



APPLICANT'S NAME		DATE OF BIRTH		SOCIAL SECURITY#	STATE/DRIVERS LICENSE #	
APPLICANT'S ADDRESS		COLOR OF HAIR		COLOR OF EYES	HEIGHT	WEIGHT
		Have you ever been convicted of a felony or misdemeanor involving theft, fraud, bribery or perjury? _____ If yes, explain below: _____				
APPLICANT'S EMAIL ADDRESS						
APPLICANT'S PHONE NUMBER		NOTE: Applicant is required to have a background check for door-to-door soliciting. Any fees associated with the background check are the responsibility of the applicant.				
REQUESTED PERMIT DATES		VEHICLE INFORMATION				
		YEAR	MAKE	MODEL	COLOR	STATE/LICENSE PLATE
PLEASE ATTACH TO APPLICATION A RECENT PHOTOGRAPH OF APPLICANT'S FACE. ANYONE WHO MAY BE WORKING WITH THE APPLICANT MUST COMPLETE A SEPARATE APPLICATION AND PAY SEPARATE FEE.						
NAME & ADDRESS OF COMPANY REPRESENTED		NAME OF LAST THREE TOWNS IN WHICH YOU WORKED IN THIS CAPACITY: 1. _____ 2. _____ 3. _____				
		KIND OF GOODS, WARES, AND MERCHANDISE OFFERED OR TO BE OFFERED FOR SALE.				
NAME AND NUMBER OF ON-SITE SUPERVISOR						
Choose type of permit:						
Fixed Vendor*		Door-to-Door - 1 day \$25.00				
		Door-to-Door - 7 day \$50.00				
*Food vendors must provide copy of Food Handler's License.						
APPLICANT MAY BE REQUIRED TO SHOW PROOF OF BOND OR INSURANCE. APPLICANT MAY BE REQUIRED TO SHOW AUTHORIZATION TO CONDUCT BUSINESS IN TEXAS TO INCLUDE SALES TAX PERMIT.						
FIXED VENDORS MUST PROVIDE CITY WITH DATES AND LOCATIONS FOR VISIT.						
I, THE APPLICANT, HEREBY CERTIFY AND SWEAR UNDER PANALTY OF PERJURY THAT ALL INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT.						
SIGNATURE _____				DATE _____		
FOR OFFICAL USE ONLY:						
FEE IN THE AMOUNT OF \$ _____ PAID ON _____, 20 _____						
_____, APPROVED ON _____, 20 _____ EXPIRATION DATE _____, 20 _____						
_____, DENIED ON _____, 20 _____ REASON _____						
SIGNATURE _____				TITLE _____		
NAME: _____						



CITY OF VALLEY MILLS APPLICATION FOR PERMIT PEDDLERS/SOLICITORS/HANDBILLS

Please be sure to read the following and provide the necessary documentation.

1. A statement to the effect that if the permit is granted, such permit will not be used as, or be represented to be, an endorsement by the City or any of its officers or employees.
2. All food related businesses must submit a copy of their Food Handler's License issued by the Department of State Health Services.
3. Applicants shall show satisfactory written proof of the individual's authority to represent the company, association or partnership when applicable.
4. Failure to follow the guidelines listed will be grounds for withdrawal of the permit.
5. The application shall be legible, accurate, and not contain misleading or false information. If a company or corporation is based out of state, a certified copy of its Certificate of Authority to do business in the State of Texas shall accompany the application.
6. Valid Identification will be required for everyone regardless of company information. Everyone with each company must file a separate application to solicit.
7. No person(s) shall solicit prior to issuance of permits.
8. Each applicant shall be subject to a background check through the Texas Department of Public Safety website.
9. False or misleading information will be grounds for withdrawal or refusal of permit.
10. Applicants or companies whose certificate is revoked shall not be eligible for reapplication for six months from the date of the revocation. The revocation of certification twice in a twenty-four-month period will prevent issuance for one year from date of last revocation.
11. Each person going door-to-door shall have their permit readily available on their person to display. Failure to do so shall be the same as soliciting without a permit.
12. Solicitation at a location posted as "NO SOLICITING," or similar sign, shall be cause for criminal charges and revocation of permit.
13. Solicitation is restricted to the hours of 8:00 A.M. and end at sunset, except upon the express prior invitation from the resident or occupant of the dwelling.
14. Any grievance, question or complaint about procedures shall be in writing addressed to: City Council, c/o City Secretary, 101 W Avenue E, Valley Mills, TX 76689. A reply to such inquiries shall be made in 10 working days.

