



CITY OF ENCINITAS
505 SOUTH VULCAN AVENUE
ENCINITAS, CA 92024
(760) 633-2605

CHARITABLE SOLICITOR REGISTRATION APPLICATION

FAILURE TO COMPLETE ALL SECTIONS WILL RESULT IN DENIAL OF THIS PERMIT. IF A PORTION OF THIS APPLICATION DOES NOT APPLY YOU MUST INDICATE N/A ON THE APPROPRIATE LINE. IT IS UNLAWFUL FOR ANY NEW APPLICANT TO BEGIN BUSINESS WITHOUT FIRST PROCURING A PERMIT FOR THE ASSOCIATION AND ALL VOLUNTEERS.

(PLEASE PRINT IN BLACK INK)

ORGANIZATION NAME: _____

HEADQUARTERS ADDRESS: _____
(NUMBER) (STREET) (CITY) (ZIP)

HEADQUARTERS PHONE: _____ EMAIL ADDRESS: _____

SOLICITATION LOCATION: _____ ON-SITE TELEPHONE: _____

TYPE OF ACTIVITY: _____
(DESCRIBE MERCHANDISE IF SELLING)

DATES: BEGINNING _____ ENDING _____

DAYS OF THE WEEK: SAT SUN MON TUES WED THURS FRI

DAILY HOURS: START _____ END _____

SECURITY ON PREMISES? YES NO

IF SELLING BEVERAGES/FOOD, ATTACH COPY OF HEALTH DEPARTMENT PERMIT

SOLICITATION METHODS: (CHECK ALL THAT APPLY)

DOOR TO DOOR ____ TEMPORARY STAND ____ MAIL ____ PAMPHLETS ____
(Restricted to 9:00 AM to 6:00 PM ONLY)

PERSONAL APPROACH ____ DOOR HANGERS ____ VOLUNTEERS ____ PHONE ____

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Is this contribution is tax deductible? Yes No

Percentage of total gift or price that may be deducted as charitable contribution as allowed by IRS

_____ %

Total amount of funds proposed to be raised \$ _____

Estimated cost of solicitation \$ _____

Estimated amount remaining for charitable purposes \$ _____

Name & address of organizations that will receive funds (If no organization, manner in which money collected will be utilized).

Attach additional sheet if necessary.

ACCEPTED BY: _____ DATE: _____

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I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION I HAVE GIVEN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND AND AGREE TO HAVING ALL REQUIRED NOTICES UNLESS OTHERWISE SPECIFIED, SENT BY U.S. MAIL TO THE ADDRESS GIVEN ON THE APPLICATION. I HAVE RECEIVED, AND UNDERSTAND THE SECTIONS OF THE ENCINITAS CITY CODE OF REGULATORY ORDINANCES PERTAINING TO CHARITABLE SOLICITATIONS.

DATED: _____ DIRECTOR'S SIGNATURE: _____

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NEW

NO FEE

PLEASE SUBMIT THE FOLLOWING ITEMS WITH YOUR APPLICATION:

1. CALIFORNIA STATE FRANCHISE TAX BOARD EXEMPTION LETTER
2. COPY OF CHARITABLE ORGANIZATION IRS FORM 501C-3 (FORM 990)
3. ANNUAL FINANCIAL REPORT ON A FORM PROVIDED BY THE ATTORNEY GENERAL
(CT-2CF)
4. COPIES OF COMMERCIAL FUND-RAISER'S ANNUAL STATE REGISTRATION (FORM CF-1) AND...
5. ANNUAL FINANCIAL REPORT (CF-2) AND...
6. SURETY BOND DECLARATION FILES WITH THE CALIFORNIA REGISTRY OF CHARITABLE TRUSTS
7. COPY OF CONTRACT WITH COMMERCIAL FUND-RAISER (PROMOTER)
8. SAMPLE OF TICKET (IF TICKETS ARE TO BE SOLD)
9. COPY OF TEXT IF THE INITIAL SOLICITATION WILL BE MADE BY LETTER, TELEPHONE, RADIO OR TELEVISION AND IT'S PURPOSE
10. VALID HEALTH PERMIT (IF APPLICABLE)
11. COMPLETED APPLICATION CONTAINING A VOLUNTEER PAGE COMPLETED BY EACH VOLUNTEER/EMPLOYEE
12. COPY OF DRIVER'S LICENSES FOR EACH VOLUNTEER/EMPLOYEE
13. (1) PASSPORT PHOTO FOR EACH VOLUNTEER/EMPLOYEE FOR PERMIT BADGE
14. LETTER FROM PROPERTY OWNER GIVING PERMISSION TO SOLICIT
15. BUSINESS REGISTRATION

**CITY OF ENCINITAS
APPLICATION FOR CHARITABLE SOLICITOR REGISTRATION**

RENEWAL

NO FEE

PLEASE SUBMIT THE FOLLOWING ITEMS WITH YOUR APPLICATION:

1. COPY OF TEXT IF THE INITIAL SOLICITATION WILL BE MADE BY LETTER, TELEPHONE, RADIO OR TELEVISION AND IT'S PURPOSE
2. VALID HEALTH PERMIT (IF APPLICABLE)
3. COMPLETED APPLICATION CONTAINING A VOLUNTEER PAGE COMPLETED BY EACH VOLUNTEER/EMPLOYEE
4. COPY OF DRIVER'S LICENSES FOR EACH VOLUNTEER/EMPLOYEE
5. (1) PASSPORT PHOTO FOR EACH VOLUNTEER/EMPLOYEE FOR PERMIT BADGE
6. LETTER FROM PROPERTY OWNER GIVING PERMISSION TO SOLICIT
7. BUSINESS REGISTRATION

Chapter 6.56

CHARITABLE SOLICITATIONS

6.56.010 Purpose

A. The purpose of this Chapter is to promote both legitimate solicitations for charitable purposes and sales solicitation for charitable purposes in accordance with the laws of California. (Ord. 90-31)

B. It is unlawful for any person to commerce, conduct, manage, participate in, advertise or sponsor solicitations for charitable purposes or sales solicitations for charitable purposes activity regulated by this Chapter without first having obtained an Operations Permit: Charitable Solicitation.

C. This Chapter shall take precedents over and supersede any other provisions of this Title which appear to regulate charitable solicitations.

D. Notwithstanding the provisions of this Chapter, proposed activities shall be subject to Zoning Regulations and Coastal Development requirements, pursuant to Title 30 of this Code. (Ord. 94-06)

6.56.020 Definitions. As used in this Chapter, terms shall be defined in accordance with the provisions of Article 1.3 of Chapter 1 of Part 3, Division 6 of the Business & Professions Code. (See § 17510, *et seq.*)

A. "Solicitor" includes a peddler, hawker, transient dealer, sales person or other itinerate vendor, or an interviewer as defined in this Chapter; or any person who sets up a temporary stand or goes to a house or dwelling or upon any public place for the purpose of selling services, or offers to sell, or selling by sample or take orders for, giveaway or otherwise dispose of any goods or anything of value, or who offers to distribute or delivers any coupons, certificate, handbill, ticket, token card, papers, circulars, chance coupon, magazine or other item which in turn is redeemable for goods.

B. "House or dwelling" means any structure or building which has walls on all sides and is covered by a roof and which is intended for transient or permanent residential use.

C. "Public place" means any place to which a member of the public may have access without trespassing.

D. "Interviewer" means any person who goes to a house or upon any public place for interviewing persons or soliciting answers to questions for marketing research, opinion, research, attitude surveys or any other pool of information gathering services for compensation or other business enterprise. Interviewer does not include persons representing governmental entities, political parties, newspapers, radio or television stations, or persons circulating petitions for an initiative, referendum or other political purpose.

6.56.030 Issuing Authority. The City Clerk is authorized to issue Operations Permit: Charitable Solicitation.

6.56.040 Application. The application shall be filed with the City's issuing authority not less than 30 days prior to commencement of the solicitation activity.

6.56.050 Regulations.

A. The Operations Permit: Charitable Solicitation shall be issued, without the payment of a fee, upon delivery to the Issuing Authority of an example of the card or printed material the applicant intends to utilize in complying with § 17510.3 of the Business & Professions Code.

B. The permittee shall comply with the provisions of § 17510, *et seq.* of the Business & Professions Code regulating charitable solicitations.

C. No solicitor shall contact or attempt to contact any occupant of any house or dwelling whereat the owner or occupant of the house or dwelling has posted at the front of the house or dwelling, printed with letters not less than one inch in height, and at a location which is unobstructed and clearly visible from the normal entrance way to such house or dwelling, a sign or placard prohibiting such soliciting.

D. No solicitor shall contact or attempt to contact any member of the public on any private, commercial property which is normally open to the general public whereat the owner or legal occupant thereof has posted at all entrances thereto, and printed with letters not less than one inch in height, and at a location which is unobstructed and clearly visible by all persons entering such property, a sign or placard prohibiting such soliciting.

E. No door-to-door solicitor shall contact or attempt to contact any occupant of any house or dwelling except between the hours of 9:00 A.M. and 6:00 P.M.

F. Failure to adhere to the above regulations is cause for revocation of solicitor permit of the individual and/or organization, company, etc. which is represented by the solicitor.

G. EXEMPTION TO TIME LIMIT OF 9:00 AM TO 6:00 P.M.: "Seasonal" solicitors who have an established temporary seasonal business, i.e., pumpkin sales, Christmas Tree sales, would be exempt from the time limits of operation, provided all conditions imposed by the Planning and Fire Departments have been met.

6.56.060 Exemptions from Permit Requirement. The provisions of this Chapter shall not apply to:

A. Solicitations within the membership of a charitable or religious organization;

B. Solicitations made upon the regularly occupied premises of a charitable or religious organization; or

C. Bingo games conducted in accordance with Penal Code § 326.5 and this Code.