspended by the Administrator, after notice and hearing, for any of the following reasons:

(A) Fraud, misrepresentation, or false statement contained in the application for registration;

(B) Fraud, misrepresentation, or false statement made by a solicitor in the course of conducting solicitation activities;

(C) A plea or conviction of a crime described in §116.16(I);

(D) A judgment involving a matter described in §116.16(J);

(E) The type of solicitation activity requires a bond, and the bond requirements have not been complied with or the bond has expired or is no longer valid; or

(F) A violation of any of the regulations set forth in this chapter.

('68 Code, § 21-22) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021-51, passed 9-14-21)

§ 116.22 APPEALS.

(A) A person who is denied a registration certificate or whose registration is revoked or suspended by the Administrator may appeal the decision to the Police Chief by filing notice of appeal with the Police Chief within 15 days after the notice of the decision is mailed to the address indicated on the application or the last known address.

(B) Within ten days of the receipt of the notice of appeal, the Police Chief shall set a time and place for a hearing on the appeal which shall be not later than 40 days from the date of receipt of the notice of appeal.

(C) Notice of the time and place of the hearing shall be delivered to the person by mail, sent to the address indicated on the application or the last known address of the appellant.

(D) At the conclusion of the hearing, the Police Chief shall make a decision on the appeal. The decision of the Police Chief on the appeal is final. No other administrative procedures are provided by the city.

('68 Code, § 21-22) (Ord. 12-1978-58, passed 12-12-78; Am. Ord. 09-2021-51, passed 9-14-21)

§ 116.99 PENALTY.

(A) Any person, firm, or corporation violating any of the terms and provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with § 10.99 of this code. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

(B) In case of any willful violation of any of the terms and provisions of this chapter, the city, in addition to imposing the penalties provided in division (A), may institute any appropriate action or proceeding in any court having proper jurisdiction, to restrain, correct or abate such violations; and the definition of any violation as a misdemeanor shall not preclude the city from invoking the civil remedies given it by the laws of the state.

(C) The court trying a civil or criminal cause under divisions (A) or (B) shall have the right and power upon judgment or conviction of any person for violation of any of the provisions of this chapter to decree and to make as a part of the judgment or conviction in such cause the forfeiture of the registration certificate required by this chapter. When a registration certificate is forfeited in this manner, no further certificate shall be issued to that person for one year from the date of judgment or conviction.

(Ord. 09-2021-51, passed 9-14-21)

CITY OF CLEBURNE SOLICITORS, CANVASSERS AND HANDBILL DISTRIBUTION PERMIT APPLICATION
302 W. HENDERSON ST. CLEBURNE TX, 76033
817-645-0988

BUSINESS/ORGANIZATION NAME: _____

BUSINESS/ORGANIZATION ADDRESS (NO PO BOXES): _____

BUSINESS/ORGANIZATION PHONE NUMBER: _____

EMPLOYEE ID & ORGANIZATION CREDENTIALS IN WRITTEN FORM ATTACHED: _____

APPLICANT'S NAME: _____
*Last,**First,**Middle*

ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

HOME/CELL PHONE: _____ DOB: _____

VALID STATE DRIVER LICENSE NUMBER: _____ EXPIRATION DATE: _____

APPLICANTS 1.5 x 1.5 PHOTOS (*Showing head, shoulders, in color & current*): _____ **COPY OF DRIVER LICENSE:** _____

IF VEHICLE IS USED TO CONDUCT SOLICITATION ACTIVITY:

VEHICLE INFORMATION: _____
*MAKE**MODEL**COLOR**LICENSE PLATE NUMBER*

VEHICLE IDENTIFICATION NUMBER: _____

(*IF NOT DRIVER OF VEHICLE*)

NAME OF DRIVER: _____ DRIVER LICENSE NUMBER: _____

PROOF OF INSURANCE ATTACHED: NO _____ YES _____ **PROPERTY OWNER LETTER OF PERMISSION:** NO _____ YES _____

Type of products, merchandise or service to be sold, disposed of or peddled and a brief description:

Fee for permit shall be based upon the number of permit holders:

_____ **\$50** (*Single agent, employee or volunteer*) _____ **\$10** (*Each additional agent, employee or volunteer*)

Has applicant been convicted of any crime, misdemeanor or violation of any code provision or any other ordinance of the City of Cleburne? NO _____ YES _____

Offense: _____ Court Name: _____ Conviction Date: _____

SOLICITATION TIME PERIOD: *Beginning Date:* _____ *Ending Date:* _____

Will applicant, upon any such sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery? NO _____ YES _____

Is solicitation activity conducted on behalf of a non-profit organization, proof of such status shall be attached?

