

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CORSICANA, TEXAS, AMENDING SECTIONS 4.502, 4.503, AND 4.505
OF CHAPTER 4, ENTITLED *BUSINESS AND COMMERCE*, ARTICLE
4.500 ENTITLED *SOLICITORS, VENDORS, AND OUTDOOR SALES*,
SUBARTICLE A., *SOLICITORS OF THE CITY CODE OF ORDINANCES*.**

BE IT ORDAINED by the City Council of the City of Corsicana, Texas that Sections 4.502, 4.503, and 4.505 of Chapter 4, entitled *Business and Commerce*, Article 4.500 *Solicitors, Vendors, and Outdoor Sales*, Subarticle A., *Solicitors* of the City Code of Ordinances shall be amended and hereafter read as follows:

CHAPTER 4 BUSINESS AND COMMERCE

ARTICLE 4.500 - SOLICITORS, VENDORS, AND OUTDOOR SALES

Subarticle A. - Solicitors

Sec. 4.502 – Possession and Display of Permit

- (a) No person shall engage in or attempt to engage in any activity for which, under this Code, a Solicitor's Permit is required unless he/she has in his/her immediate possession a valid Solicitor's Permit issued to him/her by the Chief of Police.
- (b) It shall be unlawful for any person to state, maintain, imply or represent that he/she has a Solicitor's Permit when he/she does not, in fact, possess a valid Solicitor's Permit issued to him/her by the Chief of Police.
- (c) No person required by this Code to possess a Solicitor's Permit shall fail to display or exhibit a valid Solicitor's Permit issued to him/her by the Chief of Police, upon request of any Police Officer, any code enforcement officer, any potential consumer, or any other person.

Sec. 4.503 – Application for Permit

- (a) An application for a Solicitor's Permit shall be made, under oath, on forms provided by the City. At a minimum, such application shall include the full name and date of birth of the applicant; his/her drivers license number, if any, together with any other identifiers required to establish his/her identity; his/her permanent address; the name and address of the person or firm he/she represents; any statement of whether or not he/she has ever been convicted of a felony offense of any kind, drug related offense of any kind, crime of moral turpitude, together with particulars of any such conviction. The applicant shall also include crime in which they have been charged with but has not been disposed of at the date of application.

- (b) It shall be unlawful for any person to make a false statement on an application for a Solicitor's Permit. A false statement on the application shall be grounds for denial or revocation of a permit.
- (c) The application fees for a permit shall be specified in Chapter 13, Municipal Fees, of the City Code of Ordinances, which shall not be prorated and which shall not be returned to the applicant regardless of whether the permit is issued or denied. Persons engaged in interstate commerce may submit a request for waiver of the permit fee. Upon a determination by the Chief of Police that a person is engaged in interstate commerce, the application for permit shall be processed without fee. The Chief of Police may, at his discretion, reduce or waive the application fee for representatives of charitable, religious, philanthropic, or other not-for-profit organizations, or for persons desiring to sell home-grown produce.
- (d) Upon a finding by the Chief of Police that the applicant has been convicted of a felony offense of any kind, or drug related offense of any kind, then the application for a Solicitor's Permit shall be denied. If the offense involved a crime of moral turpitude within the past 10 years at the time of application or if the applicant has been charged with any felony, drug related offense, or crime involving moral turpitude and the case has not yet been disposed of at the date of application, then the application for a Solicitor's Permit shall be denied. Such denial may be appealed to the City Commission by giving written notice to the City Secretary within ten (10) days of said denial. The City Commission shall hear an appeal within forty-five (45) days of such notice.

Sec. 4.505 - Home Solicitations-Permit Required

- (a) No merchant shall engage in or attempt to engage in any home solicitation transaction unless that merchant has in his/her immediate possession a valid Solicitor's Permit issued to him/her under the provisions of this Code.
- (b) No merchant shall engage in or attempt to engage in any home solicitation transaction involving a food item unless that merchant has in his/her immediate possession a valid Health Card issued to him/her by the City Health Department.

PASSED, APPROVED and ADOPTED this 13th day of August, 2018.

Don Denbow, Mayor

ATTEST:

Freddy Thomas, City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney