



## SOLICITOR'S LICENSE APPLICATION

Please submit the completed form and all applicable attachments to the Ferron City Hall at PO Box 820, 20 East Main Street, Ferron, UT 84523.

**PLEASE TYPE OR PRINT LEGIBLY**

Applicant Information			
Name of Applicant:			
Business Name:			
Applicant Address:			
City:	State:	Zip:	
Applicant Telephone:		Fax:	E-mail
Type of Organization: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> LLC			
Detailed Description of Business Activity:			
State Sales Tax ID:		Federal Tax ID:	
State License Type:		State License No. (Attach Copy if applicable)	
Background Check Complete <input type="checkbox"/> No <input type="checkbox"/> Yes ( please sign consent or attach proof)		Bond <input type="checkbox"/> No <input type="checkbox"/> Yes ( If yes, please attach proof)	
Employer Information			
Employer's Name:			
Employer's Address:			
City:	State:	Zip Code:	PO Box:
Employer's Phone:	Fax:	E-Mail:	
General Information			
Do you hold any other licenses, permits, registrations or other qualifications required by federal or state law to promote, provide, or render advice regarding the goods or services offered? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Please explain:			
Please List Dates and Times Business is to be Conducted:			

## Disqualifying Status Questions

Please Answer the Following Questions:

1. Have you ever been convicted of:
  - Yes  No A Felony homicide?
  - Yes  No Physically abusing, sexually abusing, or exploiting a minor?
  - Yes  No The sale or distribution of controlled substances?
  - Yes  No Sexual assault of any kind?
2. Are there any criminal charges pending against you for:
  - Yes  No Felony homicide?
  - Yes  No Physically abusing, sexually abusing, or exploiting a minor?
  - Yes  No The sale or distribution of controlled substances?
  - Yes  No Sexual assault of any kind?
3. Have you been criminally convicted of a felony within the past ten years?
4. Have you been incarcerated in a federal or state prison in the past five years?
5. Have you been criminally convicted of a misdemeanor within the last five years involving A crime of:
  - Yes  No Moral Turpitude?
  - Yes  No Violent or aggravated conduct involving persons or property?
6. Has a final civil judgment been entered against you within the past five years indicating:
  - Yes  No you had either engaged in fraud, or intentional misrepresentation?
  - Yes  No you had a debt that was non-dischargeable in bankruptcy pursuant to 11 USC §523 (a)(2),(a)(4),(a)(6), or (a)(19)?
7. Are you currently on parole or probation to any court, penal institution or governmental entity including being under house arrest or subject to a tracking device?
8. Do you have an outstanding arrest warrant from any jurisdiction?
9. Are you currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction?

This is only an application for a solicitor's license. The actual license will be issued when all requirements under the Ferron City Ordinance are met. Inaccurate or false information will delay the license or constitute the denial of the license.

My signature certifies that I have received and reviewed the information as set forth in the Ferron City Business License Code. I agree to conduct business with strict accordance to the laws and ordinances governing such business, and I swear under penalty of perjury, that the information herein is true and correct.

\_\_\_\_\_  
Signature of Applicant Date

\_\_\_\_\_  
Please Print Name Title

**Please allow at least 10 business days to process the application**

Office Use Only

APPROVALS: (Please sign and date)

License Administrator \_\_\_\_\_ Fire Chief \_\_\_\_\_

Planning Commission \_\_\_\_\_ Health Dept. \_\_\_\_\_

Building Inspector \_\_\_\_\_ Other \_\_\_\_\_



## Ferron City General Business License Instructions

- Complete the appropriate Business License Application.
- Complete all applicable supplemental information (Solicitor Checklist, Home Occupation Checklist, Beer Applications, Background Check etc.)
- If requested, include copies of Professional License, Driver's License(s), State Sales Tax ID Number or proof of exemption, Federal Employee Identification Number, State Registration or stamped Articles of Incorporation.
- Contact the Fire Chief, Health Department and Building Inspector and schedule the appropriate inspections if necessary.
- Pay the required fee and return all forms to Ferron City Hall located at 20 East Main in Ferron.
- Your Business License will be mailed to you once all approvals and conditions have been met. This process may take 10 to 14 days depending on the approval process. (Please note that some business applications will require the approval of the Planning Commission or the City Council. You will be notified of the time and date of the meeting and will be required to attend.)

### Additional Information

You may register your business name with the Utah Department of Commerce at 801-530-4849.

To obtain a Federal Employer Identification Number (if applicable to your business) contact the IRS at 801-799-6963.

To obtain a State Sales Tax ID Number (if applicable to your business) Contact the Utah State Tax Commission at 801-297-2200.

\* You may also use the convenient **Onestop Online Business Registration** at [www.business.utah.gov/registration](http://www.business.utah.gov/registration) .



FERRON CITY BUSINESS LICENSING  
20 EAST MAIN  
PO BOX 820  
FERRON, UT 84523  
384-2350

### SOLICITOR'S LICENSE INSTRUCTIONS

The following checklist is to assist you in applying for a Ferron City Solicitor's License. A copy of the ordinance is attached. Please read the ordinance carefully before completing and submitting the application.

- Complete the Solicitor's License Application in entirety.
- Provide proof of identity, a copy of valid driver's license, U.S. passport, State ID card or military ID card.
- Provide a copy of registration with Utah State Department of Commerce.
- Submit a BCI background check dated no later than 180 days prior to the date of the application. (Conducted by the Utah Department of Public Safety Bureau of Criminal Identification, a criminal history report or verification by the Utah Department of Public Safety Bureau of Criminal Identification that no level of criminal activity disqualifying you from obtaining a license exists).
- Applicant must provide badges for each solicitor, which include a recent picture of the solicitor, the address and phone number of the registered solicitor, or the name, address, and phone number of the responsible person or entity as provided, and the date on which the license will expire.
- Return the completed application and additional information as requested and pay the required fee.

Upon approval by the business license administrator, a temporary license will be issued allowing you to begin conducting business immediately. Licenses are valid for a period of 1 year from date of issuance and are eligible for renewal upon completion of a new application and submission of required fees. Please note that the license is non-transferrable.

## RESIDENTIAL SOLICITATION

3-5-1

### **DEFINITIONS:**

**DOOR TO DOOR SOLICITATION:** The practice of engaging in or attempting to engage in conversation with any person at a residence, whether or not that person is a competent individual, while making or seeking to make or facilitate a home solicitation sale, or attempting to further the sale of goods and/or services.

**HOME SOLICITATION SALE:** To make or attempt to make a sale of goods or services by a solicitor at a residence by means of door to door solicitation regardless of:

- A. The means of payment or consideration used for the purchase;
- B. The time of delivery of the goods or services; or
- C. The previous or present classification of the solicitor as a solicitor, peddler, hawker, itinerant merchant or similar designation.

**SOLICIT OR SOLICITING OR SOLICITATION:** Any of the following activities shall be deemed solicitation

- A. Seeking to obtain sales or orders for the exchange of goods, wares, merchandise or perishables of any kind, for any kind of remuneration or consideration, regardless of whether advance payment is sought.
- B. Seeking to obtain prospective customers to apply for or to purchase insurance, subscriptions to publications, or publications.
- C. Seeking to obtain contributions of money or any other thing of value for the benefit of any person or entity.
- D. Seeking to obtain orders or prospective customers for goods or services.
- E. Other activities falling within the commonly accepted definition of soliciting, such as hawking or peddling.

3-5-2

**LICENSE REQUIRED:** Unless otherwise exempt under this chapter, all persons desiring to engage in door to door solicitation within the city, prior to doing so shall submit a completed application to the licensing officer and obtain a solicitor license.

Unless otherwise authorized, permitted, or exempted pursuant to the terms and provisions of this chapter, the practice of being in and upon a private residence within the city by solicitors, for the purpose of home solicitation sales or to provide goods or services, is prohibited and is punishable as set forth in this chapter.

3-5-3

**REGISTRATION OF SOLICITORS:** Unless otherwise exempt under this chapter, all persons desiring to engage in door to door solicitation within the city, prior to doing so shall submit a completed application to the licensing officer and obtain a license.

3-5-4

### **APPLICATION FORM:**

The licensing officer shall provide a standard application form for use of the registration of solicitors. Upon request, any person or entity may obtain the application in person, by mail, or facsimile, a copy of this

application form. Each application form shall require disclosure and reporting by the applicant of the following information and fee:

A. Contact information:

1. The applicant's true, correct and legal name, including any former names or aliases used during the past ten(10) years.
2. Applicant's telephone number, home address and mailing address, if different:
3. If different from the applicant, the name, address, and telephone number of the responsible person or entity: and
4. The address by which all notices to the applicant required under this chapter are to be sent.

B. Proof of identity: An in person verification by the licensing officer of the applicant's true identity by use of any of the following which bear a photograph of the applicant:

1. A valid driver's license issued by any state;
2. A valid passport issued by the United States;
3. A valid identification card issued by any state;
4. A valid identification issued by a branch of the United States Military.

C. Proof of Registration with the Department of Commerce: The applicant shall provide proof that either the applicant, or the responsible person or entity, has registered with the Utah State Department of Commerce.

D. Marketing Information:

1. The goods or services offered by the applicant, including any commonly known registered or trademark names;
2. Whether the applicant holds any other licenses, permits, registrations, or other qualifications required by federal or state law to promote, provide, or render advice regarding the offered goods or services.

E. BCI Background check: The applicant shall provide an original or copy of the original BCI background check, dated no more than one hundred eighty (180) days prior to the date of the application, that has been completed by either a) Utah Department of Public Safety Bureau of Criminal Identification verified criminal history report personal to the applicant; or b) verification by the Utah Department of Public Safety Bureau of Criminal Identification that no criminal history rising to the level of a disqualifying status exists for the applicant.

F. Responses to Questions regarding "Disqualifying Status": The applicant shall be required to affirm or deny each of the following statements on the application form:

- a. Has the applicant been criminally convicted of : a) felony homicide, b) physically abusing, sexually abusing, or exploiting a minor, c) the sale or distribution of controlled substances, or d) sexual assault of any kind, e) burglary or home invasion;

- b. Are criminal charges currently pending against the applicant for: a) felony homicide, b) physically abusing, sexually abusing, or exploiting a minor, c) the sale or distribution of controlled substances, or d) sexual assault of any kind, e) burglary or home invasion;
- c. Has the applicant been criminally convicted of a felony in the last ten (10) years;
- d. Has the applicant been incarcerated in a federal or state prison within the last five (5) years;
- e. Has the applicant been criminally convicted of a misdemeanor within the past five(5) years involving a crime of: a) moral turpitude, or b) violent or aggravated conduct involving persons or property;
- f. Has a final civil judgment been entered against the applicant within the last five (5) years indication that: a) the applicant had either engaged in fraud, or intentional misrepresentation, or b) that a debt of the applicant was non dischargeable in bankruptcy pursuant to 11USC523(a)(2), (a)(4), (a)(6), or (a)(19);
- g. Is the applicant currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device;
- h. Does the applicant have any outstanding arrest warrant from any jurisdiction; or
- i. Is the applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.

3-5-5 **FEE:** The applicant shall pay such fee as determined applicable by the city, which shall not exceed the reasonable cost of processing the application and issuing the certificate and identification badge.

3-5-6 **WRITTEN DISCLOSURE:** The application form shall be accompanied by a written disclosure notifying the applicant of the following:  
 A. The applicant’s submission of the application authorizes the city to verify any and all information submitted on the application.

3-5-7 **EXEMPTIONS:** The following are exempt from registering as a solicitor:  
 A. Persons specifically invited to a residence by a competent individual prior to the time of the persons arrival at the residence;  
 B. Persons whose license, permit, certificate or registration with the State of Utah permits them to engage in door to door solicitation to offer goods or services to an occupant of the residence;  
 C. Persons delivering goods to a residence pursuant to a previously made request by a competent individual;  
 D. Persons advocating of disseminating information for, against, or in conjunction with, any religious belief, or political position regardless of whether goods, services, or any other consideration is offered or given, with or without any form of commitment, contribution, donation, pledge, or purchase; and

- E. Persons representing a legitimate charitable organization. The charitable exemption shall apply to students soliciting contributions to finance extracurricular social, athletic, artistic, scientific or cultural programs, provided that the solicitation has been approved in writing by the school administration, and that such student solicitors carry current picture student identification from the educational institution for which they are soliciting.