15. A copy of Chapter 12 of the City of Valley Mills Code of Ordinances is attached for reference.

16. Application shall be accompanied by all applicable fees. No permit provided for by the City of Valley Mills shall be issued until such fees have been paid by the applicant.

Fees: \$25.00 per day (or 7-day permit for \$50.00), + \$5.00 for each individual solicitor.
Fee waived if non-profit organization

Signature of Applicant: _____

Print Name: _____ Date: _____

Chapter 12

OCCUPATIONAL LICENSES AND REGULATIONS

ARTICLE I. GENERAL

Sec. 12-1. Definitions.

Itinerant Vendor. Any person who sells or offers for sale merchandise or services from a vehicle, tent, trailer, or other place which is not a permanent building or structure, for any period of time, or from a permanent building or structure for a period which is forty-five (45) days or less. It shall not include (1) Sales of goods, wares and merchandise donated by the owners thereof, the proceeds of which are to be used and applied to some charitable, religious or philanthropic purpose, (2) Sales of goods, wares and merchandise by sheriffs, constables or other public officers, or to bona fide assignees or auctioneers, or trustees or receivers regularly appointed, (3) Sales of goods, wares or merchandise by the agent or representative of a jobber or wholesaler calling on customers, (4) vendors that drive on the streets using signs or sounds to attract customers and that only make sales when approached by such customers (such as ice cream sales) or (5) Sales of goods, wares or merchandise to a person or business at a specific location due to an order placed by telephone or online, or at the express invitation of the person that owns or is in control of the premises.

Mobile Vendor. An itinerant vendor that sells or offers for sale merchandise or services from a vehicle.

Peddler. Any person who engages in commercial activities within the corporate limits of the city by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from house to house, business to business or upon public property.

Solicitor. Any person who solicits or attempts to solicit, from house to house, business to business or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time.

ARTICLE II. PEDDLERS AND SOLICITORS

Sec. 12.-2 License Required.

No person shall solicit orders for the sale of merchandise or other thing of value or peddle merchandise or other thing of value upon the premises of a private residence in the City without having obtained a current Peddler/Solicitor License from the Mayor, City Secretary, or the Chief of Police in compliance with this Chapter.

The following are excluded from the license and fee provisions:

- (1) The delivery of orders placed by telephone or online, or soliciting to sell merchandise at a specific residence upon the express invitation of the person that owns or is in control of such residence;
- (2) Peddlers that drive on the streets using signs or sounds to attract customers and that only make sales when approached by such customers (such as ice cream sales);
- (3) Solicitation or sale by a peddler that is already licensed by the state to engage in such activity, such as an insurance salesman*;
- (4) Charitable nonprofit organizations;
- (5) Political speech;
- (6) Religious proselytizing or distribution of religious literature; or
- (7) Canvassers who attempt only to distribute handbills or to solicit political support or to determine opinions or sentiments.

Sec. 12-3. Peddler/Solicitor License Application and Fees.

- (1) The Peddler/Solicitor license fee shall be \$25.00 for one day and \$50.00 for up to seven consecutive days to cover the cost of processing the License application and following up for compliance. An additional fee shall be collected from any person employing two (2) or more persons for the purpose of performing such activities.
- (2) Any person who is a Valley Mills resident that pays a Valley Mills Water Bill can obtain an application for the permit and be exempt from the fee requirement but must still obtain a permit and comply with all other permit requirements. The water bill account must be

current and not behind in payments.

- (3) *Securities Services Contractors as defined in the Texas Occupations Code, such as alarm service sales persons, are exempt from the fee requirement but must still obtain a license and comply with all other licensing requirements.

Sec. 12-4. License Period, Denial, Revocation and Appeal.

- (1) The Peddler/Solicitor License required herein shall be for a period of one day or seven consecutive days and shall be personal to the applicant and any approved employees of the applicant.
- (2) Each person approved under the permit shall each be issued a license which are not transferrable. Each license holder shall have the license in his or her possession at all times when performing activities described herein.
- (3) The City shall notify the applicant or Licensee in writing of the denial or revocation of a license. The applicant or licensee shall have a right to appeal the denial or revocation of a Peddler/Solicitor License to the City Council upon receipt of written notice of the denial or revocation.

Sec. 12-5. General Restrictions.

- (1) **No soliciting signs.** It shall be unlawful for any person while peddling or soliciting to remain upon any private property where a notice in the form of a sign or sticker is placed upon any door or entrance way leading into the residence or dwelling at which guests would normally enter, which sign contains the words "no soliciting" or "no solicitors" or similar wording, and which is clearly visible to the peddler or solicitor.
- (2) **Hours allowed.** It shall be unlawful for any person while peddling or soliciting to enter upon the property of another except between the hours beginning at 8:00 a.m. and ending at sunset, except upon the express prior invitation from the resident or occupant of the dwelling.

ARTICLE III. ITINERANT AND MOBILE VENDORS

Sec. 12-6. License Required.

It shall be unlawful for any itinerant vendor, including a mobile vendor as defined herein, or his or her agent, employee, servant or representative, to sell, offer or exhibit for the purpose of taking orders for sale thereof, any goods, wares, services or merchandise in the city without having obtained a current Itinerant Vendor License from the Mayor, City Secretary, or the Chief of Police in compliance with this Chapter.

Sec. 12-7. Itinerant Vendor License Application and fees.

Applicants for an Itinerant Vendor License under this Chapter shall make application to the Mayor, City Secretary, or the Chief of Police upon forms to be furnished at City Hall.

- (1) Each application must include the following information:
 - (A) Full name and all information contained on drivers' license of the applicant and each agent or employee working under the License.
 - (B) Permanent home address and present local address of the applicant.
 - (C) Name and home office address of applicant's employer.
 - (D) If the applicant owns or uses a motor vehicle in connection with the business, a description of such motor vehicle and the license number of same.
 - (E) A brief description of the merchandise or services to be sold.
 - (F) A site plan to be drawn by the applicant, not to scale, which need only show the location to be used by itinerant vendor and to be made the basis of the License.
 - (G) Proposed duration of temporary sales operation.
 - (H) If selling a product from a set location, the applicant must have written permission from the owner of the land or building where the sales are to take place. Any use of parking, trash, restroom or other business amenities must be approved in writing by the owner of the land or building where the sales are to take place.

If selling a product similar to those sold by non- itinerant fixed location businesses within 100 feet of such business' property line you must have written permission from that business.

- (I) A copy of the applicant's Texas limited sales and use tax License.
- (J) If the application is for an itinerant or mobile food vendor, a copy of a valid food

establishment license from the State in which the business is to be conducted.

(2) Application Processing fee.

- (A) The fee for the License required under this article shall be \$25.00 for one day and \$50.00 for up to seven days to cover the cost of processing any License application and following up for compliance.
- (B) The following shall be exempt from the License fee requirement herein, but must still comply with all other registration and licensing requirements:
 - (i) Any person who has a fixed place of business within the County and has had such business for a period of one (1) year prior to the application for the License.
 - (ii) Charitable causes (i.e., fundraising activities by local schools, churches and civic associations).

Section 12-8 License Period, Denial, Revocation and Appeal.

- (1) The License required herein shall be for a period of one day or seven consecutive days.
- (2) The License shall be applicable to one business location and is not transferrable.
- (3) Any application for an Itinerant Vendor License may be denied or a previously issued License revoked for any of the following reasons:
 - (A) Any misrepresentation or false statement contained in the application for License.
 - (B) A violation of any of the provisions of this chapter.
 - (C) The proposed operation does not comply with federal or state law or City ordinance, including zoning restrictions.
- (4) The City shall notify the applicant or Licensee in writing of the denial or revocation of a license. The applicant or licensee shall have a right to appeal the denial or revocation of an Itinerant Vendor License to the City Council upon receipt of written notice of the denial or revocation.
- (5) Each License issued under this article shall remain in force and effect for no longer than the period stated on the License so long as the business for which the same is procured shall be continuously conducted within the city. Provided, however, such period of duration shall in no event exceed the applicable 1 day or 7 consecutive day period from the date of issuance of the License.

12-9 General Restrictions.

- (1) Every itinerant vendor who has secured a License under the authority of this chapter shall prominently display the license at all times in a conspicuous place upon the premises of said fixed business. If the itinerant vendor is also a food establishment, a copy of the Food Establishment Permit issued by the State shall also be displayed.
- (2) Vendor must provide parking spaces, which need not be paved, sufficient in number to accommodate the number of automobiles being reasonably expected to be parked at any one time taking into consideration the type, size and quantity of merchandise to be offered for sale, and in addition to those parking spaces required under the zoning ordinance for existing businesses.
- (3) Blocking access to any property or a driveway is prohibited.
- (4) Vendor must provide adequate trash containers for the proposed use.
- (5) Vendor must report and/or remit all applicable sales tax.

ARTICLE IV.

Sec. 12-10. Penalty.

Any person or entity who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed \$500.00 per violation. Each date that a violation continues shall constitute a separate offense."