City of **Punta Gorda,** Florida

APPLICATION TO REGISTER SOLICITOR

Office of the City Clerk Phone: (941) 575-3369

FOR OFFICE USE ONLY

Class: **CSOLCT1** Fee: **NONE** Business Control # _____ Receipt # _____ Date _____

BUSINESS OR TRADE NAME _____

NATURE OF BUSINESS _____

BUSINESS ADDRESS _____

TYPE OF OWNERSHIP (circle one): CORPORATION LIMITED LIABILITY COMPANY SOLE PROPRIETOR PARTNERSHIP

OWNER NAME(S) _____

CONTACT PERSON _____

BUSINESS PHONE _____ EMERGENCY PHONE *(Required)* _____

EMAIL ADDRESS _____

SALES TAX # _____ FEDERAL EMPLOYER OR SS IDENTIFICATION #_____

(Note: Collection of these numbers is required by Florida Statute 205.0535(5))

NOTE: Solicitors are required to contact the City Clerk's Office at 941-575-3369 between the hours of 8 AM and 4:30 PM Monday through Friday to report the days, times and areas where selling, soliciting or peddling will occur. The Police Department will be informed; however, solicitors should keep the proof of registration (Business Tax Receipt) on their person at all times while selling, soliciting or peddling. Soliciting is prohibited between 7PM and 9AM.

It is unlawful for any person to conduct any home solicitation sale, as defined in FS 501.021 without first obtaining a valid solicitation sale permit.

AFFIDAVIT OF EXEMPTION

The following are excluded:

____ Bona fide agents, business representatives or salesmen making calls or soliciting orders at the usual place of business of a customer regarding products or services for use in connection with the customer's business;

____ Solicitors, salesmen, or agents making a call or business visit upon the express invitation, oral or written of an inhabitant of the premises or his agent;

____ Telephone solicitors, salesmen or agents making calls which involve transactions that are unsolicited by the consumer and consummated by telephone and without any other contract between the buyer and the seller or its representative prior to delivery of the goods or performance of the services;

____ Solicitors, salesmen or agents conducting a sale, lease or rental of consumer goods or services by sample, catalog, or brochure for future delivery.

____ Minors, as defined in s. 1.01(13), conducting home solicitation sales under the supervision of an adult supervisor who holds a valid home solicitation sale permit. Minors excluded from operation of this section must, however, carry personal identification which includes their full name, date of birth, residence address, and employer and the name and permit number of their adult supervisor.

____ Those sellers or their representatives that are currently regulated as to the sale of goods and services by Florida Statutes, Chapter 475 (Real Estate Brokers, Sales Associates, Schools and Appraisers), and Chapter 497 (Funeral, Cemetery and Consumer Services).

____ Solicitors, salespersons, or agents making calls or soliciting orders on behalf of a religious, charitable, scientific, educational, or veterans' institution or organization holding a sales tax exemption certificate under s. 212.08(7).

____ The sale of insurance; and the sale of farm equipment or machinery is excluded from the operation of ss. 501.21-501.155.

I affirm that I have _____ have not _____ been convicted of or pled guilty or nolo contendere to any crime. If so, please state the nature of the offense and the punishment or penalty assessed. _____

_____

_____

Failure to truthfully answer the above question shall be grounds for the revocation of an issued Business Tax Receipt and prosecution for perjury under Section 837.012, Florida Statutes.

Note: Copy of current photo id is required.

AFFIDAVIT

Application is hereby made for Local Business Tax Receipt for the privilege of engaging in the business or profession described. I affirm, under penalties of perjury, that I have read the foregoing and that all applicable information and statement made herein are, to the best of my knowledge, true and correct. I further acknowledge that the issuance of this receipt or acceptance by application or agent thereof, in no way confers any right to violate any State, County or Municipal law.

_____	_____	_____
Print Full Name of Applicant/Owner	Signature of Applicant/Owner	Date

_____	_____	_____	_____	_____
Permanent Residence Address	City	State	Zip	Home Phone
Local Residence Address	City	State	Zip	Local Phone

SEX: Male ☐ Female ☐ DOB: _____ RACE: _____

State of _____, County of _____ ( ) Personally Known ( ) ID Shown _____

Sworn & subscribed before me this _____ day of _____, _____.

_____	_____	_____
Notary Public Signature	Notary Public Print Name	Date Commission Expires

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Punta Gorda Code S. 12-19. Door-to-Door Selling; Solicitors/Peddlers (also see FS 501.022)

A. Within any residentially zoned district of the City of Punta Gorda, Florida, it shall be unlawful for any person not having been requested or invited to so do by the owner or occupant of any private residence to conduct any commercial or non-commercial door-to-door selling, peddling, hawking, soliciting or canvassing. This prohibition shall not pertain to canvassing for bona fide political or religious purposes.

B. Within any residentially zoned district of the City of Punta Gorda, Florida, it shall be unlawful for any person not having been requested or invited to so do by the owner occupant of any private residence to conduct any commercial or non-commercial door-to-door selling, peddling, hawking, soliciting, or canvassing, including canvassing for bona fide political or religious purposes, where the owner or occupant has placed on such residence, in a conspicuous place upon or near the main entrance to the residence, a weatherproof card, not less than three (3) inches by four (4) inches in size bearing the words “no soliciting”.

Upon application, the City Clerk, after determining applicant's compliance with applicable law and ordinances, shall issue a Business Tax Receipt upon payment of the appropriate business tax (if required).

Punta Gorda Code S. 12-20. Peddling/Soliciting on City Streets Prohibited

It shall be unlawful for any person to obstruct the use of any public streets by standing or approaching motor vehicles thereon or by endangering the safe movement of vehicles or pedestrians traveling thereon for the purpose of peddling/soliciting.

Florida Statutes 501.021 Home solicitation sale; definitions.

(1) “Home solicitation sale” means a sale, lease, or rental of consumer goods or services with a purchase price in excess of $25 which includes all interest, service charges, finance charges, postage, freight, insurance, and service or handling charges, whether under single or multiple contracts, made pursuant to an installment contract, a loan agreement, other evidence of indebtedness, or a cash transaction or other consumer credit transaction, in which:
(a) The seller or a person acting for him or her engages in a personal solicitation of the sale, lease, or rental at a place other than at the seller’s fixed location business establishment where goods or services are offered or exhibited for sale, lease, or rental, and
(b) The buyer’s agreement or offer to purchase is given to the seller and the sale, lease, or rental is consummated at a place other than at the seller’s fixed location business establishment, including a transaction unsolicited by the consumer and consummated by telephone and without any other contact between the buyer and the seller or its representative prior to delivery of the goods or performance of the services. It does not include a sale, lease, or rental made at any fair or similar commercial exhibit or a sale, lease, or rental that results from a request for specific goods or services by the purchaser or lessee or a sale made by a motor vehicle dealer licensed under s. 320.27 which occurs at a location or facility open to the general public or to a designated group.

Revised February 12, 2013