



CITY OF HURRICANE
147 NORTH 870 WEST
HURRICANE, UTAH 84737
(435) 635-2811

(Attach Photo)

Application for Canvasser or Solicitor
Notice: Please complete each statement below.
Incomplete applications will not be accepted.

Name of Applicant _____ Phone _____

Any aliases or former names used within the last 10 years _____

_____ Phone Number _____

ADDRESS _____ Zip _____

Mailing Address _____ Zip _____

Date of Birth of Applicant _____ Social Security Number _____

Employee ____ or ____ Agent of Corporation. Name of Corporation _____

Address of Corporation _____ Zip _____

Phone Number of Corporation _____ Special Events Sales Tax Number _____

Registration with the Department of Commerce or any other licenses, permits, registrations or other qualifications required by federal or state law _____

Description of the Nature of the business and the goods to be sold. _____

List municipalities in which applicant has engaged in business within a six month period.

City _____ State _____ City _____ State _____

City _____ State _____ City _____ State _____

City _____ State _____ City _____ State _____

.....
License fee of \$180.00 must be returned with this application.
Incomplete applications will not be accepted.
.....

This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual registration certificate will be issued only after a review by various City departments and approval is given by the Business License Officer. Hurricane City shall not be held responsible for delays in processing an incomplete application, or for property improvements and other business expenditures occurring before the applicant receives final approval. To solicit within the City of Hurricane without final approval is a Class "B" misdemeanor and is subject by up to a \$1,000 fine and/or a six month sentence.

It is the responsibility of the licensee to be familiar with the ordinances under which this license is applied for.

PLEASE MAKE CHECK PAYABLE TO THE "CITY OF HURRICANE"
YOUR NEW BUSINESS LICENSE WILL BE MAILED TO YOU AT THE ABOVE BUSINESS ADDRESS
.....

I _____ hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business, and swear under penalty of law that the information contained herein is true, including answers provided in the accompanying questionnaire. I have received from the City and reviewed a statement of disclosures as required by ordinance for the City of Hurricane to provide.

Signature of Applicant _____ Date _____

.....
Permit Number _____ Date _____ Receipt # _____ Amount paid _____

“Disqualifying Status” Questionnaire

1. Has the applicant been criminally convicted of:
Felony homicide ____ Yes ____ No
Physically abusing, sexually abusing, or exploiting a minor ____ Yes ____ No
The sale or distribution of controlled substances ____ Yes ____ No
Sexual assault of any kind ____ Yes ____ No
2. Are any criminal charges currently pending against the applicant for:
Felony homicide ____ Yes ____ No
Physically abusing, sexually abusing, or exploiting a minor ____ Yes ____ No
The sale or distribution of controlled substances ____ Yes ____ No
Sexual assault of any kind ____ Yes ____ No
3. Has the applicant been criminally convicted of a felony within the last ten (10) years:
____ Yes ____ No
4. Has the applicant been incarcerated in a federal or state prison within the past five (5) years:
____ Yes ____ No
5. Has the applicant been criminally convicted of a misdemeanor within the past five (5) years involving a crime of:
Moral turpitude ____ Yes ____ No
Violent or aggravated conduct involving persons or property ____ Yes ____ No
6. Has a final civil judgment been entered against the applicant with the last five (5) years indicating that:
The applicant had either engaged in fraud or intentional misrepresentation ____ Yes ____ No
That a debt of the applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19) ____ Yes ____ No
7. Is the applicant currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device ____ Yes ____ No
8. Does the applicant have an outstanding arrest warrant from any jurisdiction ____ Yes ____ No
9. Is the applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction ____ Yes ____ No

WRITTEN DISCLOSURES

All application forms for a solicitor's license shall be accompanied by the following written disclosures. Applicant must attest that he has received and reviewed these disclosures on the application.

1. The applicant's submission of the application authorizes the City to verify information submitted with the completed application including:
 - a. the applicant's address
 - b. the applicant's and/or responsible person or entity's state tax identification and special use tax numbers, if any
 - c. the validity of the applicant's proof of identity.
2. The City may consult any publically available sources for information on the applicant, including but not limited, to databases for any outstanding warrants, protective orders, or civil judgments.
3. Establishing Proof of Identity is required before Registration is allowed.
4. Fees for obtaining a solicitor's license:
 - a. \$180.00 non-refundable annual license fee
 - b. \$30.00 fee for processing BCI background check if waiver is submitted by applicant
 - c. \$15.00 fee for a replacement ID badge during an annual period.
5. The applicant must submit a BCI background check with a completed application.
6. To the extent permitted by State and /or federal law, the applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection.
7. The City will maintain copies of the applicant's application form, proof of identity, and identification badge. The copies will become public records available for inspection on demand at the City offices whether or not a certificate is denied, granted or renewed.
8. The criteria for disqualifying status, denial, or suspension of a certificate are as follows:
 - a. **DISQUALIFYING STATUS:** Anything specifically defined by ordinance requiring the denial or suspension of a certificate and includes the following:
 - i. The applicant or registered solicitor has been criminally convicted of a felony homicide; physically abusing, or exploiting a minor; the sale or distribution of controlled substances; or sexual assault of any kind.
 - ii. Criminal charges currently pending against the applicant or registered solicitor for felony homicide; physically abusing, sexually abusing, or exploiting a minor; the sale or distribution of controlled substances; or sexual assault of any kind.
 - iii. The applicant or registered solicitor has been criminally convicted of a felony within the last ten (10) years.
 - iv. The applicant or registered solicitor has been incarcerated in a federal or state prison with the past five (5) years.
 - v. The applicant or registered solicitor has been criminally convicted of a misdemeanor within the past five (5) years involving a crime of moral turpitude or violent or aggravated conduct involving persons or property.
 - vi. A final civil judgment been entered against the applicant or registered solicitor within the last five (5) years indicating that the applicant or registered solicitor had either engaged in fraud, or intentional misrepresentation; or that a debt of the applicant or registered solicitor was non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19).
 - vii. The applicant or registered solicitor currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device.
 - viii. The applicant or registered solicitor has an outstanding arrest warrant from any jurisdiction.

