

Tommy Allegood, Mayor
Board of Aldermen:
Albert L. Price
Gene Pugliese
Tim Houston
Tim Richardson
Brett North



James Albright, City Manager
Douglas R. Haynie, City Attorney
Regina R. Russell, City Clerk

4415 Center Street
Acworth, Georgia 30101
(678) 801-4024

www.acworth.org

City of Acworth Peddler/Solicitor Permit Application

Application Instructions:

1. Fill out the application completely. Incomplete applications will not be accepted.
2. Attached proof of employment with company or proof of non-profit or 501(c) status.
3. A copy of your State issued identification is required with application.
4. ALL fees are collected at City Hall: Solicitation Fee: \$36.75, Fingerprinting \$25, and Background Checks on returning solicitors \$15. (Check or cash only)
5. Permits are good for 30 days from the date of application.

Please note that addresses which contain “Acworth, GA” are not necessarily in the CITY LIMITS of Acworth. Addresses with “Acworth, GA” may be in unincorporated Cobb County, Cherokee County, Bartow County or Paulding County.

A Solicitors Permit issued by the City of Acworth is ONLY effective for homes in the city limits. Each unincorporated district requires its own solicitor permit.

An Acworth City Limits map can be found on our website at acworth.org or a paper copy is available at the City Clerk’s office at City Hall, 4415 Center Street, Acworth.

****A permit issued by the City of Acworth does not give the permitted person the authority to solicit on a property where a “No Soliciting” is sign posted. This includes subdivisions with a posted “No Soliciting” sign at the front entrance. ****

Date Printed Name of Solicitor

Signature of Solicitor

Date Notary





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4415 Center Street, Acworth, GA 30101
678-801-4024
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Solicitation App Fee \$36.75
Fingerprinting \$25
Background \$15

Solicitor and Peddler Permits are valid for 30 days from date of application

CHARITABLE SOLICITATIONS AND PEDDLERS PERMIT APPLICATION

Cash or
Check
Only

Business Name _____

Business Address _____

City/ State/ Zip _____ Phone _____

Fax No. _____ Email Address _____

Name of Applicant _____

Home Address _____

Phone _____ SSN# _____

Make, Year, and Model of Vehicle _____

Driver's License No. _____ Issuing State _____

Please check one of the following:

() Charitable Organization () Business Solicitor () Door-to-Door Solicitor () Fundraising Council

Nature of goods, wares, merchandise, services, or other things of value:

Proof of association with business or Charitable Organization (required):

Proof of tax exempt status: _____

List all persons assisting in the soliciting, or calling from house to house in the City of Acworth. (The number of solicitors, canvassers or callers from house to house in the city for any single firm, corporation or organization shall not exceed 25 at any one time.)

1. _____ 5. _____

2. _____ 6. _____

3. _____ 7. _____

4. _____ 8. _____



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- 9. _____ 18. _____
- 10. _____ 19. _____
- 11. _____ 20. _____
- 12. _____ 21. _____
- 13. _____ 22. _____
- 14. _____ 23. _____
- 15. _____ 24. _____
- 16. _____ 25. _____
- 17. _____

Attach a separate sheet if more space is needed to provide additional information. Identity cards issued by the Acworth Police Department must be worn at all times while soliciting. The hours for soliciting are 9:00 a.m. to 8:00 p.m., Monday through Saturday, and 1:00 p.m. to 6:00 p.m. on Sunday. Permits expire after thirty (30) days from issuance.

Dates and Locations of Solicitation:

Solicitor and Peddler Permits are valid for 30 days from date of application

I understand that the permit is a privilege and it may be revoked at any time. I am also aware that soliciting or canvassing outside the allowed hours can result in revocation of this permit and/ or a citation. In addition, I understand that my business must conform to all rules and regulations of the City of Acworth Code of Ordinances and that I must produce a copy of this permit and/or the identity card upon request.

Print Name of Applicant:

Date:

Applicant Signature:



Affidavit Verifying Status for City Public Benefit Application

By executing this affidavit under oath, as an applicant for a City of Acworth, Georgia, Business License or Occupation Tax Certificate, Alcohol License Taxi Permit or other public benefit as referenced in O.C.G.A. § 50-36-1, I am stating the following with respect to my application for a City of Acworth, (**check one of the following**):

- | | |
|--|---|
| <input type="checkbox"/> Business License or Georgia Occupational Tax Certificate | Miscellaneous Licenses (check one below): |
| <input type="checkbox"/> Alcohol Beverage License | <input type="checkbox"/> Auctioneers |
| <input type="checkbox"/> Taxicab License | <input type="checkbox"/> Pawn Brokers |
| <input type="checkbox"/> Insurance Company License | <input type="checkbox"/> Massage Therapists |
| <input type="checkbox"/> Employee Benefits (Retirement, Health, Disability) | <input type="checkbox"/> Billiard Rooms Operations |
| <input type="checkbox"/> Contracts (Please specify type) _____ | <input type="checkbox"/> Precious Metals and Gems Dealers |
| <input type="checkbox"/> Other public benefit (<i>indicate, if not listed above</i>) _____ | <input type="checkbox"/> Flea Markets |

Name of Business _____

Check only one:

- 1) I am a United States citizen.
- 2) I am a legal permanent resident of the United States.
- 3) I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

_____.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed this ____ day of _____, 20__ in _____ (city), _____ (state).

**SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 20__**

Signature of Applicant

Notary Public _____

Printed Name of Applicant

My Commission Expires: _____

*Note: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of "alien," legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below:



Acworth Police Department Consent Form



I hereby authorize the Acworth Police Department to receive any criminal history record information pertaining to me, which may be in the files of any state or local criminal justice agency.

Full Name (print)

Maiden Name / Previous Name / Alias

Street Address

City

State

Zip Code

Date of Birth

Social Security Number

- Race: A – Asian, Asian Indians, & Other Non-Whites
 I – American Indian or Alaskan Native
 B – Black
 W – White (Includes Mexicans & Latins)
 U – Unknown / Other

- Sex: Male
 Female

Signature

Date

Signed and sealed on the _____ day of _____, _____

Notary

Seal

Official Use Only

Special employment provisions (check if applicable):

- Employment with mentally disabled (Purpose code 'M')
 Employment with elder care (Purpose code 'N')
 Employment with children (Purpose code 'W')

GCIC Operator Signature

Date

- Record Attached
 FBI Number Checked
 State ID Number Checked

No Record

NON-CRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant that is the subject of a Georgia only or a Georgia and Federal Bureau of Investigation (FBI) national fingerprint/biometric-based criminal history record check for a non-criminal justice purpose (such as an application for a job or license, immigration or naturalization, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints/biometrics will be used to check the criminal history records maintained by the Georgia Crime Information Center (GCIC) and the FBI, when a federal record check is so authorized.
- If your fingerprints/biometrics are used to conduct a FBI national criminal history check, you are provided a copy of the Privacy Act Statement that would normally appear on the FBI fingerprint card.
- If you have a criminal history record, the agency making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The agency must advise you of the procedures for changing, correcting, or updating your criminal history record as set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a Georgia or FBI criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the agency denies you the job, license or other benefit based on information in the criminal history record.
- In the event an adverse employment or licensing decision is made, you must be informed of all information pertinent to that decision to include the contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision shall be a misdemeanor [O.C.G.A. § 35-3-34(b) and §35-3-35(b)].

You have the right to expect the agency receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of state and/or federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If the employment/licensing agency policy permits, the agency may provide you with a copy of your Georgia or FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, information regarding how to obtain a copy of your Georgia, FBI or other state criminal history may be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).

If you decide to challenge the accuracy or completeness of your Georgia or FBI criminal history record, you should send your challenge to the agency that contributed the questioned information. Alternatively, you may send your challenge directly to GCIC provided the disputed arrest occurred in Georgia. Instructions to dispute the accuracy of your criminal history can be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).

PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

APPLICANT SIGNATURE

DATE

NOTARY SIGNATURE

DATE

SEAL

Sec. 22-31. - Permit.

- (a) *Required.* Any person desiring to solicit or canvass upon the public streets, areas or parks, or call from house to house in the city for the purpose of raising funds or seeking donations for any religious, charitable or eleemosynary organization shall register with, and obtain a written permit from, the city business license department.
- (b) *Application.* Any person desiring a permit to solicit or canvass upon the public streets, areas or parks, or call from house to house in the city shall file, on a form to be supplied by the city business license department, an application stating the following:
 - (1) Name of the applicant.
 - (2) Permanent home address of the applicant.
 - (3) Social security number of the applicant.
 - (4) Name and address of the employer, firm, corporation or organization represented by the applicant.
 - (5) Names and addresses of all persons assisting in the soliciting, canvassing or calling from house to house in the city.
 - (6) The nature of any merchandise, wares, goods or any similar items to be sold, offered for sale or given away in conjunction with the soliciting, canvassing or calling from house to house in the city.
- (c) *Proof of tax-exempt status.* When the applicant for a charitable solicitations permit registers with the city business license department, proof of tax-exempt status shall be required. No organization shall be considered a nonprofit organization within the meaning of this subsection except a tax-exempt organization within the meaning of the Internal Revenue Code or the state income tax law as such code, as amended.
- (d) *Issuance; identity cards.* Upon proper registration with the city business license department, a written permit for charitable solicitations shall be issued, which shall be valid for a period of 30 days from the date of issuance. In addition, identity cards shall be issued which must be carried by all persons while engaged in soliciting or canvassing upon the public streets, areas or parks, or calling from house to house in the city.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-32. - Regulations.

Soliciting or canvassing upon the public streets, areas or parks, or calling from house to house in the city shall be subject to the following regulations:

- (1) All soliciting or canvassing upon the public streets, areas or parks, or calling from house to house in the city shall only occur between the hours of 9:00 a.m. and 8:00 p.m., Monday—Saturday, and 1:00 p.m. and 6:00 p.m. on Sunday.
- (2) The number of solicitors, canvassers or ⁷callers from house to house in the city for any single firm,

corporation or organization shall not exceed 25 at any one time.

- (3) Immediately prior to any solicitation of funds within the city, each solicitor, canvasser or caller from house to house shall present his identity card, issued by the city business license department, to each solicited person.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-33. - Prohibited acts.

It shall be unlawful for any solicitor, canvasser or caller from house to house within the city to do any of the following:

- (1) Falsely represent, directly or by implication, that funds are being solicited on behalf of any person other than the person registered with the city business license department.
- (2) Without the express prior permission of an occupant or property owner, to solicit at any residence, address, apartment complex or shopping mall where there is posted a sign forbidding any solicitation, other than areas open to public parking.
- (3) To remain on any private premises after being asked to leave the premises, or continued solicitation after being refused upon the public streets, areas or parks, and such action shall constitute trespass or harassment, respectively.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-34. - Annual events.

Any nonprofit organization conducting annual fundraising or sales within the city shall not be required to obtain identity cards from the city business license department, nor shall the number of such solicitors, canvassers or callers from house to house be restricted, provided, such annual fundraising or sales do not exceed seven days per year; however, such nonprofit organizations must comply with all other provisions of this article.

(Ord. No. 2013-29, § 1, 10-17-2013)

Secs. 22-35—22-70. - Reserved.

ARTICLE VII. - PEDDLERS

Sec. 22-111. - Upon premises uninvited.

The practice by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise of being in and upon private residences in the city without having been requested or invited to do so by the owners or occupants of such private residences, and contrary to a notice having substantially the following wording: "Solicitors, peddlers, salesmen prohibited," as displayed or posted upon, at or near the entrance to or upon the grounds of such private

residences, for the purpose of soliciting orders for the sale of goods, wares and merchandise, and/or for the purpose of disposing of and/or peddling or hawking, is declared to be a nuisance. The chief of police and the city police department are required and directed to suppress and abate any such nuisance as is described in this section.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-112. - Registration required.

It shall be unlawful for any person to engage in business as a canvasser or solicitor, calling at residences within the city for the purpose of soliciting orders, sales, subscriptions or business of any kind, without first having registered in the office of the city clerk. The registrant shall give his complete identification, signature, address, the name and address of his employer, the nature of the products or services in which he deals, the names and addresses of the manufacturers of such products or the organization which he represents, and the proposed method of operation in the city.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-113. - Purpose of registration.

The registration requirement set forth in section 22-112 in no way grants the right or a license to conduct the business of a peddler within the city. The act of registering is to indicate to the city that such registrants intend to solicit or canvass from door to door subject to, under the provisions of and in strict accordance with section 22-111.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-114. - Fee.

Each registrant under this article shall pay to the city a registration fee fixed by the board of aldermen and as set forth in the schedule of fees and charges on file in the office of the city clerk, for the period expiring 30 days after the date of registration as set forth in section 22-112.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-115. - Revocation.

Any registration under this article may be temporarily suspended by the mayor or chief of police because of any violation by the registrant of this article, any other city ordinance or any state or federal law, or whenever the registrant shall cease to possess the qualifications and character required in this article for the original registration, and thereafter, the registration shall be revoked permanently or be reinstated by the board of aldermen after a hearing, with due notice to the registrant to appear for the hearing.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-116. - Farmers; veterans.

(a) It shall be unlawful for any person to sell, or offer to sell, any fruits, produce or vegetables from trucks,

tents or other similar temporary buildings or locations within the city, except as provided in this section.

- (b) Farmers or persons growing their own fruits, vegetables or produce within the state may sell, or offer to sell, any such produce, fruits or vegetables which they may grow, from trucks, at locations approved by the board of aldermen as farmers' markets. Certified disabled veterans may be issued permits to sell produce, fruits or vegetables, whether purchased for resale or otherwise, at locations approved as farmers' markets as set forth in this subsection.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-117. - Hours of canvassing, soliciting or peddling.

It shall be unlawful for any person to engage in the peddling of merchandise, canvassing or soliciting in person at any private residence within the city between the hours of 8:00 p.m. and 9:00 a.m., Monday—Saturday, and on Sunday between the hours of 12:00 midnight and 12:59 p.m., and 6:01 p.m. and 11:59 p.m.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-118. - Fingerprints and photographing of license applicants; identification card.

Applicants for business licenses for canvassing, soliciting or peddling shall be fingerprinted and photographed by the police department. The fingerprints shall remain on file with the city business license department, and the applicant shall be given an identification card with his name, address, the name of any business he is representing and its address, and his photograph, which shall be carried on the person of such applicant whenever he is engaging in such business within the city. Such identification card shall be displayed to any prospective customer, upon request. Applicants shall pay the city a fee, as set forth in the schedule of fees and charges on file in the office of the city clerk, for such fingerprinting, photographing and identification card. Such identification card shall be effective for 30 days from the date of application.

(Ord. No. 2013-29, § 1, 10-17-2013)

Sec. 22-119. - Applicability.

Sections 22-117 and 22-118 shall apply only to those persons who are required to obtain a business license as set forth in chapter 23, article III of this Code.

(Ord. No. 2013-29, § 1, 10-17-2013)

Secs. 22-120—22-150. - Reserved.