

Solicitor Process Information Sheet

In accordance with Noblesville City Ordinance # 15-05-12, persons or companies wishing to solicit goods/services door-to-door within city limits must first receive a solicitor permit.

Please read the exemptions from registration listed below to find out if your organization qualifies. If your organization does not meet the exemptions, you must apply for a permit with the City of Noblesville to lawfully solicit goods or services.

The following are exempt from registration:

- Persons specifically invited to a residence by a competent individual before the person's arrival at the residence.
- Persons whose license, permit, certificate, or registration with the State of Indiana permits them to engage in door-to-door solicitation to offer goods or services to an occupant of the residence.
- Persons delivering goods to a residence pursuant to a previously made order or persons providing services at a residence pursuant to a previously made request by a competent individual.
- Persons advocating or 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.
- Persons representing a charitable organization. The charitable exemption shall also 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 student picture identification from the educational institution for which they are soliciting.
- A United States military veteran that has been granted a vending/peddling license by the Hamilton County Auditor's Office.

The following steps will help in expediting your request for a permit. Each solicitor must apply for a permit if your organization utilizes multiple solicitors. YOU MAY NOT LAWFULLY SOLICIT IN NOBLESVILLE CITY LIMITS UNTIL THIS PROCESS IS COMPLETE. Soliciting in the city without a valid permit can cost the individual up to \$1,000.

The processing of an application packet will not begin until the complete application packet is turned in with all required documentation.

1. The Pre-application checklist must be answered for each applicant and turned in with the application.

2. Your organization will need to supply a background check for ***each applicant*** from the State of Indiana that can be dated no older than 120 days prior to the date of application. These background checks must be turned in with the application.
 - a. **Obtaining a CRC background check from the State:**
 - Visit the website www.in.gov/isp and select "Get Limited Criminal History" from the Criminal History Services menu under "RESOURCES." **Use Code IC 23-7-8-1 when completing the request.** Follow the steps to print the record. The cost is \$16.32 per record.
 - OR-
 - Visit the Indiana Government Center (100 North Senate Ave, Indianapolis IN 46204) to obtain a copy of the record, or submit a mailed request (form available at ISP link above). Cost is \$7 per record.
3. A **2x2 passport-style color photo** of the applicant must be attached to the application packet. The photo must be an original photo on photograph paper and cannot be a photocopy, scan, or email. The photo must be of the applicant's shoulders and head, and the applicant must not be wearing any hat, bandana, or any other head covering, excluding those that are worn for religious purposes. Prescription glasses are permitted in the photo.
4. A photocopy of the applicant's driver's license or State ID must be attached to the application packet.
5. A completed application must be included. The responsible person's or entity's information must be clearly filled out in the appropriate section. Once the application has been submitted, the City shall notify the applicant and the responsible person on whether or not the applicant will be issued a permit to solicit.
6. If the submitted application has been approved, the responsible person or entity representative will be contacted and will then need to come to the Noblesville Police Department (135 S 9th St, Noblesville, IN 46060) Monday-Friday between the hours of 8:00 am and 4:00 pm to pay the appropriate fees as outlined below
 - 3-Day Certificate: \$20 (per applicant)**
 - 10-Day Certificate: \$50 (per applicant)**
 - 120-Day Certificate: \$200 (per applicant)**
7. Once payment is received, *each solicitor will need to visit the Noblesville Police Department in person and show a valid form of identification* in order to be issued an identification badge. This badge will need to be on the person at all times while they are soliciting in the City of Noblesville.
8. At the request of the organization or the individual applicant, a copy of the city ordinance regarding door-to-door solicitation may be provided, along with a general map of the City of Noblesville indicating the city limits.
9. Organizations or applicants may contact the City of Noblesville police department by phone at 317-776-6340 with any questions or to obtain additional information.

Pre-application checklist

Date: ____/____/____

Applicant Name: _____

Applicant DOB: ____/____/____

Applicant SSN: ____-____-____

Please check the answer that applies to the applicant.

1. Has the Applicant been criminally convicted of: felony homicide, physically abusing, sexually abusing, or exploiting a minor, the sale or distribution of controlled substances, or sexual assault of any kind?

