

Solicitor Permit Application

The City of Dunwoody has established the following application to allow for registration of persons, firms, or corporations to engage in the business of soliciting or calling on residences door-to-door in accordance with the City of Dunwoody Ordinance Chapter 10, Business Occupation Tax, Licenses and Regulation as it pertains to door-to-door salesman.

By way of example, soliciting includes activities including seeking to: obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description; seeking to obtain prospective customers for application or purchase of insurance or publication of any type; and seeking to obtain subscriptions to books, magazines, periodicals, newspapers, and other types of publications.

This excludes solicitation for charitable, political, or other nonprofit purposes provided that all sales proceeds are the property of and used by the nonprofit organization. This also excludes officers or employees of the city, county, state, or federal governments, or any subdivision thereof, when on official business.

Solicitor Permits are issued to individual applicants and each person shall at all times while soliciting in the City of Dunwoody carry upon his or her person the permit so issued to be exhibited by such solicitor whenever he or she is requested to do so by any police officer or person solicited. The permit will not be valid for more than three (3) months and the permit shall state the expiration date thereof. Upon expiration of the maximum three-month period, the permit holder may receive a renewal for an additional three-month period without any additional fees and without having to comply with Section 10-90 below, so long as no more than one (1) complaint has been submitted to the City concerning the permit holder.

Individuals applying for the permit shall make themselves available for photographing, fingerprinting, and such other investigation as may be required by the police department. As part of the application process, the Chief of Police or his designee shall have a complete and extensive search made to determine if there is a police record of such person. If there is a record of conduct prohibited by the City of Dunwoody's Ordinance Chapter 10, Business Occupation tax, Licenses and Regulation or evidence that granting a Solicitor's Permit would adversely affect the public health, safety, or welfare, issuance of a permit shall be denied.

The fee for a Solicitor Permit is made up of two (2) components: a background check by the City of Dunwoody Police Department for \$50.00 and the permit fee of \$60 totaling \$110.00.

Please submit the following Solicitor Permit Application and all required supplemental materials (detailed in the following checklist) to the Finance and Administration Department, located at 4800 Ashford Dunwoody RD, Dunwoody, GA 30338. If you have questions, please do not hesitate to contact the Finance and Administration Department at (678) 382-6705.

Checklist

****Your application packet MUST INCLUDE a Comprehensive Plan detailing the specific days and times for each Dunwoody route. Failure to include a Comprehensive Plan of your routes will delay your permit. NO EXCEPTIONS****

Application Requirements:

- Applicant Information
- Contact Information
- Vehicle Information
- Recent Communities Solicited
- Arrest and Conviction Information
- Places of Residences – past three (3) years
- Places of Employment – past three (3) years
- Signed & Notarized Affidavit from Applicant
- SAVE Affidavit Form
- E-Verify Affidavit Form (for the company)
- Solicitor Permit Acknowledgement Form
- Signed Authorization for Criminal Background Check
- Background Check by the City of Dunwoody Police Department (Tuesdays & Thursdays: 9:30am-10:30am or 1:00pm-2:00pm)
- Photographing/Fingerprinting by the City of Dunwoody Police Department (Tuesdays & Thursdays: 9:30am-10:30am or 1:00pm-2:00pm)

Application Required Attachments:

- Copy of current driver's license
- Description of subject matter to be solicited
- Names of magazines, books, or journals to be solicited
- Proposed route
- Description of proposed method of operation

Solicitor Permit Fees:

- Background Check \$50.00
- Permit Fee \$60.00

Solicitor Permit Application

Applicant Information	Date of Application:		
	Latest Previous Application:		
	NAME Last:	NAME First:	NAME Middle:
	Aliases / Stage Names:		Social Security Number - -
	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Height:	Weight:
	Race:	Hair Color:	Eye Color:
	Date of Birth:	BIRTHPLACE City:	BIRTHPLACE State:
	Vehicle Information/Required Attachments/Arrest Information	Driver's License Number:	
Home Phone:		Cell Phone:	
Number of vehicles* intended to be operated by Applicant during solicitation:			
Make:		Model:	Color:
License plate number:			
<i>*If more than one (1) vehicle will be used during solicitation please attach a description of other vehicles including make, model, color, and license plate number.</i>			
Names of three (3) most recent communities where applicant has solicited house-to-house:			
1.		2.	3.
Required Description of subject matter of the soliciting – attached? (yes/no)			
<i>Please attach a description, sufficient for identification, of subject matter of the soliciting in which you will engage.</i>			
Required names of magazines, books, or journals to be sold – attached? (yes/no)			
<i>Please attach a list of names of magazines, books, or journals proposed to be sold.</i>			
Required proposed route – attached? (yes/no)			
<i>Please attach the proposed route, including streets to be included on each day, which you intend to follow.</i>			
Required description of proposed method of operation – attached? (yes/no)			
<i>Please attach a description of proposed method of operation.</i>			
Have you been arrested and/or convicted for a felony within the past five (5) years? (yes/no)			
<i>Please note that any applicant with felony convictions or open charges within the past five (5) years will be denied.</i>			
Have you been arrested and/or convicted for moral turpitude within the past five (5) years? (yes/no)			
<i>Please note that any applicant with moral turpitude convictions within the past five (5) years will be denied.</i>			

Solicitor Permit Application Residence & Employment Information

Places of Residence	Places of Residence		
	<i>Starting with your current residence, please list your places of residence and length of residence at such address for the past three (3) years. If more space is needed please attach a listing of places of residences including street address, city, state, zip, and length of time at that residence.</i>		
	1. Current Residence Street Address:		
	City:	State:	Zip:
	Length of time at current residence:		
	2. Previous Residence Street Address:		
	City:	State:	Zip:
	Length of time at residence:		
	3. Previous Residence Street Address:		
	City:	State:	Zip:
Employment Information	Length of time at residence:		
	Places of Employment		
	<i>Starting with your current employer, please list your place of employment and length of employment at such person, firm, or corporation for the past three (3) years. If more space is needed please attach a listing of places of employment including employer, job title, supervisor, street address, phone number and length of time with that employer.</i>		
	1. Current Employer:		
	Job Title:	Supervisor:	Phone:
	Street Address:		
	Length of time with employer:		
	2. Previous Employer:		
	Job Title:	Supervisor:	Phone:
	Street Address:		
Length of time with employer:			
3. Previous Employer:			
Job Title:	Supervisor:	Phone:	
Street Address:			
Length of time with employer:			

Solicitor Permit Applicant's Affidavit and Signature

Applicant: _____

Job Title: _____

I hereby agree that as a condition to the issuance of a Solicitor's Permit, the Applicant shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the permit.

I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Solicitor's Permit, are true, and no false or fraudulent statement or answer is made herein to procure the granting of such permit.

I hereby state and understand that any conviction for violation of the provisions of the City of Dunwoody's Chapter 10 Business Occupation Tax, Licenses and Regulation shall result in the automatic suspension of the Solicitor's Permit. Furthermore, the City Manager may revoke said Solicitor's Permit and demand its return if the Applicant becomes disqualified for the issuance of a permit.

I hereby understand that it shall be unlawful for an Applicant whose Solicitor's Permit has been revoked and upon whom demand for return of the permit has been made to refuse to return the permit.

I hereby understand that it is unlawful to solicit on any property where NO SOLICITING is posted in plain view.

Applicant's Signature: _____

Sworn and Attested before me on this _____ day of _____, 20_____.

Notary Signature/Seal: _____

Staff Use Only	
Permit #:	Permit Fees:
Approved/Denied By:	Expiration Date:
Approval Date:	Denied Date:



O.C.G.A. § 50-36-1(e)(2) Affidavit Verifying Status for City Public Benefit

****This form is required for ALL LICENSES/PERMITS by State Law****

By executing this affidavit under oath, as an applicant for a solicitor permit, as referenced in O.C.G.A. § 50-36-1, from the City of Dunwoody, Georgia, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) _____ I am a United States citizen
(Must include copy of either current State Driver’s License, Passport, or Military ID)
- 2) _____ I am a legal permanent resident of the United States**
(Must include a copy of your current State Driver’s License and either a copy of your Permanent Resident Card or Employment Authorization Card)
- 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.**
(Must include a copy of your current State Driver’s License and either a copy of your Permanent Resident Card or Employment Authorization Card)

**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 in _____ (city), _____ (state).

Signature of Applicant

Date

Printed Name of Applicant

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

My Commission Expires: _____

NOTARY PUBLIC/SEAL

Background Check Consent Form

*****PLEASE NOTE: Background Checks are only performed between the hours of 9:30AM-10:30AM and 1PM-2PM on Tuesdays and Thursdays by APPOINTMENT ONLY.**

I authorize the **Dunwoody Police Department** to receive any background record information pertaining to me, which may be in the files of any federal, state, and/or city criminal justice agency in Georgia. I also acknowledge that I received a copy of my privacy rights in accordance to both Federal and State regulations.

Print Full Name: _____

Maiden Name/Previous Name/Alias Info: _____

Date: _____ Telephone Number: _____

Driver's License No: _____ DL State: _____

Are you a U.S. Citizen? Yes _____ No _____

If no, you will need to have your Green Card available. Country of Birth: _____

Date of Birth: _____ Race: _____ Sex: _____ Social Sec#: _____

Street Address: _____

City: _____ County: _____ State: _____ Zip: _____

Business Name: _____

Business Address: _____

Signature of Applicant: _____

For Finance Dept Use Only:

- Only Background Check & Fingerprints (No Permit Required)
- Only Background Check (No Permit Required)
- Return Results to Finance Department
- Solicitor's Permit (Photo, Background Check, Fingerprints)-Issue to Applicant (Exp. 3 mos.)

