



Policy for Peddlers (Door to Door solicitations)

Requests to conduct business in Rexburg's Residential Neighborhoods need to comply with the following City Code. The forms including the fee schedule can be located on the web at www.Rexburg.org. The following list of items is needed before the applicant can begin their solicitation activities:

1. Business Registration form completed by the company.
2. Business Registration "Appendix D" with picture ID for each person soliciting.
3. Copy of Surety Bond of \$1,000 per employee to a maximum of \$5,000.
ORD. NO. 707 & 1029 -Peddler, Solicitor, or Itinerant Merchant (Include photo of applicant, see applicable appendix) Fees were amended March 19, 2008 By Resolution 2008-11.
 - A. Each Day: \$100.00
 - B. Each Month: \$300.00
 - C. Each Quarter: \$500.00

"and" a Surety bond or cashier's check for one thousand dollars (\$1000.00) per employee to a maximum of five thousand dollars (\$5000.00).The investigation fees are noted below.

4. Background Check completed by the Idaho State Police.
Investigation Fee: Except as provided above, at the time of filing an application, an investigation fee shall be paid to the city clerk as follows:
 - A. Madison County Residents \$25.00 per person.
 - B. Idaho Residents outside Madison County \$50.00 per person.
 - C. Applicants outside of Idaho \$200.00 per person.

Paper Flow for Finger Printing and Background check

- A. *Applicant goes to the Rexburg Police for finger printing.*
- B. *The finger print card is returned by the police to the Personnel Department at City Hall.*
- C. *The Personnel Department sends the finger print card to the Idaho State Police.*
- D. *The Idaho State Police do an Idaho State and an FBI Background check.*
- E. *The Idaho State Police send the finger print background check report back to the Personnel Department.*
- F. *The Personnel Department gives Customer Services the finger print background check report to file.*

5. City issued picture badge of each person soliciting.

Ordinance 1079 - "PEDDLER" Code of Conduct

6.01.40 Definitions

31. **Vendor:** Is defined as any person, including an employee or agent of a group of individuals, partnership, or corporation, who sells or offers to take orders or sell food, beverages, goods, or merchandise from a mobile vending cart, mobile vending vehicle, or mobile vending

trailer, or any other type of conveyance or from his or her person. The word vendor shall include the words "hauler", "huckster" and "peddler".

6.01.90 Investigation

1. The City Clerk shall notify the applicant whether his license or registration request is approved and upon payment of the prescribed license or registration fee, shall issue a license or registration. Such license or registration shall show the name, address, the type of license or registration issued, the amount of fee paid, the date of issuance and the date of expiration. The license or registration for peddlers, solicitors, canvassers, or transient merchants will also include a photograph of said licensee and the kind of goods to be sold or type of sales to be solicited there under.

6.01.200 Bond Requirement

1. Before any license or registration as provided herein shall be issued for engaging in the business of peddler, solicitor or canvasser, or transient merchant as defined in this ordinance, every applicant plying his trade as an individual, shall file with the City Clerk a surety bond running to the City or a cashier's check as outlined in the current city fee resolution. Every business, firm, company or corporation, which has one or more employees or agents acting in the capacity of peddler, solicitor, canvasser or transient merchant, shall file with the City Clerk a surety bond covering all such employees or agents and running to the City or a cashier's check as outlined in the current city fee resolution for each employee and/or agent.
 - a. Every applicant plying his trade as an individual, shall file with the City Clerk a bond, in the amount of one thousand dollars (\$1000.00)
 - b. Every business association, company or corporation, which has employees or agents acting in the capacity of vendor, solicitor, or temporary merchant, shall file with the City Clerk a bond covering all such employees in the amount of one thousand dollars (\$1000.00) per employee to a maximum of five thousand dollars (\$5000.00).
 - c. The bond may be in form of a surety bond issued by a company license or registration to issue insurance in the State of Idaho, a money order or cashier's check payable to the City of Rexburg, or cash delivered to the City Clerk. The bond shall protect against any and all claims against the vendor, solicitor or temporary merchant arising during the effective dates of the license or registration issued under this Chapter and filed with the City Clerk within sixty (60) days of the expiration of any such license or registration. Vendors, Solicitors and Temporary Merchants shall notify each customer that they are bonded and that any claim may be presented to the City Clerk at 35 N 1st East during regular business hours.
 - d. Vendors, Solicitors, and Temporary Merchants maintaining a stationary location through the term of the license or registration may satisfy this requirement by a notice conspicuously posted near the point of sale.
 - e. After expiration of a license or registration, the City Clerk shall, upon application of the license or registration, return the bond to the person designated in the application sixty (60) days after receipt of application for return, unless the Clerk has been notified of the

pendency of any claim or cause of action by any person upon the bond. If the Clerk received notice of a claim, the bond shall not be released except as directed by a court or the persons(s) submitting the claim. After being license or registration for one (1) year, without claims against the bond, the above bonding requirements will be waived.

6.01.202 Bond Requirements for non- peddler, solicitor or canvasser, or transient merchant.

Bonding for other businesses may require bonding as deemed necessary by the City Clerk.

6.01.210 Exhibition of License or Registration

1. The City Clerk shall notify the applicant whether his license or registration request is approved and shall issue a license or registration. Such license or registration shall show the name, address, the type of license or registration issued, the amount of fee paid, the date of issuance and the date of expiration. The license or registration for peddlers, solicitors, canvassers, or transient merchants will also include a photograph of said licensee and the kind of goods to be sold or type of sales to be solicited there under.
2. The City Clerk shall notify the applicant if his license or registration request is disapproved, the reasons therefore, and advise him of the appeal procedure pursuant to the provisions of this ordinance.
3. The license or registration issued to the license or registration hereunder by the City Clerk shall be exhibited in a conspicuous place if the license or registration is using a vehicle or a building in his business, and otherwise must be kept by the person and exhibited at any time upon request.

6.01.270 Unlawful to Conduct:

1. No license or registration hereunder shall:
 - a. Make physical contact with the person being solicited unless that person's permission is obtained; mis-represent the purpose of, or affiliation of those engaged in, the solicitation;
 - b. Fail to comply with any of the requirements and restrictions set forth in this ordinance;
 - c. Continue efforts to solicit from an individual once that individual informs the solicitor that he does not wish to give anything to or to buy anything from that solicitor;
 - d. Represent the issuance of any license or registration under this ordinance as an endorsement or recommendation of the solicitation;
 - e. Enter upon any premises when the same is posted with a sign stating "No Peddlers Allowed" or other words to such effect;

Expiration: All licenses expire December 31 of each year. Exception: Bartender permits expire 1 yr. from date issued. (Ordinance 709).

Blair D. Kay
City Clerk