Yes____ No____

2. Are any criminal charges currently pending against the Applicant for felony homicide, physically abusing, sexually abusing, or exploiting a minor, the sale or distribution of controlled substances, or sexual assault of any kind. Yes____ No____

3. Has the Applicant been Criminally Convicted of a felony within the last ten (10) years?

Yes____ No____

4. Has the Applicant been incarcerated in a federal or state prison within the past five (5) years?

Yes____ No____

5. Has the Applicant been Criminally Convicted of a misdemeanor within the past five (5) years involving a crime of moral turpitude or violent or aggravated conduct involving persons or property?

Yes____ No____

6. Has a Final Civil Judgment been entered against the Applicant within the last five (5) years indicating that the Applicant had either engaged in fraud or intentional misrepresentation or that a debt of the Applicant was non-dischargeable in bankruptcy? Yes____ No____

7. 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? Yes____ No____

8. Does the Applicant have an outstanding arrest warrant from any jurisdiction? Yes____ No____

9. Is the Applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction? Yes____ No____

I affirm under the penalty for perjury as specified by IC 35-44.1-2-1 that the information I provided is truthful and accurate to the best of my knowledge and belief. I authorize the City of Noblesville to verify the information submitted.

____/____/____

Applicant Signature

Date



Duties of 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 door-to-door solicitation the name of the Solicitor, the name and address of the entity with whom the Solicitor is associated, and the purpose of the Solicitor's contact with the person. This requirement may be satisfied through the use of the ID badge and 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 permit 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 as notice to any Solicitor that the inhabitant of the residence does not desire to receive and 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 also apply to Solicitors exempt from registration pursuant to the ordinance's provisions.

Duties of Solicitors

1. Every person soliciting or advocating shall check each residence for any No Soliciting sign, placard, or any other notice or sign notifying a solicitor not to solicit on the premises. If such a sign or placard is posted, the Solicitor shall desist from any efforts to solicit at the residence or dwelling and immediately depart from such property. Possession of a permit does not in any way relieve any Solicitor of this duty.
2. It is a violation of the ordinance 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 or door-to-door soliciting.
3. It violates the ordinance for any Solicitor through a ruse, deception, or fraudulent concealment of purpose to solicit or 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 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.

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 the buyer’s signature to a written statement that informs the buyer of his or her right to rescind or cancel the sale within three (3) business days pursuant to the requirements of Indiana Code 24-5-10 et seq.

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 8:00 p.m. Eastern Standard Time unless the Solicitor has express prior permission from the resident to do so.

Penalties

Any person who violates any term or provision of the ordinance shall be guilty of a Class B Local Ordinance Violation and shall be punished by a maximum fine of \$1000. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

By my signature, I acknowledge that I have read, understood, and agreed to the policies and procedures as defined in this document. I further understand that violating the policies and procedures may result in my Solicitor privileges being revoked without reimbursement for fees paid or that I may be fined as outlined in this document.

Please Note: Any single violation of the following will result in immediate revocation of your solicitor permit.

- I will not solicit outside the hours of 9:00 am and 8:00 pm EST. _____
- I will not approach the door of any residence with a posted NO SOLICITING sign. _____
- I will immediately and peacefully leave the property as soon as I am asked to do so. _____
- I will not solicit to minors. _____

Signature

Printed Name

Date



Solicitor License Application

Permit # _____

Date of Application ____/____/____

Applicant Name _____

Alias (or former name used in last 10 years) _____

Home Address _____

Email address _____ Phone _____

DOB _____ SSN _____

ID Number _____

Type of ID (please circle): Driver's License Passport State ID Military ID

Supervisor (if different from applicant) _____

Business Name _____

Business Address _____

Business Mailing Address (if different) _____

Office/Business Phone Number _____ Fax Number _____

Mobile/Cell Phone Number _____ Home Phone Number _____

Email address _____

What you are selling: Brand _____ **Model** _____

Description _____

Please list any certifications you have (if any) related to selling the above product

Please provide the Special Events Sales Tax Number _____

I affirm under the penalty for perjury as specified by IC 35-44.1-2-1 that the information I provided is truthful and accurate to the best of my knowledge and belief.

I authorize the City of Noblesville to verify the information submitted and understand that the City may consult any publically available sources for information, including but not limited to databases, for any outstanding warrants, protective orders, or civil judgments. I agree to provide the City with a copy of a CRC background that I have obtained. I acknowledge that the City has five (5) business days to process the completed application and that I may not conduct door-to-door solicitation until a certificate and identification badge have been issued to me. Once I have received a certificate to solicit and an identification badge, I agree to adhere to the Duties of Solicitors, which the City has provided to me.

Applicant Signature

Date