Those persons exempt from registration are not exempt from the duties and prohibitions outlined in section 3-5-8 of this chapter while advocating or soliciting.

3-5-8

**FORM OF CERTIFICATE AND IDENTIFICATION BADGE:**

Should the licensing officer determine that the applicant is entitled to a license the License Administrator shall;

- A. Issue the applicant a business license certificate that shall list the name of the solicitor and the responsible person or entity, if any, and the date on which the certificate expires. The certificate shall be dated and signed by the License Administrator and shall be carried by the solicitor at all times.
- B. Each solicitor shall be required to wear an identification badge provided by the applicant, company or responsible entity. The identification badge shall contain: 1) The name of the solicitor; 2) address and phone number of the registered solicitor, or the name, address, and phone number of the responsible person or entity as provided; 3) a recent photograph of the registered solicitor; and 4) the date on which the certificate expires.

3-5-9

**TIME OF DAY RESTRICTIONS:** It shall be unlawful for any person, whether licensed or not, to solicit at a residence before nine o'clock (9:00) A.M. or after seven o'clock (7:00) P.M. Mountain Time, unless the solicitor has express prior permission from the resident to do so.

3-5-10

**DENIAL OF LICENSE:**

- A. Upon review, the licensing officer shall refuse to issue a license to an applicant for any of the following reasons:
  1. The application form is not complete;
  2. The applicant fails to establish proof of identity, provide a BCI or pay the required fees;
  3. The completed application or BCI indicates that the applicant or employee of the applicant has a disqualifying status;
  4. The applicant has previously been denied a license by the city, or has had a certificate revoked for grounds that still constitute a disqualifying status under this title;
  5. The information submitted in the application is found to be incorrect or incomplete;
  6. Since the issuance of the license; the city received a substantiated report of misconduct, criminal conviction pertaining to a disqualifying status; or
  7. A violation of this article or similar federal, state or municipal laws in a manner rising to the level of a disqualifying status

3-5-11

DUTIES OF SOLICITORS:

- A. Every person soliciting or advocating shall check each residence for any “no soliciting” sign or placard or any other notice or sign notifying a solicitor not to solicit on the premises, such as, but not limited to, “no solicitation” signs. If such sign or placard is posted such solicitor shall desist from any efforts to solicit at the residence or dwelling and shall immediately depart from such property. Possession of a certificate of registration does not in any way relieve any solicitor of his duty.
- B. It is a violation of this chapter for any person soliciting or advocating to knock on the door, ring the doorbell, or in any other manner attempt to attract the attention of an occupant of a residence that bears a “no solicitation” sign or similar sign or placard for the purpose of engaging in or attempting to engage in advocating, a home solicitation sale, door to door soliciting, or soliciting.
- C. It is a violation of this chapter for any solicitor through ruse, deception, or fraudulent concealment of a purpose to solicit, to take action calculated to secure an audience with an occupant at a residence.
- D. Any solicitor who is at any time asked by an occupant of a residence or dwelling to leave shall immediately and peacefully depart from that residence.
- E. The solicitor shall not intentionally or recklessly make any physical contact with or touch another person without the person’s consent.
- F. The solicitor shall not follow a person into a residence without their explicit consent.
- G. The solicitor shall not continue repeated soliciting after a person and/or competent individual has communicated clearly and unequivocally their lack of interest in the subject, goods or services of the solicitor.
- H. The solicitor shall not use obscene language or gestures.

3-5-12

**“NO SOLICITATION NOTICE”** Any occupant of a residence may give notice of a desire to refuse solicitors by displaying a “no solicitation” sign which shall be posted on or near the main entrance door or on or near the property line adjacent to the sidewalk leading to the residence. The display of such sign or placard shall be deemed to constitute notice to any solicitor that the inhabitant of the residence does not desire to receive and/or does not invite solicitors. Further, it shall be the responsibility of the solicitor to check each residence for the presence of any such notice and the

provisions of this section shall apply also to solicitors who are exempt from registration pursuant to the provisions of this title.