



**Town of Ponce Inlet**  
 Planning & Development Dept.  
 4300 S. Atlantic Avenue  
 Ponce Inlet, FL 32127  
 386-236-2181 (voice)  
 386-322-6717 (fax)

**APPLICATION FOR PERMIT FOR SOLICITORS,  
 PEDDLERS, CANVASSERS TRANSIENT AND  
 ITINERANT MERCHANTS**  
**Pursuant to Chapter 50, Article II, Division 2 of the  
 Code of Ordinances**

Submittal Receipt # and Date: \_\_\_\_\_

Application #: \_\_\_\_\_

FEE PAID: \_\_\_\_\_

Authority to approve a permit for Solicitors, Peddlers, Canvassers and Itinerant Merchants is given to the Town Manager pursuant to Chapter 50, Article II, Section 50-53 of the Code of Ordinances. The Town Manager or designee shall forward the application to the Police Chief for further investigation consistent with Article II, Division 2.

Please Note: Failure to *fully complete* all the applicable items will result in the application being deemed incomplete and no further action will be taken.

**SECTION 1: PROPERTY INFORMATION**

Property Address	
Tax Parcel Number(s)	
Legal Description	

**SECTION 2: PROPERTY OWNER INFORMATION**

Owner's Name		Mailing Address	
Phone		Fax	
Email			

Proof of Ownership provided: \_\_\_\_\_

**SECTION 3: APPLICANT/AGENT INFORMATION (if not property owner)**

Applicant Name		Mailing Address	
Phone		Fax	
Agent Name/Title		Mailing Address	
Phone		Fax	

**SECTION 4: APPLICATION PROCEDURE**

Pursuant to Section 50-52(a), "Applicants for permits under this chapter shall file with the town manager or designee a sworn application in writing on a form furnished by the town manager or designee, giving the following information:

- (1) The name of the applicant.
- (2) The permanent home address and full local address of the applicant.
- (3) A brief description of the nature of the business and the activity to be conducted or the services and/or goods to be sold.
- (4) The location or area in which the applicant will conduct the business or activity for which the permit is sought. Transient merchants shall not be allowed to conduct business in any residential district.
- (5) The name and address of the employer, if employed, together with credentials establishing the employment.
- (6) The length of time for which the right to do business is desired, including beginning and termination dates.

## SECTION 4: APPLICATION PROCEDURE (continued)

- (7) A government issued photo I.D.
- (8) The applicant's date of birth.
- (9) A statement of any convictions, nolo contendere pleas, or forfeitures for violating any local, state or federal law, excluding traffic fines of \$50.00 or less, the nature of the offense, city and state where offense occurred, the date of the offense and the penalty imposed.
- (10) Numbers of valid business tax receipts and, where applicable, solicitors, peddlers, canvassers, or transient merchant permits issued by the town and county pursuant to ordinances and Florida law, and name to which such business tax receipts and permits are issued.
- (11) Description and license number of vehicle to be used in solicitation, peddling, or canvassing.
- (12) Whether a transient merchant permit will be associated with a special event in the town for which a permit is required.”

*A narrative addressing all of the above required information and copies of all valid business tax receipts shall be attached to this application form.*

Pursuant to Section 50-52 (b), “At the time of filing the application, a permit fee, as presently established or as hereafter adopted by resolution of the council, shall be paid to the town manager or designee to cover the cost of investigation of the facts stated in the application and the cost of enforcement of this chapter.”

*The current processing fee and background check fee shall be paid at the time of application submission.*

Pursuant to Section 50-52 (c), “If an applicant for a permit under this chapter intends to conduct business in the town at a scheduled time, (s)he shall file such application no sooner than 30 days prior to such scheduled time to ensure the application can be timely processed.”

## SECTION 5: PROCESSING PERMIT APPLICATIONS

Pursuant to Section 50-53, “Upon receipt of an application, the town manager or designee shall verify that the application is complete and shall verify the consistency of the application with the provisions of this chapter. If the application is found to be incomplete or inconsistent with this chapter, the town manager or designee shall notify the applicant that the application cannot be approved and that no permit can be issued. The reasons for the disapproval shall be noted on the application. If the application is complete and its contents are consistent with this chapter, the town manager or designee shall forward the application to the police chief for further investigation consistent with this chapter.”

## SECTION 6: INVESTIGATION and ISSUANCE or DENIAL OF PERMIT

Pursuant to Section 50-54:

“(a) Upon receipt of the application for a permit under this chapter, and after reviewing the application consistent with section 50-53 above, the original shall be referred to the chief of police, who shall cause a criminal background investigation of the applicant to be made. The results of said background investigation shall be maintained by the town for informational purposes; however, in no event shall a permit under this chapter be issued if the applicant has been convicted of, or entered a nolo contendere plea for, a felony, misdemeanor, or ordinance violation involving fraud, deceit, misrepresentation, a sex offense, trafficking controlled substances, or any acts against persons or property, which conviction was entered within the ten years preceding the date of application.

(b) In addition, the chief of police shall determine:

- (1) If the information contained in the application is true and accurate;
- (2) That the nature of the activity or the services or goods to be sold would not negatively affect public health or safety;
- (3) If applicable, the applicant has obtained a county home solicitation sales permit required by state law pursuant to F.S., Chapter 501.

(c) If the chief of police determines that any information contained in the application is false or fraudulent, that the nature of the activity or the services or goods to be sold would negatively affect public health or safety, or that where applicable, the applicant has failed to obtain a county home solicitation sales permit as required by law, (s)he shall endorse on such application his or her disapproval and the reasons for disapproval, and return the application to the town manager or designee, who shall notify the applicant in writing that the application is disapproved, and that no permit will be issued and state the reasons therefore.

