

**COMMON  
QUESTIONS AND  
ANSWERS ON**

# **SOLICITATION**



1. WHAT DOES THE CITY'S SOLICITATION ORDINANCE COVER?

The ordinance regulates solicitation in the city rights of way, the distribution of handbills, circulars, pamphlets, on property, and commercial peddlers who go door to door. City Code section 11-145

2. MUST SOLICITORS OBTAIN A PERMIT?

Yes, if they are engaged in commercial solicitation on residential property, a permit is required. The permit is obtained from the police department. The solicitors are required to keep a copy of the permit in their possession while they are engaged in solicitation. Solicitors are also required to have some identification of who they are and if they are soliciting on behalf of another. A person can request that a solicitor display the identification.

3. WHAT SHOULD I DO TO PREVENT SOLICITORS FROM ENTERING ONTO MY PROPERTY?

The first step is for an owner to post notice on their property that soliciting is prohibited. The notice must be on a waterproof sign that is at least 3" by 4" in size bearing the words "no solicitation" or, "no handbills", or any similar notice that clearly conveys that the conduct is not permitted. The letters on the card must be at least 2/3" in height. The notice shall be posted in a conspicuous place on or near the main entrance to the residence.

4. WHAT SHOULD I DO IF I HAVE POSTED AN APPROPRIATE NO SOLICITATION SIGN, AND I STILL RECEIVE HANDBILLS?

In order to effectively prosecute the solicitor or those responsible for the illegal solicitation of handbills, the owner must file a complaint with the City prosecutor. The owner should also keep copies of the handbills that were left at the location as that will be used as grounds to substantiate the citation as well as evidence if a trial is required. If the prosecutor determines that the evidence indicates a violation occurred, a citation will be issued to the violator. If the violator contests it, a trial is required and the resident will need to testify. Our past history in tracking these types of complaints indicates that most violators have elected to pay a fine instead of going to trial.

5. HOW DO I FILE A COMPLAINT?

To file a complaint, please contact the Municipal Court Prosecutor's Office at 972.941.2056.

6. CAN A POLICE OFFICER ISSUE A CITATION?

Police officers cannot cite a violator unless the officer actually witnesses the offense.

7. IS THERE A TIME LIMIT WITH REGARD TO SOLICITATION?

Solicitation for any purpose is not permitted between ½ hour before sunset and ½ hour after sunrise unless the solicitor is on the premises with the permission or invitation of the resident.