



City Collections Department / Finance Division
623 Garrison Avenue - Suite 101
Post Office Box 1908
Fort Smith, Arkansas 72902
Phone:479-784-2254
Fax:479-784-2294

This Permit Expires

Door To Door Residential Sales and Solicitation Registration Document (Please Print or Type For Legibility)

Name of Business or Organization

Home Office Address/ Location (Street, City, State and Zip Code)

Home Office Agent In Charge/ Group Supervisor

Home Office Phone Number

Local Site Location In The Soliciting Region (ie Hotel/ Motel Address of Group)

Email:

Local Phone Number For Emergency Contact

Driver's License Number (Attach Driver License Photocopy with the application packet):

Date of Birth:

List a brief description of products, items solicited or group function to be performed in the City door to door. Service limited to residential only in Fort Smith.

Signature of Applicant:

Date:

Notice: By my signature on this information document I certify that the above information provided is true and correct to the best of my knowledge. Please note that providing false or incorrect information to secure this permit will result in the cancellation and suspension of this permit!

Collections Processing Staff Agent's Signature

Collections Stamp Above

~~~ Per Provisions of Chapter 21 City of Fort Smith Code of Ordinances~~~

NOTICE

Each person engaging in the activity of residential Door to Door selling or soliciting must identify themselves by name, legal entity represented, and the purpose of call immediately, after normal greeting upon contact with any residential occupant. FSCO SECTION 21-24

ALL PERSONS OPERATING UNDER THE SCOPE OF THIS REGISTRATION SHOULD CARRY A COPY OF THE SAME ALONG WITH OTHER PICTURE IDENTIFICATION AS SUPPORT FOR THIS RESIDENTIAL DOOR TO DOOR SALES AND SOLICITATION'S PERMIT DOCUMENTATION.

***City of Fort Smith
623 Garrison Avenue, Suite 101
Post Office Box 1908
Fort Smith, Arkansas 72902
479-784-2253 or 479-784-2254***

**Door-to-Door Solicitation Vehicle Information Sheet
Group Transport Data For The Police Department**

Vehicle Model, Make & Color

Year Of Vehicle

Tag Number & State Registered With

Vehicle VIN Number

City Permit ID #

*(In House Office Use Only) **

Solicitation Checklist

1. Must fill out (solicitation form).
2. Must fill out business license registration application.
3. Must pay the \$150.00 registration fee.
4. Must list the dates they plan to operate and must not be more than **14 days**.
5. Must provide registration for each individual with ID. This is requested by the Police Department so they may monitor any calls or complaints.
6. Must not engage before 8 am or after 7pm and is NOT allowed on Sunday Section 13-210 (Ordinance 18-19)
7. Shall not engage in False Representation. Section 13-211
8. Must leave premises after being asked or told to leave. Section 13-212
9. Must identify his/herself by name, legal entity represented and purpose of call immediately after normal greeting. Section 13-213
10. Shall not solicit or loiter upon, public street, sidewalk, alley or other public way within the City which now or may hereafter be used for business purpose. Section 13-214
11. The legal entity must have a current registration on file for the City. Section 13-226
12. Shall register with City on form provided that shall contain the following. Section 13-227
 - a. Name, address and telephone number of the supervisor or manager of the entity's activities within the City.
 - b. The correct (legal) name of the entity together with the entity's home office address, home office telephone number and designated agent for service of process at its home office and within the state, if such an agent has been designated within the state.
 - c. Listing of the anticipated period during which such sales and solicitation shall be conducted within the City. This must not be more than 14 days. Refer to ordinance 18-19
 - d. A listing of the three (3) most recent cities in which they have engaged in activities.
13. A Fee of \$150.00 for each registration is required Section 13-228 (Ordinance 18-19)
14. Section 13-229 (Ordinance 18-19) The registration shall be effective for no longer than fourteen (14) calendar days
15. Section 13-230. Any permit issued pursuant to the provisions of this section may be suspended or revoked for good cause. Good cause for such suspension or revocation shall include any violation of this section.
16. Fund raising shall obtain Chief of Police permit. See section 13-251.
17. Religious and tax exempt - Provided, such term shall not be interpreted so as to include such activities of members of recognized religious organizations when engaged in as a direct incident to the exercise by such members of their freedom of religion rights under the Constitution of the United States nor to such activities by persons while engaged in the sale of newspapers in exercise of their freedom of the press rights under the Constitution of the United States, and neither shall the provisions of this article be applicable to the activities of organizations classified as tax exempt under the provisions of section 501 of the 1954 Internal Revenue Service Code, and amendments and regulations pertaining thereto. Section 13-206

ARTICLE VIII. - PEDDLERS

DIVISION 1. - GENERALLY

Sec. 13-206. - Definition.

The term "residential door-to-door selling or soliciting," for the purposes of this article, shall refer to the activity or practice of going, whether by foot or by any type of conveyance, from place to place, house to house, from street to street or from door to door to residential living units for the purpose of selling or attempting to sell goods or services, whether to be currently delivered or delivered at a subsequent time, or for the purpose of requesting or attempting to request donations or contributions by a person who has not obtained a prior appointment to call at such residential unit. Provided, such term shall not be interpreted so as to include such activities of members of recognized religious organizations when engaged in as a direct incident to the exercise by such members of their freedom of religion rights under the Constitution of the United States nor to such activities by persons while engaged in the sale of newspapers in exercise of their freedom of the press rights under the Constitution of the United States, and neither shall the provisions of this article be applicable to the activities of organizations classified as tax exempt under the provisions of section 501 of the 1954 Internal Revenue Service Code, and amendments and regulations pertaining thereto.