*Continued on next page*

## **SECTION 6: INVESTIGATION and ISSUANCE or DENIAL OF PERMIT**

(d) If the chief of police determines that the information contained in the application is true and accurate, that the nature of the activity or the services or goods to be sold will not negatively affect public health and safety, and that, where applicable, the applicant has obtained a county home solicitation sales permit as required by law, (s)he shall endorse on the application his or her approval and return the application to the town manager or designee, who shall, deliver to the applicant the permit.

(e) The permit shall contain the signature of the town manager or designee, the seal of the town, the effective date of the permit, the name of the sponsoring organization of business, the name and address of the permittee the type of goods to be sold thereunder, the length of time the permit shall be operative, whether the transient merchant, if applicable, is associated with any special event, and any other identifying description to be used in such soliciting, peddling, and canvassing, or selling as a transient merchant. The town clerk manager or designee shall keep a permanent record of all permits issued.

(f) In determining whether an activity or the services or goods to be sold would negatively affect public health and safety, the chief of police shall consider the policies and regulations promulgated by the Town of Ponce Inlet, the State of Florida and by the United States government, and may condition his or her approval upon any conditions (s)he deems necessary to protect the public health or safety; violation of any condition imposed by the chief of police shall be deemed a violation of this chapter. Nothing contained in this chapter shall limit the police department's powers to prohibit activities which are unlawful or which negatively affect public health and safety."

## **SECTION 7: PERMITTED HOURS OF SOLICITING, PEDDLING OR CANVASSING**

Pursuant to Section 50-55, "Persons issued solicitors, peddlers, or canvassing permits, and other persons whose speech is fully protected under the state and federal constitutions or who are not otherwise required to obtain a permit under subsection 50-51(e) herein shall be allowed to solicit from the citizens of the town between the hours of 9:00 a.m. and 7:00 p.m., Monday through Saturday."

## **SECTION 8: UNLAWFUL ACTIVITIES BY SOLICITORS, PEDDLERS, CANVASSERS AND TRANSIENT MERCHANTS**

Pursuant to Section 50-56:

"(a) It is unlawful for any individual solicitor, peddler, or canvasser, including individuals whose speech is protected by the federal and state constitutions, to:

- (1) Enter the premises of a private residence when a "no solicitors" sign is posted;
- (2) Remain upon any residential premises after the owner/occupant requests that the solicitor depart;
- (3) Approach back or rear doors of the sides or rear of residential premises;
- (4) Intentionally make any physical contact with or touch the person solicited without that person's consent;
- (5) Block the free passage of the person being solicited;
- (6) Intentionally approach in such a manner intended to or likely to cause a reasonable person to be intimidated into responding affirmatively to the solicitation, or use obscene or abusive languages or gestures;
- (7) Fail to inform the person being solicited the true identity of the organization the solicitor represents and, if requested by the person being solicited, fail to produce identification for the organization which the solicitor/peddler represents, including, if applicable, a town permit.

(b) It is unlawful for any transient merchant to conduct any business activity in a residential district."

## **SECTION 9: EXPIRATION, RENEWAL, AND TRANSFER OF PERMIT**

Pursuant to Section 50-57:

"(a) All permits issued for transient merchants shall expire on the expiration date stated on the permit, or ten days from the effective date of the permit if no expiration date is stated on the permit. In no event shall a permit be issued for more than ten days. No more than four renewals shall be permitted within a single calendar year.

(b) All permits issued for solicitors, peddlers, or canvassers shall expire on the expiration date stated on the permit, or 30 days from the effective date of the permit if no expiration date is stated on the permit. In no event shall a permit be issued for more than 30 days. No more than four renewals shall be permitted within a single calendar year.

(c) A valid permit issued under this chapter determined by the town to be lost, stolen, or destroyed may be reissued by the permittee filing a notarized affidavit that the permit has been lost, stolen, or destroyed and paying a fee for the reissuance of a permit.

(d) No permit issued under the provisions of this chapter shall be transferable."

**SECTION 10: REVOCATION OF PERMIT**

Pursuant to Section 50-58, "Permits issued under the provisions of this division may be revoked by the town manager or his or her designee for just cause for violation of any terms of this article."

**SECTION 11: APPEALS**

Pursuant to Section 50-59, "Any person who shall be dissatisfied with any ruling of the chief of police or the town manager or designee under this chapter may file a written appeal to town council, together with any appeal fee as set by resolution of council, within 30 days of such ruling. The town manager or designee shall fix a time and place for hearing the appeal at the next regularly scheduled council meeting or special council meeting and shall provide a written notice by U.S. mail upon the appellant at the address provided by appellant, informing him/her thereof. If a special council meeting is requested, the appellant shall be required to pay costs associated with such meeting as set by resolution. Upon hearing, the action of the town council shall be final and further appeal by the applicant shall be as provided by state law. All decisions of the town council shall be reduced to writing, and a copy provided to the applicant without charge. Any such decision by the town council shall state precisely the facts and reasoning upon which their decision is based."

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

\_\_\_\_\_  
Signature of Applicant or Agent

\_\_\_\_\_  
Date

STATE OF FLORIDA  
COUNTY OF VOLUSIA

Affirmed and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_,  
who is personally known to me or who has produced \_\_\_\_\_ (type of ID) as identification.

\_\_\_\_\_  
Notary Public

My commission expires: