

SOLICITATION FROM VEHICLES PERMIT APPLICATION

Applicant's Name: _____

Applicant's Address: _____

Telephone: _____

Date of Birth _____

Drivers License Number: _____

State of Issue: _____

TYPE OF ORGANIZATION*:

Religious

Political

Other Nonprofit

****Proof of nonprofit status under the Internal Revenue Service Code must be received with application.***

Organization Name & Address: _____

Describe nature of Organization and itemization of the activities to be undertaken: _____

List persons to operate under permit:

Location where activity will occur: _____

Period of time for which the permit is to be effective: _____

Indicate Hours of Operation: _____

(Please identify each days hours of operation - Monday through Sunday)

Provide the names of two reliable property owners of the City of Arkansas City, KS, who will certify as to the applicant's good character and business responsibility:

(Name)

(Name)

(Street)

(Street)

(City, State, Zip)

(City, State, Zip)

(Telephone Number)

(Telephone Number)

(In lieu of references, please provide other available evidences as to the character and business responsibility of the applicant)

I **have, have not** (circle one) been convicted of any crime, misdemeanor or violation of any municipal ordinance, state or federal law. (If answer is affirmative, please describe the nature and date of the offense and the penalty assessed

I have read and understand Municipal Code Chapter 18, Article VII, Section 18-224 regarding solicitation from vehicles and will comply with all provisions thereof, and with other provisions of the Municipal Code of the City of Arkansas City, Kansas, as may be applicable.

(Date) (Signature of Applicant)

RECEIVED: _____
(City Clerk) (Date)

APPROVED: _____
(Chief of Police) (Date)

Permit Number _____

Sec. 18-224. - Solicitation from vehicles.

- (a) *Permit required.* Any and all charitable, religious, political or other nonprofit purpose organizations, having achieved such status under the Internal Revenue Service Code, that intends to solicit donations or sell any goods by approaching or delaying any stopped vehicle on any street, avenue, alley, or other place within the city limits must apply for, and receive, a permit from the city prior to taking such actions.
- (b) *Filing application.* Applicants for such a permit under this section must file with the city clerk a sworn application in writing, in duplicate, on a form to be furnished by the city clerk, furnishing all information requested on the application. The applicant further must certify that he:
 - (1) Has no felony convictions; is not currently under indictment, charge or information; or on diversion or deferred judgment for a felony offense; nor shall have been adjudged to be juvenile offender as a result of the commission of an act that would constitute a felony if done by an adult;
 - (2) Has no conviction nor has been adjudged to be a juvenile offender within the preceding ten years or be currently under indictment, charge or information for, or on diversion or deferred judgment for a crime or acts involving dishonesty, including, but not necessarily limited to: prostitution, promoting prostitution, patronizing a prostitute, soliciting for immoral purposes, lewd and lascivious behavior, illegal use, possession or sale of narcotics or non-narcotic drugs, sodomy, sodomy for hire, promoting sodomy for hire, patronizing a person offering sodomy for hire, loitering for the purpose of soliciting, incest, gambling, promoting obscenity, promoting obscenity to minors, displaying material harmful to minors, sexual battery, or bigamy; and
 - (3) Has no conviction of a crime of violence or use of physical force or threat thereof, be currently under indictment, charge or information for or, on diversion or deferred judgment for such an offense, nor shall have been adjudged to be a juvenile offender as a result of the commission of such act.
- (c) *Fee.* No fee shall be required for such application, which shall be filed with the city clerk at least 96 hours prior to the organization's scheduled solicitation activities.
- (d) *Investigation and issuance.*
 - (1) Upon receipt of such application, the original shall be referred to the chief of police or his designee, who shall cause such investigation of the applicant's and organization's character and responsibility to be made as he deems necessary for the protection of the public good. Investigation shall be completed within a 48-hour time period.
 - (2) If as a result of such investigation the applicant's or organization's character or business responsibility is found to be satisfactory, and the statements made on the application to be truthful, the chief of police or his designee, shall endorse on the application his approval and shall return said application to the city clerk, who shall deliver to the organization, without payment of a fee, its permit to commence such solicitation activities.
- (e) *Permit produced upon request.* The permit issued under this section shall be held by the organization at the location of the solicitation activities during the activities, and shall be produced to any city official, including any member of the city police department, upon request.
- (f) *Revocation of permit.* Permits issued under the provisions of this section 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 the activities subject to the permit;
 - (3) Any violation of this section;
 - (4) Conviction of any crime or misdemeanor involving moral turpitude by the applicant;
 - (5) Conducting the activities subject to the permit 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; or
 - (6) Failure to collect and submit any applicable state and local sales taxes.
- (g) *Penalty.* Any person violating any of the provisions of this section shall, upon conviction thereof, be punished in accordance with the general penalty provisions of this Code.
- (h) *Exception.* Except as specifically authorized herein, solicitation from a vehicle shall not be permitted pursuant to article 11, section 69 of the Municipal Code Standard Traffic Ordinance.

(Prior Code(2), § 5.48.050; Ord. No. 4243, § 1, 2010; 4044, § 2, 2005)