



Smithfield City

Solicitors License Application

Solicitors License Packet

96 South Main Street

Smithfield, Utah 84335

1 (435) 563.6226

business.license@smithfieldutah.gov

Residential Solicitation Requirements

1. **An official BCI Background Check - 6 Months Current**

This can be obtained through the following locations:

Smithfield City Police Department

55 East 100 South

Smithfield, Utah 84335

or **Bureau of Criminal Identification Office**

4315 South 2700 West

Taylorsville, Utah 84129

2. **Background Disclosure/Waiver and Authorization**

The BCI or criminal background check information will be provided to the city, by the applicant, as part of the required solicitation information. In addition, the applicant will sign and notarize the city or representatives to review the background disclosure report.

3. **Application and Solicitation Fees:**

Provide the completed solicitation application. \$25.00 Application Fee per Solicitor and a \$50.00 for Corporate Office or Nexus. A copy of the Nexus/Corporate Office license from another municipality or county in the State of Utah, will be accepted.

4. **Valid Identification**

Provide a valid driver's license or legitimate government ID (or ID card issued by any state; valid Passport issued by the US; valid ID issued by a branch of the US Military).

5. **Provide a Current Image or Photograph**

Provide a copy of an image or photograph of yourself for a picture ID badge. All agents conducting solicitation business in the City of Smithfield, must provide the city a self image for a picture identification badge.

6. **Documentation of Proof**

Document of Proof that each person or corporation is authorized to do business within the State of Utah. Burglar Alarm agents will need to provide a copy of their DOPL (Division of Occupational and Professional Licensing) license.

7. **Proof of Tax ID**

Proof of Special Events Sales Tax number or Sales Tax Number and schedule the tax will be reported on, information will be shown on the business license and individual licenses.

8. **Marketing information**

The goods or service offered including any commonly known registered or trademarked names. A copy of any other licenses, permits, registrations, or other qualifications required by federal or state law to promote, or render advice regarding the offered goods or services.

9. **Picture ID Badge**

Each solicitor, peddler or canvasser will wear a picture ID badge issued by the city. The badge will indicate that the work approved by Smithfield City.

NOTICE: All information required by the City ordinance must accompany the attached application and be checked at the office of the City Business Licensing Official before 4:00 pm, Monday through Friday for a permit to be issued.



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Background Disclosure/Waiver and Authorization to Release Information

I HEREBY VOLUNTARILY DATE AND SIGN THE FOLLOWING:

I hereby give the Smithfield City Police Department and the Smithfield City Business Licensing official and their duly authorized representatives the authority to conduct a local investigation of my background, including but not necessarily limited to, oral discussions with any person concerning my background,

I hereby appoint an authorized representative designated by the Smithfield City Police Department as an authorized agent for the purpose of reviewing and inspecting any criminal records and information maintained by any law enforcement agency concerning me.

I hereby release Smithfield City, and Smithfield City's Business Licensing official, the Smithfield City Police Department and their employees, agents, volunteers and representatives and agree to indemnify and hold them harmless from all damages, liabilities and claims for damages resulting from their actions in seeking and reviewing said information and any denial in issuing a Solicitor's License, Business License or a Beer License, that may thereby result, and also all other persons, corporations or organizations who give written or oral information about me to the Smithfield City Police Department in connection with this background investigation from any liability or damages which may result from furnishing the information requested.

Applicant Name

Applicant Signature

Date of Signature

Witness Name

Witness Signature

Date of Signature



Criminal Background Questionnaire

Please affirm or deny each of the following statements.

1. Have you ever been criminally convicted of:

- a) felony homicide?
- b) physically abusing, sexually abusing, or exploiting a minor?
- c) the sale or distribution of controlled substances?
- d) sexual assault of any kind?

2. Do you have any criminal charges currently pending against you for:

- a) felony homicide?
- b) physically abusing, sexually abusing, or exploiting a minor?
- c) the sale or distribution of controlled substances?
- d) sexual assault of any kind?

3. Have you been convicted of a felony within the last ten (10) years?

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

5. Have you convicted of a misdemeanor within the past five (5) years involving a crime of:

- a) moral turpitude?
- b) violent or aggravated conduct involving persons or property?

6. Has a final civil judgment been entered against you within the last five (5) years indicating that:

- a) you had either engaged in fraud, or intentional misrepresentation?
- b) you had a debt that was non-dischargeable in bankruptcy?