Employee Completing: _____ Date Complete: _____

Meets Permit/License Requirements: _____ Does Not Meet Permit/License Requirements: _____

APPLICANT 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 noncriminal 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 §35-335(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-recordinformation>).

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.

2018-05 Attachment B

Solicitor Permit Acknowledgement

Pursuant to the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance, all solicitor permit holders must adhere to the regulations below and consent to a background check by the Dunwoody Police Department. Below is an excerpt of Article 3 Door to Door Salesmen from the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance.

Sec. 10-89. Permit Required

- (a) It shall be unlawful for any person to engage in the business of soliciting, calling on residences door-to-door without first having obtained a permit in accordance with the provisions contained in this chapter.
- (b) The requirement of subsection (a) of this section is meant to apply to door-to-door solicitations for commercial transactions for profit only.
 - (1) It is not meant to regulate solicitation for charitable, political, or other nonprofit purposes provided that all sales proceeds are the property of and used by the nonprofit organization.
 - (2) It does not apply to officers or employees of the city, county, state, or federal governments, or any subdivision thereof, when on official business.
- (c) Each person shall at all times while soliciting in the city carry upon his person the permit so issued and the same shall be exhibited by such solicitor whenever he is requested to do so by any police officer or by any person solicited.
- (d) Each permit issued shall contain the name of the solicitor, the name and address of the person, firm or corporation or association by whom the solicitor is employed or represents, a photograph of the solicitor, and physical description. Such photograph shall be provided by the solicitor and shall be at least two inches by two inches in size.
- (e) The permit shall state the expiration date thereof. *In no event shall a permit be valid for more than ~~six~~three (3) months. Upon expiration of the maximum three-month period, the permit holder may receive a renewal for an additional three-month period without any additional fees and without having to comply with Section 10-90 below, so long as no more than one (1) complaint has been submitted to the City concerning the permit holder.*

Sec. 10-91. Permit Revocation

- (a) Any permit issued hereunder shall be revoked by the City Manager if the holder of the permit is convicted of a violation of any of the provisions of this Chapter or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a permit under the terms of this Chapter.
- (b) *The permit may be revoked by the City Manager after a hearing in front of the City Manager or designee if the City receives at least two complaints against the permit holder alleging any violations of this Article. The hearing shall be noticed in writing, by certified mail, return receipt requested, to the permit holder and shall not be less than ten (10) days following the receipt of the notice by the permit holder. The notice shall state in specificity the time and place of the hearing and the reason(s) for the intended revocation. At the hearing, the City shall present evidence of the permit holder's violation of this Article either*

through documents or affirmative testimony of the complaining parties and the permit holder shall be given an opportunity to rebut same and present his own evidence that no such violations have occurred. The burden of proof shall be on the City by preponderance of the evidence. If the City meets its burden, the City Manager shall revoke the permit no later than five (5) days following the date of the hearing.

- (c) Immediately upon such revocation, written notice thereof shall be given to the holder of the permit in person or by certified United States mail addressed to his residence address set forth in the application.
- (d) Immediately upon the giving of such notice the permit shall become null and void and must be turned in to the City Manager's office.
- (e) A permit holder whose permit has been revoked in accordance with subsection (b) shall have the right to appeal said revocation to the City Council or designated hearing officer by giving notice to the City Manager no later than ten (10) days following receipt of the revocation notice by the permit holder. The appeal hearing shall be scheduled no later than thirty (30) days following the receipt of said appeal request and notice of same given to permit holder by mail no later than ten (10) days prior to the hearing. At the hearing, the permit holder shall have the right to present evidence as to why the decision of the City Manager or designee should be overturned and shall have the burden to show same by the preponderance of the evidence. The City Council or designated hearing officer shall make a decision to sustain or reverse the City Manager's decision within five (5) days of the hearing and shall notify the permit holder of same in writing.
- (f) Any permit holder aggrieved by the final decision of the City Council or designated hearing officer may appeal same by Petition for Writ of Certiorari to the Superior Court of DeKalb County in accordance with the law.

Please sign and date below acknowledging that you understand your responsibilities to the City of Dunwoody as a solicitor permit holder and will adhere to the provisions pursuant to the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance.

Contact for Solicitor Permits
Finance & Administration Dept.
678.382.6700
businesstax@dunwoodyga.gov

Signature: _____ Date: _____ Phone: _____

Business Name: _____ Applicant Name: _____

****Please make a copy for your records****