

CITY OF MERCED

"Gateway to Yosemite"



SOLICITOR'S LICENSE APPLICATION

Applicants for the position of solicitor must complete the following application to solicit in the City of Merced. A felony conviction or a conviction for a crime of moral turpitude will be considered grounds for denial of a solicitor's license. After completing the application, return it to the **Planning Department** at 678 W. 18th Street, 2nd Floor, for further processing. Your application will be forwarded to the Police Department. You will need to call the Merced County Sheriff's Dept. to request an appointment to have your fingerprints taken. Please call 385-7616 or 385-7446 for an appointment.

You must come to your appointment with the following materials:

- Request Live Scan Service (copies available at Planning Dept.)
- \$47.00 Cash for the County of Merced and Dept of Justice fingerprint fee.
- Valid California drivers license or identification.

NAME: _____ DOB: _____
ADDRESS: _____ CITY: _____
TELEPHONE: _____ DRIVERS LICENSE: _____

The issuance of a solicitor's license is conditional and may be revoked in the event you fail any portion of this process.

*****TO BE COMPLETED BY THE POLICE DEPARTMENT*****

_____ Alpha Check	_____ Finger Prints
_____ Warrants Check	_____ License
_____ Drivers License	_____ Payment Amount \$ _____
_____ NCIC, CII	

_____ **APPROVED**

_____ **DENIED**

BY: _____ DATE _____
(AUTHORIZED POLICE DEPARTMENT SIGNATURE)

groceries, wares, machinery or merchandise of any kind by vehicle, motor-driven or otherwise, to retail stores in the city shall pay a license fee of eighteen dollars per quarter, or pay such license under Section 5.08.020, Classification C, measured by gross receipts on business done in the city. (Prior code § 15.100).

5.08.800 Solicitor-Defined.

"Solicitor" means any person who goes from house to house or from place to place in the city selling or taking orders for or offering to sell or take orders for goods, wares and merchandise for present or future delivery or for services to be performed immediately or in the future whether such person has, carries or exposes a sample of such goods, wares and merchandise or not and whether he is collecting advance payments on such sales or not. (Ord. 1609 § 1 (part), 1986: prior code § 15.101).

5.08.810 Solicitor-License required.

It is unlawful for any person to act as solicitor within the city without having first obtained a license issued pursuant to this chapter. (Ord. 1609 § 1 (part), 1986: Ord. 1564 § 2, 1984: prior code § 15.102).

5.08.820 Solicitor-Application for license.

Applicants for license under this chapter shall file with the finance officer an application in writing on a form to be prescribed by the finance officer. (Ord. 1609 § 1 (part), 1986: prior code § 15.103).

5.08.830 Solicitor-Contents of Application.

The application shall contain the following information:

- A. The name and address of the solicitor;
- B. The name and address of the person, firm or corporation by whom employed.

C. The length of service of each solicitor with such employer;

D. The place of residence and nature of the employment of the solicitor with such employer during the last preceding year;

E. The nature or character of the goods, wares, merchandise or services to be offered by the solicitor;

F. A personal description of the solicitor;

G. A statement as to any convictions of any crimes, misdemeanors, violations of municipal ordinances, the date, the nature of the offense and the penalty assessed therefor. (Ord. 1609 § 1 (part), 1986: Ord. 1534 § 1, 1984: prior code § 15.104)

5.08.840 Solicitor-Other information.

Such information shall be accompanied by such credentials and other evidence of good moral character and identity of each solicitor as may be reasonably required by the finance officer. (Ord. 1609 § 1 (part), 1986: prior code § 15.105).

5.08.850 Solicitor-Application fees.

A. The application fee for solicitors hereunder shall be as follows:

1. For each new application where an investigation is required, five dollars for each application payable in advance;

2. For each replacement application or issuance of a new identification card, five dollars for each such replacement.

B. Fees and investigations as used in this section refers solely to individuals and not to firms. (Ord. 1609 § 1 (part), 1986: Ord. 1534 § 2, 1984: prior code § 15.106).

