Sudbury Police Department

Solicitor Permit Application

Applicants Name: _____ DOB: _____

Home address: _____ SS#: _____

_____ Cell#: _____

Identification Shown: _____

Name of Business: _____ Owner(s): _____

Address: _____ Phone #: _____

_____ Vehicle Type: _____

Type of Business: _____ Plate #/State: _____

Applicant History:

Have you ever been convicted of a felony: ☐ Yes ☐ No

If yes, explain:_____

_____

_____

Have you ever been convicted ***ANY*** of the following offenses:

Assault or Assault and Battery: ☐ Yes ☐ No

Breaking and Entering with the intent to commit a misdemeanor: ☐ Yes ☐ No

ANY form of larceny or fraud: ☐ Yes ☐ No

Buying, receiving or concealing stolen goods: ☐ Yes ☐ No

Deceptive advertising or violation of consumer protections laws: ☐ Yes ☐ No

Making or publishing false statements: ☐ Yes ☐ No

Trespassing: ☐ Yes ☐ No

If so convicted, explain offense and disposition: _____

_____

_____

Are there any outstanding criminal proceedings against you: ☐ Yes ☐ No

If so, explain: _____

_____

Applicant's acknowledgements:

I agree to be fingerprinted and photographed for this license:	☐ Yes	☐ No
I understand that the Chief has 5 days to approve or reject this application:	☐ Yes	☐ No
I understand that this license is non-transferable/valid only for the applicant herein:	☐ Yes	☐ No
I understand the license is only valid for the purpose stated herein:	☐ Yes	☐ No
I understand that the license is valid for a period of thirty (30) days from issuance:	☐ Yes	☐ No
I understand that after expiration the card shall be returned to the Sudbury Police Department:	☐ Yes	☐ No
I understand that the application may be rejected if not complete:	☐ Yes	☐ No
I understand that if the application is rejected I can make an appeal to the Board of Selectmen within ten (10) days:	☐ Yes	☐ No
I have received a copy of the Town of Sudbury Solicitor's By-Law:	☐ Yes	☐ No
I have received a copy of the Non-Solicitation List:	☐ Yes	☐ No
I understand that there is a $25 filing fee and have paid same:	☐ Yes	☐ No

Applicants Statement:

"I certify that the information provided in this application is true and complete to the best of my knowledge. I understand that any misrepresentation, false statement or misleading statements given in this application are sufficient grounds for rejection.

I authorize investigation of all statements contained herein and authorize the Sudbury Police Department to contact and obtain all information that may be necessary to arrive at a decision for approval or rejection of this application. I hereby release all parties from any and all liability for any damages which may arise as a result of furnishing or releasing such information."

_____ _____

Applicant signature Date

☐ Approved ☐ Rejected

_____ _____

Scott Nix, Chief of Police Date

Notes: _____

_____

_____

At a legal meeting of the qualified voters of the **Town of Sudbury,**

held April 14, 2004 the following business was transacted under

Article 52 -- AMEND BYLAWS, ART. V.29 -DOOR-TO-DOOR SALESMEN

UNANIMOUSLY VOTED: In the words of the Article.

To delete Section 29, Door-to-Door Salesmen, of Article V, Public Safety, of the Town of Sudbury Bylaws in its entirety, and substitute therefor the following:

Section 29: Door-to-Door Solicitation

(a) **Purpose: This Bylaw, adopted pursuant to G.L.c. 43B, s. 13 and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration requirements for all persons intending to engage in door-to-door canvassing or solicitation in the Town of Sudbury in order to (1) protect its citizens from disruption of peaceful enjoyment of their residences and from the perpetration of fraud or other crimes; and (2) to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.**

(b) **Definitions: The following terms shall have the meanings set forth in G.L.c. 101, s. 1 et seq., and are summarized for the purposes of these regulations as follows:**

(1) **"Transient Vendor", "Transient Business": A transient vendor is a person who conducts a transient business for profit. A transient business (temporary business) is any exhibition and sale of goods, wares or merchandise which is carried on in any structure (such as a building, tent, or booth) unless such place is open for business during usual business hours for a period of at least 12 consecutive months.**

(2) **"Hawkers and Peddlers": Any person who goes from place to place within the Town selling goods for profit, whether on foot or in a vehicle, is a hawker or peddler.**

(3) **"Door-to-Door Solicitation": Any person who travels from door to door within the Town soliciting something for any corporate or non-corporate charitable, political, or religious organization that enjoys federal or state constitutional protections. This**

(4) "Person": For purposes of these regulations, the persons being regulated herein are those persons over the age of 16 who are engaging in the activities regulated herein for or on behalf of for profit organizations.

(c) Scope: These regulations shall apply to all persons conducting the foregoing activities within the Town.

(d) Compliance Requirements: Each person engaging in the foregoing activities shall be subject to, responsible for and fully in compliance at all times with the following requirements:

(1) Registration Requirements:

i. Persons not registered (licensed) by the State shall make application for a Town of Sudbury registration card to the Chief of Police, on a form containing the following information: the applicant's name, signature, home address; at least one (1) form of photo identification issued by a State or Federal agency; the name, address, and phone number of the owner or parties in whose interest the business is to be conducted, and their business address; a brief description of the business to be conducted within the Town; identification of vehicles that will be utilized for this purpose; the applicant's social security number; whether the applicant has ever been convicted of a felony or any of the following misdemeanors:

- Assault or assault and battery
- Breaking and entering a building or ship with the intent to commit a misdemeanor
- Any form of larceny or fraud
- Buying, receiving or concealing stolen goods
- Deceptive advertising or violation of consumer protection laws
- Making or publishing false statements
- Trespassing on property after prohibition;

and if so convicted, the disposition; and whether there are any outstanding criminal proceedings. The application shall be made under oath and will be rejected unless complete. The applicant shall be photographed, and his or her fingerprints taken for the purpose of identification. The Chief of Police shall approve the application within five (5) days of its filing unless he determines that the application is incomplete, the applicant is a convicted felon, has been convicted of any of the above listed misdemeanors, or is a fugitive from justice. If the application is approved, the Chief shall cause to have a registration card issued within three (3) business days. The registration card shall be in the form of an identification card, containing the name, signature and photograph of the licensee. Such card shall be non-transferable and valid only for the person identified therein and only for the purpose as shown on the license. The card shall be valid for a period of thirty (30) days from the date of issuance (or if the expiration date is not a business day, the expiration date will be on the next business day following). Any such registration card shall be void upon its surrender or revocation, or upon the filing of a report of loss or theft with the

Police Department. If the application is denied, the applicant may within ten (10) days appeal to the Board of Selectmen.

ii. Persons registered (licensed) by the State shall not be subject to the foregoing paragraph, but shall report to the Chief prior to conducting his or her business within the Town and shall provide the Chief of Police with a copy of his or her State registration or license.

iii. Registration card or license to be carried on the person of licensee. Such State or local registration card or license shall be carried on the person of licensee while the business activity is being conducted, and shall be provided to any police officer upon request or command. In the case of a transient business, the license shall be displayed visibly within the structure where such business is being conducted. Such registration card or license, if issued locally, shall be the property of the Town of Sudbury and shall be surrendered to the Chief of Police upon its expiration.

iv. Registration card (license) fee. The filing of a State license as required shall not be subject to a fee; the fee for a local registration card (license) shall be $25.00.

(2) Restrictions on activity: No activity governed by these regulations shall be conducted upon public or private premises which have been duly posted "No Solicitation", or words of similar meaning, or when the owners of said property have registered with the Police Department and requested to be placed on a "No Soliciting" list. The residents on this list have contacted the Sudbury Police Department to record the fact that there is to be no soliciting on their property. It is the responsibility of each solicitation group to provide a current copy of this list to each member to their group to be carried on his or her person while the business activity is being conducted. Violation of the "No Soliciting" list is cause for penalty to solicitors up to and including arrest for trespassing after notice.

(3) Duties of solicitors: Immediately upon entering any premises, the solicitor or canvasser must present his registration card for inspection by the occupant, request that he or she read the registration card and inform the occupant in clear language the nature and purposes of his or her business and, if he or she is representing an organization, the name and nature of that organization. Any solicitor or canvasser who has entered any premises shall immediately, and peacefully, depart from the premises when requested to do so by the occupant. It shall be the duty of every organization employing solicitors or canvassers to notify the Police Department daily as to the area(s) of Town in which they will be operating.

(e) Penalties: Any person or organization who violates any provision of this bylaw shall be subject to a fine of $50 for the first offense and $100 for each subsequent offense within any one twelve-month period, each subsequent offense constituting a separate offense. Any person or organization who knowingly provides false information on the registration application shall have his or her registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person, or sent to the holder by certified Mail at the address set forth in the application.

(f) **Appeals:** Any person or organization who is denied registration, or whose registration has been revoked, may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within ten (10) days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear and determine the appeal within thirty (30) days after the filing of the written notice of appeal.

(g) **Exemptions:** These regulations shall not apply to any person(s) conducting a temporary sale of items upon his or her property commonly known as a "garage sale" or "yard sale", or to organizations engaged in the foregoing activities for or on behalf of any corporate or non-corporate charitable, political, or religious organization that enjoys federal or state constitutional protections.

(h) **Severability:** Invalidity of any individual provisions of this bylaw shall not affect the validity of the bylaw as a whole.

Submitted by the Chief of Police.

A true copy, Attest:

Barbara A. Siira

Barbara A. Siira
Town Clerk