

City of Rockledge
Peddler, Solicitor and Canvasser Permit Guidance
OR

**A LITTLE INFORMATION ABOUT WHAT THAT INDIVIDUAL
WALKING DOOR TO DOOR IN YOUR NEIGHBORHOOD SHOULD HAVE DONE TO GET THERE**

The following guidance and permit application process for solicitors, peddlers and canvassers within the city limits of Rockledge is provided. Additional information can be found by contacting the Building Division at (321) 690-3984 or at the following city website:

http://www.cityofrockledge.org/Pages/RockledgeFL_BTR/index

Note: this guidance and permit application process does not pertain to those promoting their religious belief. Individuals promoting their religious belief are exercising their First Amendment Rights under the Constitution of the United States. However, like any other individual, they must comply to posted no trespassing signage (as it applies) or otherwise leave private property when told to do so by a resident or responsible party.

The references provided include:

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City of Rockledge Code of Ordinance, specifically, Chapter 11, Article V: Peddlers, Solicitors and Canvassers (Section 11-10) *Provided verbatim.*

Subpara (10) provides the 2009 ordinance amendment which limits soliciting, peddling and canvassing to the hours of 8 AM to 6 PM.

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City of Rockledge Peddlers, Solicitors, and Canvassers Permit

Application includes an acknowledgment signature by the Rockledge Police Department noting that a "criminal history" check was conducted on the individual and that the findings either support or do not support issuing a permit.

> **Page 8**

City of Rockledge Business Tax Receipt (proof of city permit)

Provided in duplicate, the individual should keep this printout where it is accessible, such as in their vehicle or on their person.

> **Page 9**

Peddler, Solicitor, or Canvasser Permit (card)

This card validates that they have been authorized to solicit, peddle or canvass within the city limits of Rockledge. The card must be carried by the individual.

City of Rockledge Code or Ordinances

Chapter 11 ARTICLE V.

PEDDLERS, SOLICITORS AND CANVASSERS

Sec. 11-10.

Business permit and local business tax receipt required.

It shall be unlawful for any peddler, solicitor or canvasser to engage in such business within the corporate limits of the city without first obtaining a business permit therefore in compliance with article III of this chapter and payment of local business taxes per article II of this chapter.

(1) *Additional information for application for business permit.* Applicants for permits under this part must file with the city building official a sworn application in writing, in duplicate, on a form to be furnished by the city building official, which shall give the following information in addition to that required by article III of this chapter.

- a. Name and description of the applicant.
- b. Permanent home address and full local address for the applicant.
- c. A brief description of the nature of the business and the goods to be sold.
- d. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
- e. The length of time for which the right to do business is desired.
- f. The place where the goods or property proposed to be sold or orders taken for the sale thereof are manufactured or produced, where such goods or products are located at the time such application is filed and the proposed method of delivery.

(2) *Investigation, action on application; issuance of permit.*

- a. Upon receipt of such application, the application shall be referred to the police for the running of a criminal background check, which shall be reported to the building official.

b. Criminal activity discovered. Should the criminal background check reveal negative information the building official shall refer the application and negative information to the city manager for review. The city manager can approve the application or refer it to the city council for final action.

c. If, as a result of the background check of the applicant, no negative information is revealed, then the building official shall execute a permit addressed to the applicant for the carrying on of the business applied for, and it and the local business tax receipt shall be issued upon payment for the prescribed tax, deliver to the applicant his permit and receipt. Such permit shall show the name and address of the permittee, the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the permit number and other identifying description of any vehicle used in such soliciting or canvassing. The building official shall keep a permanent record of all permits issued.

(3) *Permit fees.*

a. The fees for permits required by this article shall be ten dollars (\$10.00) per week, twenty-five dollars (\$25.00) per month, or fifty dollars (\$50.00) per year.

b. The annual fees herein provided shall be assessed on a fiscal year basis from October 1 to September 30, and on or after April 1 the amount for the permit shall be one-half the amount stipulated above for the full year.

c. None of the fees provided for by this article shall be so applied as to occasion an undue burden upon interstate commerce. In any case where a fee is believed by a permittee or applicant for a permit to place an undue burden upon such commerce, he may apply to the city manager for an adjustment of the fee so that it shall not be discriminatory, unreasonable or unfair as to such commerce. Such application may be made before, or within six (6) months after payment of the prescribed fee. The applicant shall, by affidavit and supporting testimony, show his method of business and the gross volume or estimated gross volume of business and such other information as the city manager may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The city manager shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make findings of fact from which he shall determine whether the fee fixed by this article is unfair, unreasonable or discriminatory as to applicant's business and shall fix as the fee for the applicant an amount that is fair, reasonable and nondiscriminatory or, if the

fee has already been paid, shall order a refund of the amount over and above the fee so fixed. In fixing the fee to be charged, the city manager shall have the power to base the fee upon a percentage of gross sales or any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the fees as prescribed by subsection (3)a. of this section. Should the city manager determine the gross sales measure of the fee to be the fair basis, he may require the applicant to submit, either at the time of termination of applicant's business in the city or at the end of each three month period, a sworn statement of the gross sales and pay the amount of fee therefor; provided that no additional fee during any one fiscal year shall be required after the permittee shall have paid an amount equal to the annual license as prescribed in subsection (3)a. of this section.

(4) *Expiration of permits.* All annual permits issued under the provisions of this article shall expire on September 30 next following their issuance. Other than annual permits shall expire on the date specified in the permit.

a. *Permit, card not transferable; misuse.* No permit or card issued under the provisions of this article shall be used or displayed at any time by any person other than the one to whom it was issued.

(5) *Permit card.* The building official shall also issue to each permittee, at the time of delivery of his permit and tax receipt, a card which shall contain the words "permitted solicitor", the period for which the permit issued, and the number of the permit, in letters and figures easily discernible from a distance of ten (10) feet. Such card shall, during the time such permittee is engaged in soliciting, be displayed constantly by the permittee in such a way as to be conspicuous and shall not be displayed or used by any person other than the one to whom it was issued.

(6) *Exhibition of permit.* Peddlers, solicitors and canvassers are required to exhibit their permits at the request of any citizen.

(7) *Use of minor prohibited.* No peddler, solicitor or canvasser shall employ or utilize in any fashion during the conduct of the permitted business any person under the age of eighteen (18).

(8) *Loud noises and amplifying devices.* No peddler, nor any person in his behalf, shall shout, make any cry out, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public places of the city or upon any private premises in the city where sound of sufficient volume is emitted or produced

therefore to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such peddler proposes to sell.

(9) *Use of streets, rights-of-way in congested places.* It shall be unlawful for any person to conduct the business of peddler or operate any roadside stand within any right-of-way of any public street in the city, nor shall he be permitted to operate in any congested area where his operations might impede or inconvenience the public. For the purpose of this section, the judgment of the building official or his designee, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

(10) *Limited hours of activity.* No peddler, solicitor or canvasser shall engage in any activities authorized by a business permit within residentially zoned districts or properties used for residential purposes in other zoning districts except during the hours of 8:00 a.m. and 6:00 p.m., inclusive. This restriction of business hours for peddlers, solicitors and canvassers within residentially zoned districts shall be placed on the business permit when issued.

(Ord. No. 1449-07, § 2 (Exh. A), 7-18-07; Ord. No. 1539-09, § 1, 12-2-09)

CITY OF ROCKLEDGE
PEDDLERS, SOLICITORS, AND CANVASSERS PERMIT APPLICATION
(Please print clearly)

PERMIT FEE: 1 Week, \$10.00 - 1 Month, \$25.00 - 1 Year, \$50.00

SECTION I:
APPLICANT NAME:
LOCAL ADDRESS:
CITY, STATE, ZIP:
PERMANENT ADDRESS (if different):
CITY, STATE, ZIP:
TELEPHONE: ()

SECTION II:
EMPLOYED BY:
ADDRESS:
CITY, STATE, ZIP:
TELEPHONE: ()
FEDERAL EMPLOYERS IDENTIFICATION #:
CORPORATE, OR REGISTERED AGENT NAME:
ADDRESS:
CITY, STATE, ZIP:
TELEPHONE: ()
DOCUMENT NUMBER:

SECTION III:
RACE: GENDER: D.O.B.:
WEIGHT: HEIGHT:
MAKE/MODEL OF VEHICLE: TAG #:

SECTION IV:
PERMIT TYPE: (circle one) PEDDLER SOLICITOR CANVASSER
SPECIFIC SITE LOCATION:
COMPLETE DESCRIPTION OF PRODUCT OR SERVICE, AND ITS PURPOSE:
PRODUCT MANUFACTURER LOCATION:
PRODUCT STORAGE LOCATION:
METHOD OF PRODUCT DELIVERY:

SECTION V:
ROAD SIDE STANDS (only):
LOCATION OF ROAD SIDE STAND:
NAME OF PROPERTY OWNER:
ADDRESS:
CITY, STATE, ZIP:
TELEPHONE: ()
*A WRITTEN STATEMENT OF PERMISSION FROM THE PROPERTY OWNER MUST BE ATTACHED WITH THIS APPLICATION TO VERIFY YOU PRESENCE ON SAID PROPERTY.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS THE TRUTH TO THE BEST OF MY KNOWLEDGE.

‡Chapter 15, Rockledge Code of Ordinances, Revocation of Permit. Permits issued under the provisions of the Rockledge Code of Ordinance may be revoked for any of the following causes:

- (1) Fraud, misrepresentation, or false statement contained in the application for permit;
- (2) Fraud, misrepresentation, or false statement made in the course of carrying on his business as solicitor, or as canvasser;
- (3) Any violation of the Rockledge Code of Ordinance;
- (4) Conviction of any crime, or misdemeanor involving moral turpitude; or
- (5) Conducting the business of soliciting, or 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.

Applicants Signature

Date



* ADMINISTRATIVE USE ONLY *	
POLICE CHIEF APPROVAL: (circle one) YES NO	
POLICE CHIEF SIGNATURE: _____	DATE: _____
BUILDING OFFICIAL APPROVAL: (circle one) YES NO	
BUILDING OFFICIAL SIGNATURE: _____	DATE: _____
COMMENTS:	

CITY OF ROCKLEDGE
BUSINESS TAX RECEIPT

1600 HUNTINGTON LANE * ROCKLEDGE, FL 32955

Permit Year October 1, 2010 to September 30, 2011

No: { city #

Address:

Rockledge, FL 32955

Activity:

Solicitor -

04/12/10 - 09/30/12

Busin. Tax

Penalty

Transfer

Home tax

Issued to:

{ provided

SAMPLE SAMPLE SAMPLE SAMPLE

A

RECEIPT MUST BE CONSPICUOUSLY DISPLAYED

Building Official

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CITY OF ROCKLEDGE
BUSINESS TAX RECEIPT

1600 HUNTINGTON LANE * ROCKLEDGE, FL 32955

Permit Year October 1, 2010 to September 30, 2011

No: { city #

Address:

Rockledge, FL 32955

Activity:

Solicitor - Advanced Marketing Services

04/12/10 - 09/30/12

Busin. Tax

Penalty

Transfer

Home tax

Issued to:

{ provided

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B

RECEIPT MUST BE CONSPICUOUSLY DISPLAYED

Building Official

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**PEDDLER, SOLICITOR, OR
CANVASSER PERMIT # city #**

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This is to verify that name is registered
as a Solicitor exhibiting provided

This permit is valid from 4/12/11 to 9/30/12

City of Rockledge
Building Services Division

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