5.08.860 Solicitor-Photograph required.

Each application for a license as required by this chapter must be accompanied by two prints of a recent photograph of the solicitor, which

photographs shall not exceed two inches square in size and shall be full front views of the face and head only of such solicitor. (Ord. 1609 § 1 (part), 1986; Ord. 1534 § 3, 1984; prior code § 15.107).

5.08.870 Solicitor-Fingerprints required.

At the time of making the application for a license, each solicitor shall present himself at the office of the chief of police of the city for the purpose of being fingerprinted and supplying routine information required on the fingerprinting forms provided without expense by the city, including the physical characteristics of each person, identifying marks or scars, age, name, address and signature. Such fingerprint records are to be taken in triplicate and each individual so presenting himself is advised that the city reserves the right to retain one of such fingerprint records in its files for permanent safekeeping, and to send one such fingerprint record to the Federal Bureau of Investigation of the Department of Justice at Washington, D.C., and to the Criminal Investigation Department of the California Department of Justice at Sacramento, California, for the purpose of filing. No fingerprint records will be returned in the event the license applied for is not issued or is subsequently suspended or revoked. (Ord. 1609 § 1 (part), 1986; prior code § 15.108).

5.08.880 Solicitor-Investigation-Character and business responsibility.

The original copy of the application shall promptly be referred to the chief of police, who shall promptly make an investigation of the applicant's character and business responsibility. If the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall endorse on such application his disapproval and the reason therefor and return the application to the finance officer.

The finance officer shall notify the applicant that his application is disapproved and that no license will be issued. If the chief of police finds that the applicant's character and business responsibility are satisfactory, he shall endorse his approval on the application and return it to the finance officer, who shall promptly issue the license and identification card. (Ord. 1609 § 1 (part), 1986; Ord. 1534 § 4, 1984; prior code § 15.109).

5.08.890 Solicitor-License and identification card to be carried on person.

Each applicant for a license must at all times retain in his possession the business license issued by the finance officer and each applicant issued an identification card must retain the same in his personal possession at all times while engaged in the business so licensed within the city and must produce and show the same on the demand of any person solicited or of any police officer or official of the city. No person issued an identification card shall alter, remove or obliterate any entry made upon such license or card, or deface such license or card in any way. Each license and card shall be personal and not assignable or transferable, nor shall any license or card be used by any person other than the licensee or the person for whom issued. (Ord. 1609 § 1 (part), 1986; Ord. 1534 § 5, 1984; prior code § 15.110).

5.08.900 Solicitor-Conditions and regulations.

The following conditions and regulations shall also apply to the exercises of the privileges granted by licenses issued under the provisions of this chapter in addition to those set forth in other parts of this chapter or elsewhere in this code:

A. Shouting-Calling Wares. No person acting under authority of any license issued

under this chapter shall shout or call his wares in a loud, boisterous or unseemly manner, or to the disturbance of citizens or dwellers in the city.

B. Identification by Comparing Signature with that on License. Every solicitor, upon the request of any police officer or other officer of the city, shall sign his name for comparison with the signature upon the license or card or the signature upon the license application.

C. Order to be Written in Duplicate. Any person acting under authority of any license issued under this chapter who solicits orders for future delivery shall write each order at least in duplicate, plainly stating the quantity of each article or commodity ordered, the price to be paid therefor, the total amount ordered and the amount to be paid on or after delivery. One copy of such order shall be given to the customer.

D. Loitering on Streets or Private Property. No solicitor shall stop or remain in any one place upon the streets, alleys or public places in the city longer than necessary to make a sale to a customer wishing to buy, nor shall any solicitor stop or remain upon any private property within the city without the consent of the owner thereof or some person having authority to grant such permission.

E. Every solicitor shall, upon request of any person solicited, provide his/her name, business address and telephone number and the name, business address and telephone number of the person, organization, or entity on whose behalf solicitation is being made. (Ord. 1733 § 1, 1989; Ord. 1609 § 1 (part), 1986; prior code § 15.111).

