



CITY OF SEQUIM

152 W. Cedar Street
Sequim, WA
98382
(360) 683-7227
www.sequimwa.gov

APPLICATION FOR PEDDLER/SOLICITOR LICENSE

This license is required under the Sequim Municipal Code, Section 5.24. Applicants must allow 5 business days after application is received for the purpose of investigating the applicant. A charge of **\$56.00** is required for the purpose of defraying the investigation costs. Applicants need to come in to have photo taken or send electronic photo for issuance of the identification badge. *Each individual applicant must complete an application prior to operating within the City of Sequim. **Licenses expire annually on May 31st of each year.***

Complaints of illegal or aggressive sales tactics reported to the City of Sequim from residents will be immediately forwarded to the Attorney General Consumer Protection Office.

Check here if claiming an exemption under Sequim Municipal Code 5.24.045, then complete Sections 1-3A only.

SECTION 1 – APPLICANT NAME AND ADDRESS

Applicant Name: _____		
Other Names Known By: _____		

Permanent Address: _____		
City: _____	State: _____	Zip: _____
Phone Number: _____	Fax Number: _____	
Driver's License Number and State of Issue: _____		

Height: _____	Weight: _____	Date of Birth: _____

SECTION 2 – VEHICLE INFORMATION

(Complete for each vehicle to be used while engaging in peddling or soliciting)

1. Vehicle Year: _____	Make and Model: _____
Color: _____	License Plate Number: _____
2. Vehicle Year: _____	Make and Model: _____
Color: _____	License Plate Number: _____
3. Vehicle Year: _____	Make and Model: _____
Color: _____	License Plate Number: _____
<input type="checkbox"/> If more space is required, please use the back of this sheet	

SECTION 3 – BUSINESS INFORMATION

Name of Business: _____
Principal Place of Business Address: _____
City: _____ State: _____ Zip: _____

TYPE OF MERCHANDISE OR SERVICES TO BE OFFERED

Length of time applicant or applicant’s agents expect to be peddling/soliciting within the City Limits: _____
Number of agents, other than applicant, the applicant expects to have peddling/soliciting within the City Limits: _____

SECTION 3A – To be completed only by interstate business applicants exempt from licensing requirements

Contact Information for the Customer Service Department

Mailing address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____ Extension: _____
Toll-free Number, if different: _____
Email Address, if applicable: _____

Contact Information for the Cancellation Department, if different from above

Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____ Extension: _____
Toll-free Number, if different: _____
Email address, if applicable: _____

Regional or Local Supervisor’s Name: _____
Phone Number: _____ Extension: _____
Email address, if applicable: _____

Cancellation Policy, if different from SMC 5.24.120(B): _____

SECTION 4 – PAST BUSINESS

Last three cities or towns where applicant carried out business. Include the state where the cities or towns are located if different from Washington.

Municipality Name: _____

Municipality Name: _____

Municipality Name: _____

SECTION 5 – BACKGROUND INFORMATION

Has applicant been convicted of any crime, misdemeanor, or violation of any municipal ordinance: Yes _____ No _____

If yes, state nature and circumstances of offense:

Penalty or punishment assessed:

AUTHORIZATION FOR RELEASE OR PERSONAL INFORMATION AGREEMENT

I am an applicant for a peddler, solicitor, or canvasser license with the City of Sequim, Washington. The City needs to thoroughly investigate my employment background and personal history to evaluate my qualifications to hold the position for which I applied. I have authorized the City to gather all available information regarding my background and personal history that may include a review of professional and personal references, driving record, criminal record, and other information that may be of a confidential or privileged nature.

I, the undersigned, authorize you to furnish to the City of Sequim any and all information you have concerning me, including without limitation my work record, my background and reputation, my criminal history; including any arrest records and information contained in investigatory files, my military service records, my education background and such information and records as you have in your possession relating to me.

I hereby agree to release you and those who supply you with the above information, your company, or organization and the City of Sequim, and its employees from any liability for any damage, which may result from furnishing the requested information.

Applicant Signature: _____

SECTION 6 – TO BE COMPLETED BY THE CITY OF SEQUIM

Past Criminal Record: _____

Lawful and Legitimate Enterprise: _____

APPROVED: _____ DENIED: _____
Signature: _____ Date: _____

SECTION 7 – ISSUANCE OF LICENSE

Peddler/Solicitor License Fee: _____
Investigation Fee: _____

TOTAL FEES PAID: _____
RECEIPT NUMBER: _____

Insert passport
photo here

PEDDLERS/SOLICITORS LICENSE NUMBER: _____

CONDITIONS: _____

Signature of City Code Compliance Officer or designee

Date Approved: _____

(49 hits)

Chapter 5.24 PEDDLERS AND SOLICITORS

Sections:

- 5.24.001 Purpose.
- 5.24.005 Religious, charitable, civic, political, or other similar organizations.
- 5.24.010 Definitions.
- 5.24.020 License – Fees.
- 5.24.025 License fees – Veterans' exemption.
- 5.24.030 License – Expiration date.
- 5.24.040 License required.
- 5.24.045 License – Required – Exceptions.
- 5.24.050 Unlawful acts.
- 5.24.060 Financial responsibility.
- 5.24.070 License application and investigation.
- 5.24.080 License – Product or services sold.
- 5.24.090 Identification card.
- 5.24.100 License – Display.
- 5.24.110 Disclosure of product and purpose.
- 5.24.120 Receipt and notice to buyer.
- 5.24.130 Denial or revocation of license.
- 5.24.135 Appeals.
- 5.24.140 Penalty.

Editor's note: The general provisions of the new license code are codified in Chapter 5.04 SMC.

Prior legislation: Ords. 6 and 2005-029.

5.24.001 Purpose.

The purpose of this chapter is to establish reasonable restrictions on peddling/soliciting activities within the city limits to protect and promote public safety, privacy, and welfare. This chapter is intended to be reasonable as to time, place, and manner restrictions and is not intended to infringe upon any constitutionally protected right.

Further, to promote voluntary compliance with this chapter, the city shall install a sign at each major entrance to the city. Each sign shall state, "Peddling, Soliciting, Canvassing Ordinances Enforced. Sequim Municipal Code 5.24." (Ord. 2008-011 § 1)

5.24.005 Religious, charitable, civic, political, or other similar organizations.

A. To ensure privacy, all religious, charitable, civic, political, or other similar organizations intending to canvass or solicit within the city shall comply with the provisions set out in SMC 5.24.050(C) and (D). No other provisions of this chapter shall apply, unless a religious, charitable, civic, political, or other similar organization intends to solicit for money, then see subsection B of this section.

B. Religious, charitable, or political, civic, or other similar organizations canvassing or soliciting for money shall notify the planning department or code compliance officer that the organization will be canvassing or soliciting within the city limits. Nonprofit organizations shall also provide the planning department or code compliance officer with a copy of the organization's nonprofit certification and state charitable solicitation organization registration. No other requirements of this chapter, including fees, licensing, or other forms of individual information, shall be required. This section is adopted solely for assuring residents that a

legitimate organization is canvassing or soliciting in the area and that residents' privacy is adequately protected.

This chapter is not intended to regulate religious or political free speech. Charitable solicitations are also not addressed herein. Chapter 19.09 RCW governs registration and regulation of charitable solicitation. (Ord. 2008-011 § 1)

5.24.010 Definitions.

For the purposes of this chapter:

"Peddler/solicitor" within the meaning of this chapter is any person who, without prior invitation from the occupant, goes from house to house, or place to place, in the city, selling or taking orders for, or offering to sell or take orders for, scheduling appointments for, or otherwise soliciting for goods, wares, merchandise or services, for present or future delivery, except those selling to entities holding business licenses. (Ord. 2008-011 § 1; Ord. 2006-012 § 1)

5.24.020 License – Fees.

The annual fee for a peddler/solicitor license is established by the license fee resolution. The fee shall be paid at the time of application and is nonrefundable. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.025 License fees – Veterans' exemption.

Veterans as defined in RCW 73.04.050 are exempt from payment of licensing fees. Any veteran asserting this exemption shall provide the planning department or code compliance officer proof of honorable discharge prior to the veteran receiving a peddler/solicitor license. (RCW 73.04.060). (Ord. 2008-011 § 1)

5.24.030 License – Expiration date.

Peddler/solicitor licenses expire annually on May 31st. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.040 License required.

It is unlawful for any person to engage in business as a peddler/solicitor in the city without first obtaining a city of Sequim peddler/solicitor license for each person selling on behalf of the business. Any peddler/solicitor as defined in this chapter shall apply for and receive a city peddler/solicitor license prior to engaging in such activity, unless the peddler/solicitor is exempt as indicated in **SMC 5.24.045**. (Ord. 2008-011 § 1)

5.24.045 License – Required – Exceptions.

No license shall be required for:

- A. Any person selling, delivering, or peddling any agricultural, horticultural, or farm products which they may grow or raise (RCW 36.71.090); or
- B. Any person who, as an agent, acts as a peddler/solicitor on behalf of a regulated utility; or
- C. Any minors engaged in baby-sitting, lawn mowing, car washing, or other similar independent activities, unless the minor is acting on behalf of a person not a minor; or
- D. Any person who merely solicits orders for goods, which orders are to be accepted and goods delivered at a future time from a place outside of Washington State.

1. Any person or organization claiming an exemption under this section shall complete a modified peddler/solicitor license application;

2. Any such person who asserts an exemption under this subsection shall complete a form at the planning department outlining the reasons for this exemption. This statement must include the name, physical and mailing addresses, phone number, and, if applicable, e-mail address for each of the following:

- a. Interstate business name;
- b. Customer service department;
- c. Order cancellation department, if different from customer service; and
- d. Regional or local supervisor;

3. The applicant shall also include information about the seller's cancellation policy. (Ord. 2008-011 § 1; Ord. 2006-012 § 2. Formerly 5.24.040)

5.24.050 Unlawful acts.

It is unlawful for any peddler/solicitor to:

- A. Make untrue, deceptive, or misleading statements about the product or services sold for the purpose of procuring a sale or offer for sale;
- B. Make any untrue, deceptive, or misleading statement regarding the purposes of his/her contact with a potential customer;
- C. Sell before 8:00 a.m. or after 7:00 p.m. of any day without the specific prior consent of the prospective buyer;
- D. Attempt to gain admittance at any residence at which a sign bearing the words "no peddlers," "no solicitors," "no trespassing," or words of similar import is posted, unless at the invitation or with the consent of the occupant thereof;
- E. Remain at any location after the prospective buyer has asked the peddler/solicitor to leave. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.060 Financial responsibility.

Each applicant for a peddler/solicitor license who intends to peddle/solicit for contracting services shall submit to the planning department or code compliance officer a surety bond naming himself or herself and all of his or her agents as principals, and conditioned as provided by the general provisions of the new license code. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.070 License application and investigation.

Each individual seeking to secure a peddler/solicitor license shall apply in writing to the planning department or code compliance officer on forms provided by the city. A letter on company letterhead showing the applicant's name as an authorized agent to sell on the company's behalf is required at time of filing. The application for peddler/solicitor license shall include a "WATCH" criminal record check and may require applicant's fingerprints and require two photographs to be submitted.

If the investigation shows that the facts set forth in the application are true, that such peddler/solicitor proposes to engage in a lawful and legitimate commercial or professional enterprise, then the application shall be approved and the planning department will issue the license. The length of the investigation shall not exceed five business days from the date all requested information has been supplied to the city by the applicant. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.080 License – Product or services sold.

The license shall be endorsed with a statement of the type of product or service sold by the licensee. The license is valid only for the product or service specified. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.090 Identification card.

Each peddler/solicitor shall be issued an identification card showing:

- A. Business name;
- B. Peddler/solicitor name;
- C. Type of service or product;
- D. Date of expiration;
- E. Photo of peddler/solicitor;
- F. City of Sequim logo;
- G. City of Sequim authorized signature. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.100 License – Display.

All peddler/solicitors shall conspicuously display on their outer clothing their identification issued by the city when engaged in peddling/soliciting activities. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.110 Disclosure of product and purpose.

Each peddler/solicitor shall, immediately upon contacting the prospective buyer, disclose to the prospective buyer his/her name, company, and the product or service represented. If requested to do so, he/she shall leave the premises immediately. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.120 Receipt and notice to buyer.

Every peddler/solicitor must comply with all provisions included in 16 CFR Section 429.1 to avoid any unfair or deceptive practices; 16 CFR Section 429.1 includes, but is not limited to, the following:

A. Every sale, having a price of \$25.00 or more, made or order taken by a peddler/solicitor shall be evidenced by a signed receipt, contract, or other signed memorandum of the transaction, which shall be given to the purchaser. Such receipt, contract, or memorandum shall state: (1) the date and terms of the transaction; (2) the amount of any payment made; and (3) the name and address of the peddler/solicitor. The receipt shall also include, in immediate proximity to the space reserved in the contract for the signature of the buyer or on the front page of the receipt if a contract is not used, and in boldface type of a minimum size of 10 points, the following notice:

NOTICE TO BUYER

You, the buyer, may cancel this transaction at ANY TIME PRIOR TO MIDNIGHT of the THIRD BUSINESS DAY after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.

B. The peddler/solicitor must furnish to each buyer, at the time the buyer signs any sales contract or otherwise buys or agrees to buy goods or services from the peddler/solicitor, a completed form in duplicate, captioned "NOTICE OF CANCELLATION." This notice of cancellation shall be attached to the contract, receipt, or memorandum and easily

detachable, and shall contain in 10-point bold type the following information and statements in the same language, e.g., Spanish, as that used in such contract, receipt or memorandum:

NOTICE OF CANCELLATION

(Enter date of Transaction)

You may CANCEL this transaction, without any penalty or obligation, within THREE BUSINESS DAYS from the above date.

If you cancel, any property traded in, any payments made by you under the contract or sale, and any negotiable instrument executed by you will be returned within TEN BUSINESS DAYS following receipt by the seller of your cancellation notice, and any security interest arising out of the transaction will be cancelled.

If you cancel, you must make available to the seller at your residence, in substantially as good condition as when received, any goods delivered to you under this contract or sale; or you may, if you wish, comply with the instructions of the seller regarding the return shipment of the goods at the seller's expense and risk.

If you do make the goods available to the seller and the seller does not pick them up within 20 days of the date of your Notice of Cancellation, you may retain or dispose of the goods without any further obligation. If you fail to make the goods available to the seller, or if you agree to return the goods to the seller and fail to do so, then you remain liable for performance of all obligations under the contract.

To cancel this transaction, mail or deliver a signed and dated copy of this Cancellation Notice or any other written notice, or send a telegram to (name of seller) AT (Address of seller's place of business) NOT LATER THAN MIDNIGHT OF (Date).

I HEREBY CANCEL THIS TRANSACTION.

(date)

(Buyer's Signature)

C. The sending of any notice of cancellation within the specified period shall operate to cancel the purchase made or contract entered into, and the seller shall thereupon, without request, refund to the buyer any deposit or payment made, and in accordance with the notice of cancellation may reclaim from the buyer at the place of delivery any goods received by the buyer under such purchase or contract. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.130 Denial or revocation of license.

A. An application for a peddler/solicitor license will be denied or revoked if:

1. The applicant has been convicted of a felony within the past 10 years of the date of application, and the felony is directly related to the position sought (RCW 9.96A.020, 9.96A.050); or
2. The applicant has been the subject of repeated complaints of aggressive sales tactics by the residents of the city of Sequim. "Repeated complaints" means complaints from three or more independently contacted individuals arising from three or more separate occasions.

B. If the city denies the applicant a peddler/solicitor license based upon either of the reasons outlined above, the city shall notify the applicant promptly via telephone, using the telephone number provided by the applicant in Section 1 of the peddler/solicitor license application. The city shall also notify the applicant of the reason(s) for denial of the peddler/solicitor

license in writing, and the notification will be sent to the applicant at the applicant's permanent address provided in Section 1 of the peddler/solicitor license application. The city shall also post any revocations of peddler/solicitor licenses on the city's website.

C. The city shall also send a written notification of the city's reason(s) for the applicant's denial of a peddler/solicitor license to the business identified by the applicant in Section 3 of the peddler/solicitor application. The notification shall be sent to the principal place of business address identified in Section 3 of the peddler/solicitor license application. (Ord. 2008-011 § 1; Ord. 2006-012 § 2)

5.24.135 Appeals.

If an applicant has been denied a peddler/solicitor license and wishes to appeal this denial, the applicant may appeal to the city council and have the council review the application at the next city council meeting. If the applicant does not wish to have the application reviewed by the city council, the applicant may elect to have the application reviewed by a hearings officer within 30 days of receiving the denial notification. The decision made by either the city council or the hearings officer shall be final. (Ord. 2008-011 § 1)

5.24.140 Penalty.

Any person who sells or offers for sale or exposes for sale, at public or private sale, any goods, wares, or merchandise without a peddler/solicitor license or any person violating any provision of this chapter shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished as provided in **SMC** 1.12.010. (Ord. 2008-011 § 1)

The Sequim Municipal Code is current through Ordinance 2014-007, passed March 24, 2014.

Disclaimer: The City Clerk's Office has the official version of the Sequim Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.sequimwa.gov/>
(<http://www.sequimwa.gov/>)
City Telephone: (360) 683-4139
Code Publishing Company
(<http://www.codepublishing.com/>)