

BACKGROUND CHECK INSTRUCTIONS

Effective Immediately, ALL Peddler and Solicitor permit applicants are now required to have a Federal, State and Local criminal background check completed prior to issuing these permits. In order for the Federal Bureau of Investigation to provide your criminal history, all applicants must also be fingerprinted. Once your fingerprints are completed, the Post Office will forward them to the FBI for a criminal background check. When you receive your Background check from the FBI, attach it to your application for subsequent approval or denial.

THE APPLICATION PROCESS

- Visit the following FBI website for details on how to apply for your background check www.edo.cjis.gov
- This process must be done on a computer and not a cell phone or tablet.
- There is a \$18 charge for the FBI background check but is subject to change.
- Schedule and have your Fingerprints completed electronically at a participating US Post Office. The list can be found on the FBI website. Most Post Offices charge \$50 for this service but that is subject to change.
- The Post Office will electronically send your fingerprints to the FBI, the turnaround time is 48 hours. If you choose to have a paper copy of your fingerprints mailed to the FBI the turnaround time is 20 days or more.
- Once you receive your emailed results, forward them to optownclerk@Orchardparkny.gov
- Complete the Solicitor/Peddler Permit Application (reverse side)
- Submit completed application to the Town Clerk's Office with the non-refundable application fee. You will be contacted by phone with approval or denial of this application. Allow 30 days for notification.

Fingerprints and the subsequent criminal background check are good for the 6 month peddler permit duration and must be repeated with each application. The background check is subject to Orchard Park Police Department approval.

IF APPROVED

Every individual, solicitor or peddler will be issued a permit, which will include their name, photograph and expiration date of permit. When engaged in soliciting or peddling, this permit **MUST** be visible for viewing.

This permit is valid between the hours of 10:00am - 5:00pm Monday – Saturday (prohibited on Sundays and Federal Holidays) from the date of issuance for a period of 6 months thereafter.

This permit is only valid within the Town of Orchard Park and is NOT transferable.

No person engaged in soliciting or peddling shall be in violation of any rules, regulations or restrictions as defined in Local Law, **Chapter 101, §101-1 thru 101-15**. Failure to comply with any of these may result in the immediate revocation of this permit. You may also be subject to a fine of \$2,000.00 or imprisonment not to exceed 15 days, or both, for each and every offense.

Insurance Specifications: Town of Orchard Park

During the term of an agreement, an ACORD 25-Certificate of Liability Insurance will be provided showing Town of Orchard Park as Certificate Holder.

Acceptable Certificates of Insurance shall indicate the following minimal coverage, limits of insurance, policy numbers and policy effective and expiration dates.

Commercial General Liability: Shall provide such coverage on an occurrence basis for the named insured's premises & operations and products-completed operations. Blanket Contractual Liability provided within the "insured contract" definition may not be excluded or restricted in any way.

Limits expressed shall be no less than:

Each Occurrence	\$1,000,000
Damages to Rented Premises (each occurrence)	\$100,000
Med Exp (any one person)	\$5,000
Personal & Adv Injury	\$1,000,000
General Aggregate	\$2,000,000
Products – Comp/OP Agg	\$2,000,000

Town of Orchard Park shall be named as Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis. All insurance required of the Company shall waive any right of subrogation of the insurer against any person insured under such policy, and waive any right of the insurer to any off-set or counterclaim or any other deduction, whether by attachment or otherwise, in respect of any liability of any person insured under such policy.

Blanket Additional Insured endorsement to include – Owner, Lessees or Contractors - Automatic Status For Other Parties.

Any scheduled person or organization section of the additional insured endorsement containing wording other than designated names shall not be accepted.

Commercial Auto Liability: Commercial Auto Liability for a limit of at least \$1,000,000 per occurrence with a \$1,000,000 Aggregate.

Umbrella/Excess Liability: Commercial Umbrella or excess liability for a limit of at least \$1,000,000 per occurrence with a \$1,000,000 Aggregate. Coverage should respond on a follow-form basis and excess over the aforementioned underlying policy limits. Town of Orchard Park shall be named as Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis.

Workers Compensation/Disability Insurance:

- 1.) The Company and/or Project Owner shall provide evidence of insurance and maintain Workers Compensation/Disability insurance as required by statute.

- 2.) Accepted Forms:

<u>Workers Compensation Forms</u>		<u>DBL (Disability Benefits Law) Forms</u>	
CE-200	Exemption	CE-200	Exemption
C-105.2	Commercial Insurer	DB-120.1	Insurers
SI-12	Self-Insurer	DB-155	Self-Insured
GSI-105.2	Group Self-Insured		
U-26.3	New York State Insurance Fund		

Town of Orchard Park Peddlers License

EXCLUDING STADIUM EVENTS & VALID FOR SIX (6) MONTHS FROM DATE OF ISSUANCE

Date submitted: _____ Approval Date: _____ **Expiration Date:** _____

Fees: \$1000.00 for 6 Months Resident of Erie County Paid: _____ Cash _____ Check _____
\$1200.00 for 6 Months Non-Resident of Erie County Paid: _____ Cash _____ Check _____

ALL FEES ARE NONREFUNDABLE

- ☐ Background Check
- ☐ Fingerprints
- ☐ Certificate of Liability Insurance Naming the Town of Orchard Park as a Certificate Holder
- ☐ Additional Insured on General Liability and excess liability on a primary & non-contributory basis
Certificate must also include a waiver of subrogation in favor of the Town of Orchard Park
- ☐ Department of Health Certificate if selling food
- ☐ Worker's Comp Insurance & Cert. of Disability Insurance (If sole owner provide a CE-200)
- ☐ UL Listing for onsite equipment (Operators Permit Required)

Name: _____

Address _____

Town _____ County _____ State _____ Zip _____

Home Phone # _____ Business Phone # _____ Cell Phone # _____

*Town Law Section 101-1 License required:
"No person shall solicit for donations or contributions or sell, peddle, hawk or vend any goods, wares or merchandise or engage in canvassing and/or soliciting for the sale of or subscriptions to newspaper, or magazines, books, pamphlets or other publications upon the streets or public places of the Town of Orchard Park, outside the Village of Orchard Park, or by going from house to house soliciting purchases or subscriptions, without first registering with the Town Clerk and obtaining a license for such purpose."*

Name of Company Represented: _____

Company Corporate Phone Number & Contact: _____

New York Sales Tax # _____

List all product(s) to be sold: _____

Will you be driving a vehicle? No _____ Yes _____ If YES, please fill in the following:

License Plate # _____ Make _____ Model _____ Color _____ Year _____

Setup Address (if Stationary) _____

Name of Owner of Setup Address & Phone Number _____

List any other towns from where you have obtained a permit, include the year obtained:

If you are a Non-Resident of Erie County, please list the address that you will be staying at:

Address _____

Town _____ *State* _____ *Zip* _____ *Phone #* _____

Your signature below signifies that you hereby authorize any representative of the Town of Orchard Park, NY to obtain any of the following information public or private, including but not limited to your background, your criminal history (including arrest records), driver's license status, etc. You also release the Town of Orchard Park and any agents, servants, employees, officials or representatives of the Town of Orchard Park from any liability or damages that may result from obtaining said information, including any liability or damage pursuant to any state or federal laws.

Your signature below also signifies that if this permit application is approved, you will abide by ALL State and Federal Laws, including the Town of Orchard Park's Local Law, Chapter 101. Copy of this law is available in the Town Clerk's Office or on line at www.Orchardparkny.gov.

SIGNATURE OF APPLICANT _____ DATE _____

**ALL APPLICANTS MUST HAVE THEIR FINGERPRINTS TAKEN AND A
BACKGROUND CHECK DONE PRIOR TO THIS PERMIT
BEING ISSUED. SEE NEXT PAGE FOR INSTRUCTIONS**

Police Use Only: Approved ☐ or Denied ☐ Date: _____ Signature: _____

If Denied, reason: _____

Town Clerk Use Only: Issue Date: _____ Expiration Date: _____ Permit# _____

Town Clerk/Deputy: _____ Chief of Police: _____

Property Owner: _____ Code Enforcement: _____

Town Law Section 101-10: Violation of this chapter shall be punishable by a maximum fine of \$2,000.00 or by imprisonment for not more than 15 days, or both. \$15.00 fee for duplicates or copies.

Valid for 6 (six) Months from Approval Date

Permissible hours for door-to-door solicitation: 10:00am - 5:00 pm Monday-Saturday

Sundays and Federal Holidays are Prohibited

Town Clerk Seal