5.08.910 Solicitor-Revocation of license.

A. A license issued under this chapter may be suspended or revoked by the chief of police for any of the following causes:

1. Fraud, misrepresentation or false statement contained in the application for license;

2. Fraud, misrepresentation or false statement made in the course of carrying on his business as solicitor;

3. Any violation of this chapter;

4. Conviction of any crime or misdemeanor involving moral turpitude;

5. Conducting the business of soliciting or of canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

B. This section shall be self-executing and the suspension or revocation shall be effective immediately. The city clerk shall give notice of the suspension or revocation of license and sufficient notice shall be given if mailed or delivered to the licensee at his last known local address. (Ord. 1609 § 1 (part), 1986; prior code § 15.112).

5.08.920 Solicitor's license-Appeals to city council.

In the event that any applicant desires to appeal from any order, revocation or other ruling of the finance officer, the chief of police or any other officer of the city, made under the provisions of this chapter, such applicant or any other person aggrieved shall file written notice of such appeal with the city clerk and such matters shall be heard at the next regular meeting of the city council, at which time the city council shall hear and receive evidence, written and oral upon all matters involved. The decision of the city council may be final upon all parties concerned. (Ord. 1609 § 1 (part), 1986; prior code § 15.113).

5.08.930 Solicitation unlawful where "No Peddlers" sign posted.

It is unlawful for any person described in Section 5.08.800 of this chapter to perform or attempt to perform the acts described in such section by ringing the doorbell or knocking at

the door or otherwise calling attention to his presence of or at any residence whereon a sign bearing the words "No Peddlers", "No Solicitors" or words of similar import is painted or affixed so as to be exposed to public view, and no such person, described in Section 5.08.800 shall perform or attempt to perform any of the acts described in such section in any building, structure or place of business whereon or wherein a sign bearing the words "No Peddlers", "No Solicitors" or words of similar import, is painted or affixed so as to be exposed to public view. (Ord. 1609 § 1 (part), 1986: prior code § 15.114).

Chapter 5.12

SALE OF WEAPONS

Sections:

- 5.12.010 License-Required.**
- 5.12.020 License-Application.**
- 5.12.030 License-Form prescribed by state.**

5.12.010 License-Required.

In addition to any other business license or fees required by this title, every person proposing to engage in the business of selling at retail within the city, pistols, revolvers or other firearms capable of being concealed upon the person, shall apply for a license to conduct the business, and shall pay the application fee therefor as established by ordinance or resolution. The chief of police shall investigate or cause to be investigated the suitability of the premises on which said business is to be conducted, and the character and fitness of the person proposing to conduct the business and of each partner, associate or employee of said person, if such partner, associate or employee is to be authorized to sell such firearms at retail. The chief of police may issue such license if, in

his judgment, considering the suitability of the premises and the character and fitness of each person who is to be authorized to sell such firearms, the public safety and welfare will not be adversely affected. (Ord. 1139 § 1 (part), 1975: prior code § 15.57.2 (part)).

5.12.020 License-Application.

The chief of police may prepare, use and modify such application forms and other documents as are reasonably necessary to provide information for such investigation. The application fee in such amount as is determined by the city council shall be paid to the chief of police and transmitted by him to the finance officer. Such application fee shall not be refundable in the event that the license is not granted. (Ord. 1139 § 1 (part), 1975: prior code § 15.57.2 (part)).

5.12.030 License-Form prescribed by state.

Any license granted pursuant to this chapter shall be in the form prescribed by the Attorney General of the state, and shall conform to the requirements of Section 12071 of the Penal Code of the state, as the same may be from time to time amended. (Ord. 1139 § 1 (part), 1975: prior code § 15.57.2 (part)).

Chapter 5.16

TAXICABS

Sections:

Article I. Generally

- 5.16.010 Definitions.**
- 5.16.020 Registration and license fee.**
- 5.16.030 Identification of cabs-
Display of telephone
number.**
- 5.16.040 Police right of entry for
purpose of enforcement.**