7. Are you currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device?

Please list by whom

8. Do you have an outstanding arrest warrant from any jurisdiction?

9. Are you currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction?

I certify, under penalty of law, that the information contained in this Application for a Business Solicitation License is true and correct, to the best of my knowledge. I further agree to abide by all federal, state and local laws governing such business.

Applicant Signature

Date



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Business Information

Name _____

Owner Name _____ Owner Birth Date _____

Address _____

Phone _____

Email Address _____

Website _____

Ownership Type

☐ Sole Proprietorship ☐ S Corporation ☐ Corporation ☐ LLC ☐ Partnership ☐ Limited Partnership

Business Description

Individual Solicitor Information

Name _____

Address _____

Phone _____ Email _____

DL#/State _____ D.O.B _____

State/Federal Information

Sales Tax # _____

DBA _____

EIN _____ DOPL License#/Exp. _____

* I certify, under penalty of law, that the information contained in this application for a business license is true and correct, to the best of my knowledge. I further agree to abide by all federal, state and local municipal laws governing such business.

Applicant Signature

Date

- A copy of a waiver whereby applicant agrees to allow the city and its agents to review a criminal background check.
- Solicitor licenses shall be temporary and will have the expiration date posted on the provided badge. The solicitor badge will not be provided until approval is granted by Smithfield City.
- License fees are listed on the city fee list and solicitation packet provided by the city.
- Please allow at least (7) days for investigation and processing.
- Business that employ solicitation techniques are required to register with the State of Utah and have a valid tax ID number and Employer Identification Number. Please visit www.tax.utah.gov to apply for the tax number.
- Application must completely fill out and sign the required background questionnaire.
- All required information listed in the solicitation packet must be completed in full and return to Smithfield City.



Solicitation Rules in Smithfield Utah

5.32.160 DECEPTIVE SOLICITING PRACTICES PROHIBITED

- A. No solicitor shall intentionally make any materially false or fraudulent statement in the course of soliciting.
- B. A solicitor shall immediately disclose to the consumer during face to face solicitation:
 - 1. The name of the solicitor;
 - 2. The name and address of the entity with whom the solicitor is associated; and
 - 3. The purpose of the solicitor's contact with the person and/or competent individual.This requirement may be satisfied through the use of the badge and an informational flyer.
- C. No solicitor shall use a fictitious name, an alias, or any name other than his or her true and correct name.
- D. No solicitor shall represent directly or by implication that the granting of a certificate of registration implies any endorsement by the city of the solicitor's goods or services or of the individual solicitor.

5.32.170 NO SOLICITATION NOTICE

- A. 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.
- B. The display of such sign or placard shall be deemed to constitute notice to any solicitor that the inhabitant of the residence does not desire to receive and/or does not invite solicitors.
- C. It shall be the responsibility of the solicitor to check each residence for the presence of any such notice.
- D. The provisions of this section shall apply also to solicitors who are exempt from registration pursuant to the provisions of this chapter.

5.32.180 DUTIES OF SOLICITORS

- A. Every person soliciting or advocating shall check each residence for any "No Soliciting" sign or placard or any other notice or sign notifying a solicitor not to solicit on the premises, such as, but not limited to, "No Solicitation" signs. If such sign or placard is posted such solicitor shall desist from any efforts to solicit at the residence or dwelling and shall immediately depart from such property. Possession of a certificate of registration does not in any way relieve any solicitor of this duty.
- B. It is a violation of this chapter 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, door to door soliciting, or soliciting.
- C. It is a violation of this chapter for any solicitor through ruse, deception, or fraudulent concealment of a purpose to solicit, to take action calculated to secure an audience with an occupant at a residence.
- D. Any solicitor who is at any time asked by an occupant of a residence or dwelling to leave shall immediately and peacefully depart.
- E. The solicitor shall not intentionally or recklessly make any physical contact with, or touch another person without the person's consent.
- F. The solicitor shall not follow a person into a residence without their explicit consent.
- G. The solicitor shall not continue repeated soliciting after a person and/or competent individual has communicated clearly and unequivocally their lack of interest in the subject, goods or services of the solicitor.
- H. The solicitor shall not use obscene language or gestures.

5.32.190 TIME OF DAY RESTRICTIONS

It shall be unlawful for any person, whether licensed or not, to solicit at a residence before nine o'clock (9:00) A.M. or after nine o'clock (9:00) P.M. Mountain Time, unless the solicitor has express prior permission from the resident to do so.