

**PLEASANT VIEW CITY
520 WEST ELBERTA DR.
PLEASANT VIEW, UTAH 84414
782-8529**

APPLICATION FOR SOLICITOR CERTIFICATE

- Applicant has received and reviewed the disclosure information (attached).
- Applicant has submitted two passport style photos for badge identification.
- Applicant has submitted a BCI report from their home state.

CONTACT INFORMATION:

Applicant's Legal Name: _____
(including any former names or aliases used during the last ten years)

Telephone Number: _____

Home Address: _____

Mailing Address: _____

The Responsible Person/Entity: _____

Telephone Number: _____

Address: _____

PROOF OF IDENTITY:

- Valid drivers license issued by any State (____) (ID # _____); or
- Valid passport issued by U.S. (# _____); or
- Valid I.D. card issued by any State (____) (ID # _____); or
- Valid I.D. issued by a branch (____) of the U.S. military (ID # _____).

PROOF OF REGISTRATION WITH DEPARTMENT OF COMMERCE:

Proof that either the Applicant, or the Responsible Person/Entity, has registered with the Utah State Department of Commerce.

SPECIAL EVENTS SALES TAX NUMBER:

Special Events Sales Tax Number: _____
(for either the Applicant or the Responsible Person/Entity)

MARKETING INFORMATION:

Goods or Services being offered:

_____.

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 offered Goods or Services? _____
(if yes, explain)

_____.

BCI BACKGROUND CHECK:

The applicant shall provide:

___ An original or a copy of a BCI background check or equivalent report from the applicants home state; and

___ A signed copy of a Waiver whereby Applicant agrees to allow the City to obtain a name/date of birth BCI background check on Applicant for purposes of enforcement of this Chapter.

RESPONSES TO QUESTIONS REGARDING 'DISQUALIFYING STATUS:

The Applicant shall affirm or deny each of the following statements:

YES NO

- ___ ___ Have you been Criminally Convicted of: (I) felony homicide, (ii) physically abusing, sexually abusing, or exploiting a minor, (iii) the sale or distribution of controlled substances, or (iv) sexual assault of any kind?
- ___ ___ Are any criminal charges currently pending against you for: (I) felony homicide, (ii) physically abusing, sexually abusing, or exploiting a minor, (iii) the sale or distribution of controlled substances, or (iv) sexual assault of any kind?
- ___ ___ Have you been Criminally Convicted of a felony within the last ten (10) years?
- ___ ___ Have you been incarcerated in a federal or state prison within the past five (5) years?
- ___ ___ Have you been Criminally Convicted of a misdemeanor within the past five (5) years involving a crime of: (I) moral turpitude, or (ii) violent or aggravated conduct involving persons or property?
- ___ ___ Has a Final Civil Judgment been entered against you within the last five (5) years indicating that: (I) you had either engaged in fraud, or intentional misrepresentation, or (ii) that a debt of yours was non-dischargeable in bankruptcy pursuant to 11 U.S.C. ' 523(a)(2), (a)(4), (a)(6), or (a)(19)?
- ___ ___ 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?
- ___ ___ Do you have an outstanding arrest warrant from any jurisdiction?
- ___ ___ Are you currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction?

CERTIFICATE FEE\$ 40.00

I attest under penalty of perjury, that based on my present knowledge and belief, the information provided is complete, truthful and accurate.

APPLICANT'S SIGNATURE: _____ Date: _____

Written Disclosures

The Application Form shall be accompanied by written disclosures notifying the Applicant of the following:

- (1) The Applicant=s submission of the Application authorizes the City to verify information submitted with the Completed Application including:
 - A. the Applicant=s address;
 - B. the Applicant=s and/or Responsible Person or Entity=s state tax identification and special use tax numbers, if any;
 - C. the validity of the Applicant=s Proof of Identity;
- (2) The City may consult any publically available sources for information on the Applicant, including but not limited, to databases for any outstanding warrants, protective orders, or civil judgments.
- (3) Establishing Proof of Identity is required before Registration is allowed;
- (4) Identification of the fee amount that must be submitted by Applicant with a Completed Application;
- (5) The Applicant must submit a BCI background check with a Completed Application;
- (6) To the extent permitted by State and/or federal law, the Applicant=s BCI background check shall remain a confidential, protected, private record not available for public inspection;
- (7) The City will maintain copies of the Applicant=s Application Form, Proof of Identity, and Identification Badge. These copies will become public records available for inspection on demand at the City offices whether or not a Certificate is denied, granted, or renewed.
- (8) The criteria for Disqualifying Status, denial, or suspension of a Certificate under the provisions of this Chapter.
- (9) That a request for a temporary Certificate will be granted or denied the same business day that a Completed Application is submitted.

ACKNOWLEDGMENT OF RECEIPT

I, _____, HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THE FOREGOING WRITTEN DISCLOSURES ON _____ (date).

(Signature)

(Name)

(Date)

Notice of Rules and Practices for Solicitors

Deceptive Soliciting Practices Prohibited.

- (1) No Solicitor shall intentionally make any materially false or fraudulent statement in the course of Soliciting.
- (2) A Solicitor shall immediately disclose to the consumer during face-to-face Solicitation; (i) the name of the Solicitor; (ii) the name and address of the entity with whom the Solicitor is associated; and (iii) the purpose of the Solicitor's contact with the person and/or Competent Individual. This requirement may be satisfied through the use of the Badge and an informational flyer.
- (3) No Solicitor shall use a fictitious name, an alias, or any name other than his or her true and correct name.
- (4) No Solicitor shall represent directly or by implication that the granting of a Certificate of Registration implies any endorsement by the City of the Solicitor's Goods or Services or of the individual Solicitor.

"No Solicitation" Notice.

- (1) 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.
- (2) 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.
- (3) It shall be the responsibility of the Solicitor to check each Residence for the presence of any such Notice.
- (4) The provisions of this Section shall apply also to Solicitors who are exempt from Registration pursuant to the provisions of this Chapter.

Duties of Solicitors.

- (1) 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 this duty.
- (2) 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.
- (3) 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.
- (4) Any Solicitor who is at any time asked by an occupant of a Residence or dwelling to leave shall immediately and peacefully depart.
- (5) The Solicitor shall not intentionally or recklessly make any physical contact with, or touch another person without the person's consent;
- (6) The Solicitor shall not follow a person into a Residence without their explicit consent;
- (7) 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;
- (8) The Solicitor shall not use obscene language or gestures.

Time of Day Restrictions. It shall be unlawful for any person, whether licensed or not, to Solicit at a Residence before 9:00 a.m. or after 9:00 p.m. Mountain Time, unless the Solicitor has express prior permission from the resident to do so.

Buyer's Right to Cancel. In any Home Solicitation Sale, unless the buyer requests the Solicitor to provide Goods or Services without delay in an emergency, the seller or Solicitor shall present to the buyer and obtain buyer's signature to a written statement which informs the buyer of the right to cancel within the third business day after signing an agreement to purchase. Such notice of "Buyer's right to cancel" shall be in the form required by ' 70C-5-103, Utah Code Annotated, 1953, or a current version thereof or any State or Federal law modifying or amending such provision.

Pleasant View City
520 W Elberta Drive
Pleasant View, Utah 84414

WAIVER OF LIABILITY RELEASE OF INFORMATION

NAME _____ DATE OF BIRTH _____
(Last First Middle) (For Records Check)

I hereby authorize Pleasant View City Police Department to conduct a thorough B.C.I. background check.

The release of any and all information is authorized, and I do hereby release all persons, firms, agencies, companies, group or installations, whomsoever, from any damages because of/or resulting from furnishing such information.

SIGNATURE _____ DATE _____

State of Utah)
 §
County of)

Subscribed and sworn to before me on this _____, in the year _____, by
_____.

Witness my hand and official seal.

Signature

(seal)

For office use:

A TEMPORARY CERTIFICATE shall be issued to the applicant to allow immediate Door-to-Door Solicitation upon the following conditions:

- ___ A Completed Application;
- ___ Payment of fee;
- ___ Established Proof of Identity;
- ___ The representations on the Application Form do not affirmatively show a Disqualifying Status;
- ___ The B.C.I. does not affirmatively show a Disqualifying Status; and
- ___ The Applicant has not previously been denied a Certificate by the City, or had a Certificate revoked for grounds that still constitute a Disqualifying Status under this Chapter.

(A temporary Certificate will automatically expire after twenty-five (25) calendar days from issuance, or upon grant or denial of an annual Certificate, whichever period is shorter.)

A TEMPORARY CERTIFICATE shall NOT be issued to the applicant for any of the following reasons:

- ___ The Application Form is not complete;
- ___ The Applicant fails to (1) establish Proof of Identity, (2) provide a B.C.I. or (3) pay the Fees;
- ___ The Completed Application or B.C.I. indicates that the Applicant has a Disqualifying Status; or
- ___ The Applicant has previously been denied a Certificate by the City, or has had a Certificate revoked for grounds that still constitute a Disqualifying Status under this chapter.