- ix. The applicant or registered solicitor is currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.
 - x. The applicant or registered solicitor knocks on the door, rings the doorbell, or in any other manner attempts 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, home solicitation sale, door-to-door soliciting or soliciting.
 - xi. The applicant or registered solicitor through ruse, deception, or fraudulent concealment of a purpose to solicit, takes action calculated to secure an audience with an occupant at a residence.
 - xii. The applicant or registered solicitor refuses to depart immediately and peacefully when asked by an occupant of a residence or dwelling to leave.
 - xiii. The applicant or registered solicitor, without the consent of a person, intentionally or recklessly touches or makes any physical contact with the person, or intentionally or recklessly sprays, spreads, or affixes, or otherwise applies any foreign substance to the property of the person.
 - xiv. The applicant or registered solicitor follows a person into a residence without their explicit consent.
 - xv. The applicant or registered solicitor continues 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.
 - xvi. The applicant or registered solicitor uses obscene language or gestures.
 - xvii. The applicant or registered solicitor solicits at a residence before 9:00 AM or after 9:00 PM Mountain Time.
 - xviii. The applicant or registered solicitor fails to provide to a buyer a notice of “Buyer’s Right to Cancel” or fails to honor the cancellation of an order as provided for by state or federal law.
 - xix. The applicant or registered solicitor intentionally makes materially false or fraudulent statements in the course of soliciting. This includes any representation by the applicant or registered solicitor that the granting of a certificate of registration implies endorsement by the City of the solicitor’s goods or services or of the individual solicitor.
 - xx. The applicant or registered solicitor does not immediately disclose to the consumer during face-to-face solicitation the name of the solicitor; the name and address of the entity with whom the solicitor is associated; the purpose of the solicitor’s contact with the person and/or competent individual.
 - xxi. The applicant or registered solicitor uses a fictitious name, an alias or any name other than his or her true and correct name.
 - xxii. The applicant or registered solicitor fails to wear an identification badge issued by the City prominently on his or her person while soliciting in the City.
- b. **DENIAL:** Upon review, the Licensing Officer shall refuse to issue a Certificate to an applicant for any of the following reasons:
- i. **Denial of Temporary Certificate:**
 - 1. the application for is not complete
 - 2. the applicant fails to:
 - a. establish proof of identity
 - b. provide a BCI
 - c. pay the fees
 - 3. the completed application or BCI indicates that the applicant has a disqualifying status
 - 4. the applicant has previously been denied a certificate by the City, or has had a certificate revoked for grounds that still constitute a disqualifying status under this chapter.

ii. **Denial of Annual Certificate:**

1. the information submitted by the applicant at the time of the granting of the temporary certificate is found to be incomplete or incorrect
2. since the submission of the completed application, the applicant is subject to a previously undisclosed or unknown disqualifying status
3. failure to complete payment of the fees
4. since the submission of the application, the City has received a substantiated report regarding the past or present conduct of the applicant
5. since the submission of the application, the City or other governmental entity has either criminally convicted or obtained a civil injunction against the applicant for violating the solicitor's ordinance (3-6) or similar Federal, State or municipal laws in a manner rising to the level of a disqualifying status
6. Since the submission of the application, a final civil judgment has been entered against the applicant indicating that the applicant had either engaged in fraud, or intentional misrepresentation; or that a debt of the applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19).

iii. **Denial of Annual Certificate Renewal**

1. the information submitted by the applicant when seeking renewal of a certificate is found to be incomplete or incorrect
2. since the submission of the renewal application, the applicant is subject to a previously undisclosed or unknown disqualifying status
3. failure to complete payment of the fees
4. since the submission of the application or granting of a certificate, the City has received a substantiated report regarding the past or present conduct of the applicant
5. the City or other governmental entity has either criminally convicted or obtained a civil injunction against the applicant for violating the solicitor's ordinance (3-6) or similar Federal, State or municipal laws in a manner rising to the level of a disqualifying status
6. Since the submission of the application, a final civil judgment has been entered against the applicant indicating that the applicant had either engaged in fraud, or intentional misrepresentation; or that a debt of the applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19).

c. **SUSPENSION:** The city shall either suspend or revoke a certificate when any of the reasons warranting the denial of a certificate occurs.

9. A request for a temporary certificate will be granted or denied the same business day that a completed application is submitted for applicants whose application includes a current, valid BCI and as soon as reasonably practicable but no later than one (1) business day after a complete application is submitted for applicants whose application includes a waiver as defined in section 3-6-3 (35).