(Code 1976, § 21-1)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 13-207. - Penalties.

Any person found guilty of violating the provisions of this article shall be deemed guilty of a misdemeanor and shall be punished as provided in section 1-9 of this Code. The penalty for violating the provisions of section 13-209 shall be that penalty set forth in A.C.A. § 4-89-104. (Code 1976, § 21-2)

Sec. 13-208. - Compliance.

No firm, company, corporation, association, partnership, sole proprietorship or other legal entity shall engage in the activity of residential door-to-door selling or soliciting within the city without first complying with the provisions of this article.

(Code 1976, § 21-19)

Sec. 13-209. - Adoption of statute.

A.C.A. tit. 4, ch. 89 [§ 4-89-101 et seq.], pertaining to home solicitation sales, is hereby adopted by reference. (Code 1976, § 21-3)

Sec. 13-210. - Hours of operation.

It shall be unlawful for any person, whether the registration provided for in this article has been accomplished or not, to engage in the activity of residential door-to-door selling or soliciting before 8:00 a.m. or after 7:00 p.m. of each day of the week except Sunday. It shall be unlawful for any person to engage in such activities at any time on Sundays.

(Code 1976, § 21-4; Ord. 18-19)

Sec. 13-211. - False representation.

It shall be unlawful for any person engaged in the activity of residential door-to-door selling or soliciting to make use of any plan, scheme or ruse or make any statement which indicates or implies that the purpose of such person's visit is other than to obtain orders for or make sales of goods or services or obtain commitments for or collect donations or contributions.

(Code 1976, § 21-5)

Sec. 13-212. - Remaining after notice to leave.

It shall be unlawful for any person engaging in the activity of selling or attempting to sell goods or services or requesting or attempting to request donations or contributions at a residential living unit, whether or not such person is engaging in the activity of residential door-to-door selling or soliciting as defined herein, to continue to engage in such activity or remain on such premises after having been asked or instructed by the occupant of such premises to leave such premises.

(Code 1976, § 21-6)

State Law reference— Trespass, A.C.A. § 5-39-203.

Sec. 13-213. - Identification.

It shall be unlawful for any person engaging in the activity of residential door-to-door selling or soliciting to fail to identify himself by name, legal entity represented and purpose of call immediately, after normal greeting, upon contact with any residential occupant, and such identification shall be given in all cases prior to entering into such occupant's premises.

(Code 1976, § 21-24)

Sec. 13-214. - Soliciting and peddling prohibited in business district.

Except as provided in chapter 22, article II it shall be unlawful for any person, agent of such person, except agents or representatives of newspapers, educational, religious, charitable or other nonprofit organization, to station himself upon, or to loiter upon, any public street sidewalk, alley or other public way within the areas of the city which are now or may hereafter be used for business purposes, for the purpose of selling, offering for sale, or soliciting orders for the sale of goods, wares, and merchandise, including magazines, and/or peddling or hawking the same, or to sell, to offer for sale, or to solicit orders for the sale of goods, wares and merchandise, including magazines and/or to peddle or to hawk the same in such areas.

(Code 1976, § 21-7)

Secs. 13-215—13-225. - Reserved.

DIVISION 2. – REGISTRATION

Sec. 13-226. - Required.

It shall be unlawful for any person to engage in the activity of residential door-to-door selling or soliciting within the city unless the legal entity represented by such person has a current registration on file with the city.

(Code 1976, § 21-20)

Sec. 13-227. - Information required.

Each legal entity required to register by this division shall, before engaging in such activity, register itself with the city collector, or other agent of the city designated for such purpose by the city administrator. Such registration shall be on forms supplied by the city and shall contain the following information:

- (1) Name, address and telephone number of the supervisor or manager of the entity's activities within the city.
- (2) The correct (legal) name of the entity together with the entity's home office address, home office telephone number and designated agent for service of process at its home office and within the state, if such an agent has been designated within the state.
- (3) A listing of the anticipated period during which such sales and solicitations shall be conducted within the city.

- (4) A listing of the three (3) most recent cities in which the supervisor or manager identified in (1) above shall have engaged in the applicant's activities. (Code 1976, § 21-21; Ord. No. 5-01, § 1, 1-16-01)

Sec. 13-228. - Fee.

As reimbursement of the cost of maintenance of such register of persons engaging in such activities, the city revenue collector, or other agent of the city designated by the city administrator, shall charge a fee in the amount of one hundred fifty dollars (\$150.00) for each registration required by this division.
(Code 1976, § 21-22; Ord. 18-19)

Sec. 13-229. - Duration.

The registration provided for in this division shall be effective for no longer than fourteen (14) calendar days.

(Code 1976, § 21-23, Ord. 18-19)

Secs. 13-230. – Revocation of Permit

Any permit issued pursuant to the provisions of this section may be suspended or revoked for good cause. Good cause for such suspension or revocation shall include any violation of this section.

Secs. 13-231. – No Solicitation.

No transient merchant, peddler, or solicitor subject to this Article shall approach a residence or business that has a “No Solicitation” or “No Solicitors” sign posted.

Secs. 13.232.—13-250. - Reserved.