

**PEDDLER/SOLICITOR LICENSE
AUBURN, NEW YORK
Fee: \$20 per day; \$300 per year**

*Completed applications need to be submitted to the City Clerk's Office, first floor, Memorial City Hall,
24 South St., Auburn, NY 13021

Please answer all questions completely. If a question is not pertinent, write N/A in the accompanying space, do not leave any question unanswered. Falsification of any answers in this application shall result in the revocation of the permit, forfeiture of any fees or bond, and potential criminal prosecution. This application is made pursuant to the provisions of Chapter 221 of the City of Auburn Municipal Code.

Applicant Name: _____

Applicant Address: _____
Street City State/Zip Code

Applicant Phone #: _____ **Date of Birth:** _____

Make/Model of Vehicle: _____ **License Plate #:** _____

Color: _____ **Year:** _____ **State of Registration:** _____

Business Name: _____

Business Address: _____
Street City State/Zip Code

Business Phone #: _____ **Business Email:** _____

Type of Business: _____

Name of Supervisor to whom you are responsible (if any):

Name: _____ Title: _____

Address: _____ Phone #: _____

Describe the Nature of your Service/Sales: _____

Type of Permit: ____ Yearly ____ Per day (If per day, what dates: _____)

I certify under penalty of perjury that I have personally answered all the questions contained herein and that the information provided by me is true and complete to the best of my knowledge.

Signature: _____ **Date:** _____

Subscribed and sworn to before me on this _____ day of _____ 20____

Notary Public: _____

Auburn Police Department Verification:

The credentials of the individual listed above have been checked and APPROVED / DISAPPROVED by the Auburn Police Department.

Signature of Approving Member: _____

Date: _____

HOLD HARMLESS AGREEMENT

_____ (Applicant) does hereby covenant and agree to defend, indemnify, and hold harmless the City of Auburn from and against any and all liability, loss, damages, claims, or actions (including costs and attorney fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of (check one):

- Casey Park Facility
- Equal Rights Heritage Center
- Hoopes Park Facility
- Market Street Park Facility
- Showmobile
- Other Facility/Location: _____
- Special Event (Please specify): _____

Property, facilities, and/or services by the City of Auburn and/or the activities, functions, events, affairs, or proceedings of _____ on _____.
(Applicant) (Date of usage)

CITY OF AUBURN

By: _____
(Applicant)

By: _____
(City Manager)

DATE: _____

DATE: _____

Please note, all supporting documentation listed below must accompany this permit application to be received by the City Clerk's Office. Any application that is missing required documentation will NOT be accepted.

Application Supporting Documentation Checklist:

- ___ 1. Copy of valid driver's license or non-driver's ID
- ___ 2. Hold Harmless Agreement signed
- ___ 3. \$20 per day; \$300 per year fee. Check made payable to City of Auburn

PROCEDURE FOR ISSUANCE OF A PEDDLER/SOLICITOR PERMIT

1. Applications for a Peddler/Solicitor Permit are available at the City Clerk's Office. The application must be filled out and returned to the City Clerk's Office along with all required supporting documentation and the appropriate payment. All members of the business who will be participating in authorized solicitations must fill out an application.
2. A copy of the application will then be scanned and emailed to the Auburn Police Department (APD) for reference and further processing.
3. Upon completion of filing of the application, all applicants will then be directed to contact APD Identification Bureau at 315-255-4701 to set up an appointment for a criminal background check via fingerprinting.
 - a. Fingerprinting services are provided at New Beginnings Home Care, 12-14 E. Garden St., Auburn, NY. All applicable fees are paid directly to the fingerprinting service IdentiGo. (As of 4/10/18, the cost is \$87)
4. After review of the criminal background is completed and approval granted by the Office of the Chief of Police, the applicant(s) will be notified by APD to schedule an appointment to obtain their solicitor's badge, which must be displayed at all times while soliciting within the City of Auburn.
 - a. The fee for this badge is \$30 each and is made payable to the Auburn Police Department. Any questions regarding this can be answered by Lawrence Church at 315-255-4701.
5. Any applicant who has been refused a permit by the City of Auburn may appeal to the City Council therefor, and the same may be granted or refused by the City Council.

PEDDLER/SOLICITOR REGULATIONS

(Pursuant to Chapter 221 of the City of Auburn Municipal Code)

1. It shall be unlawful for any person to enter upon private property for the purpose of peddling or soliciting before the hour of 9am of any day or after the hour of 7 pm of any day except upon the invitation of the householder or occupant.
2. It shall be unlawful for any peddler or solicitor in plying his or her trade to ring the bell or knock upon or enter any building whereon there is painted or otherwise affixed or displayed to public view any sign containing any or all of the following words: "No Peddlers," "No Solicitors," "No Agents," or other wording, the purpose of which purports to prohibit peddling or soliciting on the premises.
3. No peddler or solicitor shall peddle, vend, or sell his or her goods or wares within 200 feet of any place occupied exclusively as a public or private school or for school purposes, nor shall he or she permit his or her cart, wagon or vehicle to stand on any public highway within said distance of such school property.
4. No peddler or solicitor shall falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale. No person shall by any trick or device or by any false representation obtain or attempt to obtain admission to the house or garage of any person or corporation in the City.
5. No peddler or solicitor shall blow a horn, ring a bell or use any other noisy device to attract public attention to his or her wares, or shout or cry out his or her wares.
6. It shall be unlawful to create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.
7. No peddler or solicitor shall represent or state or otherwise indicate that he or she is not intending to sell or otherwise enter into a contract with any person in the household.
8. Entry on private residential premises.
 - a. Notwithstanding any other provision in this chapter, no person shall enter upon any private residential property in the City of Auburn for the purpose of vending, peddling or soliciting an order for any merchandise, device, work, services, book, periodical or printed matter whatsoever; nor for the purpose of soliciting alms or a subscription or a contribution to any church, charitable or public institution; nor for the purpose of distributing in person any handbill, pamphlet, tract, notice or advertising material; nor for the purpose of selling or distributing any ticket or chance whatsoever without the consent of the occupant of said premises previously given.
 - b. Exception. This Subsection **8** shall not apply to organizations the principal beneficiaries of which are minors, volunteer fire departments, and the solicitation of members of an organization, society or church by its own members.
9. Any contract or sale made in violation of Subsection **6**, **7** or **8** shall be null and void and of no effect as to the person solicited, and the merchandise delivered shall be forfeited and any sums paid by the person so solicited shall become immediately due and payable jointly and severally by the peddler or solicitor and his or her principal.