NO _____ YES _____ **NON-PROFIT PROOF ATTACHED:** _____

(*IF APPLICANT IS A MINOR, MUST HAVE ADULT SPONSOR*) **PARENTAL CONSENT FORM ATTACHED (NOTARIZED):** _____

NAME: _____ DOB: _____
*Last,**First,**Middle*

ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

VALID STATE DRIVER LICENSE NUMBER: _____ EXPIRATION DATE: _____

CHAPTER 116: SOLICITORS, CANVASSERS AND HANDBILL DISTRIBUTION

General regulations:

- (a) A person commits an offense if the person engages in solicitation or canvassing activity at a residence:
- (1) Before 9:00 a.m.; or
 - (2) After 7:00pm.
 - (3) On Sundays or Federal Holidays.
- (b) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution at a premises with a posted notice that such activity is not welcomed or invited. It shall be presumed that there is notice that solicitation or canvassing activity is not welcomed or invited when there is exhibited in a conspicuous place on or near the main entrance of the premises, a sign, not less than four inches by three inches in size, containing the words "No Solicitors," "No Trespassing," or words of similar meaning in letters not less than two-thirds of one inch in height.
- (c) A person who is not the owner or tenant of a premises commits an offense if the person removes, defaces or otherwise renders illegible a sign placed by the owner or tenant of the premises pursuant to subsection (b) of this section.
- (d) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution and remains or lingers on a premises after being informed by the owner or tenant that they are not welcome.
- (e) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution in an aggressive or intimidating manner. The term "aggressive or intimidating manner" means:
- (1) Blocking the path of a person who is the object of the activity; or
 - (2) Following behind, ahead or alongside a person who walks away from the solicitor after being solicited, approached, accosted or offered a handbill, leaflet or any other item.
- (f) A person commits an offense if the person engages in solicitation activities, canvassing activities, or handbill distribution and distributes, deposits, places, throws, scatters, or casts a handbill at a residence except by:
- (1) Handing or transmitting the handbill directly to the owner or occupant then present in or upon the premises; or
 - (2) Without using adhesive or tape, placing or depositing the handbill in a manner that secures the handbill and prevents it from being blown away, except that mailboxes may not be used when the use is prohibited by federal postal laws or regulations.
- (g) A person commits an offense if the person secures a handbill at a residence in the manner described by subsection (f) (2) of this section:
- (1) In a place that is more than five feet from the front door of the residence; or
 - (2) When another handbill has already been left or secured at the residence and has not been removed from the outside of the residence.

Penalty:

- (a) Any person, firm, or corporation violating any of the terms and provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Section 10.99 of this Code. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.
- (b) In case of any willful violation of any of the terms and provisions of this chapter, the city, in addition to imposing the penalties provided in subsection (a), may institute any appropriate action or proceeding in any court having proper jurisdiction, to restrain, correct or abate such violations; and the definition of any violation as a misdemeanor shall not preclude the city from invoking the civil remedies given it by the laws of the state.
- (c) The court trying a civil or criminal cause under subsections (a) or (b) shall have the right and power upon judgment or conviction of any person for violation of any of the provisions of this chapter to decree and to make as a part of the judgment or conviction in such cause the forfeiture of the registration certificate required by this chapter. When a registration certificate is forfeited in this manner, no further certificate shall be issued to that person for one year from the date of judgment or conviction.

Revocation or suspension of registration:

A registration certificate issued pursuant to this chapter may be revoked or suspended by the administrator, after notice and hearing, for any of the following reasons:

- (a) Fraud, misrepresentation, or false statement contained in the application for registration;
- (b) Fraud, misrepresentation, or false statement made by a solicitor in the course of conducting solicitation activities;
- (c) A plea or conviction of a crime described in section 116.16(i) of this chapter;
- (d) A judgment involving a matter described in section 116.16(j) of this chapter;
- (e) The type of solicitation activity requires a bond, and the bond requirements have not been complied with or the bond has expired or is no longer valid; or
- (f) A violation of any of the regulations set forth in this chapter.

Appeals:

- (a) A person who is denied a registration certificate or whose registration is revoked or suspended by the administrator may appeal the decision to the police chief by filing notice of appeal with the police chief within 15 days after the notice of the decision is mailed to the address indicated on the application or the last known address.
- (b) Within ten days of the receipt of the notice of appeal, the police chief shall set a time and place for a hearing on the appeal which shall be not later than 40 days from the date of receipt of the notice of appeal.
- (c) Notice of the time and place of the hearing shall be delivered to the person by mail, sent to the address indicated on the application or the last known address of the appellant.
- (d) At the conclusion of the hearing, the police chief shall make a decision on the appeal. The decision of the police chief on the appeal is final. No other administrative procedures are provided by the city.

THE STATE OF TEXAS}

COUNTY OF JOHNSON}

I, _____, being first duly sworn on my oath, state that I personally filled in the blanks in this application, I state that the statements made herein are true and correct. I will also, accurately report all city sales to the appropriate state agency.

(Print Name)

APPLICANT'S SIGNATURE: _____

SWORN AND SUBSCRIBED before me, this _____ day of _____, 20 _____.

SIGNATURE OF NOTARY PUBLIC

PRINT NAME OF NOTARY PUBLIC

MY COMMISSION EXPIRES: _____