

TOWN OF KERNERSVILLE
Kernersville, North Carolina
Permit for Solicitation and Sales

Applicant is required to provide the following when making application for a Peddling Sales Permit.

1. Completed Application for Permit for Solicitation and Sales.
2. Applicant's picture will be taken and affixed to permit.
3. Copy of a Valid Driver's License or State issued ID.
4. Copy of Valid Proof of Auto Insurance.
5. Fee of \$50.00 for each issued permit.

Note: If Applicant disagrees with a negative criminal history report, a Social Security Number and/or finger print maybe required to determine individuals identity. If full hand finger printing is required fee maybe charged.

AUTHORITY FOR RELEASE OF INFORMATION

I authorize the Kernersville Police Department to perform a criminal background check in connection with my application for a _____ Permit to be issued by the Town of Kernersville. (insert permit type)

(Print or Type Legibly)

Last Name	First	Middle	Maiden
_____	_____	_____	_____

Social Security Number	Date of Birth	Sex	Race
_____	_____	_____	_____

I understand that the information obtained by the Kernersville Police Department in its performance of a criminal background check will be used in determining my suitability for the permit (set forth above) I have applied for.

Applicant Signature: _____

Date: _____



Town of Kernersville

P. O. Box 728, Kernersville, NC 27285
(336) 992-0404 office, (336) 996-4822 fax

Permit for Solicitation and Sales Application

Please Print

Check type of permit request Peddlers: _____ Itinerant: _____
(drivers license required for all permits.)

Date: _____ Permit Number: (staff only) _____

Applicants Full Name: _____

Address: _____ City: _____ State: _____

Zip: _____ Phone: _____ Mobile Phone: _____ Fax: _____

Temporary Address (if applicable) _____

Age _____ Height _____ Weight _____

Social Security #: _____ DOB: _____ DL#: _____ State: _____

Have you been convicted or pleaded no contest to any crimes within the past ten (10) years? Y / N
If yes, list all felonies and all misdemeanors within the last ten years.

Description of each motor vehicle intended to be used by the applicant: Make: _____

Model: _____ Year: _____ Color: _____ License Tag #: _____

Date of expiration: _____ Auto Insurance Provider: _____

Auto Ins. Policy # _____ Pol Expiration Date: _____

Business/Employer Name (if applicable): _____

Address: _____ City: _____ State: _____

Zip: _____ Phone: _____ Cell Phone: _____ Fax: _____

Property Owner (if applicable): _____

Address: _____ City: _____ State: _____

Zip: _____ Phone: _____ Cell Phone: _____ Fax: _____

What specifically are you requesting to do? (Type of Sales or Services) _____

Requested Location _____

If this is private property, owner's permission in writing is required.

Dates Requested: Start Date: _____ End Date: _____

A PERMIT IS SUBJECT TO REVOCATION IF ANY INFORMATION IS FALISFIED.

Signature of Applicant

Title

Date

Office Use Only, Applicants do not write on this page:

POLICE DEPARTMENT:

Recommended Approval: _____ Recommended Denial: _____

Date: _____ By: _____

Special Conditions/Comments: _____

ZONING OFFICE:

Recommended Approval: _____ Recommended Denial: _____

Date: _____ By: _____

Special Conditions: _____

TOTAL FEE: _____

COPIES TO: APPLICANT ZONING POLICE TOWN CLERK

Departmental Guidelines to follow in Processing an Application for Solicitation and Sales from the Town of Kernersville.

For processing a Permit for Solicitation and Sales, the completed application needs to be routed to the following departments:

Police

Community Development

Town Clerk

As your department reviews the customer's request, provide an authorized signature and forward the application to the next department. On the back of the application please provide a signature and indicate on the appropriate blanks "approved, denied, or not applicable". If your department approves or denies a request please indicate any special conditions, reasons or requirements on the lines stated: "Special Conditions/Comments". A signature from each department is still needed in cases that are not applicable to your issuance.

The Planning and Zoning Office will review the location, zoning to determine if the use is allowable in the zoning district requested, if overlay districts apply, and any other permits are needed (such as home occupation or zoning permits).

The Police Department will review the applicant's criminal record to determine if the applicant has been convicted of any felony charges. A felony conviction will result in denial of the permit.

Before the applicant leaves, please make sure to check what he or she is applying for and ensure the application includes a copy of a valid driver's license and that a picture has been taken of the applicant.
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ORDINANCE NO. O-2012-18

ORDINANCE AMENDING CHAPTER 5, ARTICLE IV
AND THE SCHEDULE OF FEES OF THE
TOWN OF KERNERSVILLE CODE OF ORDINANCES

WHEREAS, the Board of Aldermen of the Town of Kernersville has enacted regulations related to the door to door selling of goods and services and solicitation of orders to promote the public health, safety and welfare; and

WHEREAS, the Town staff has recommended that some modifications be made to the ordinance to procure additional information from applicants, allow a more reasonable time for renewal, and increase the fee for such permits to an amount sufficient to recoup the costs of the Town in administering the Ordinance; and

WHEREAS, the Board of Aldermen has reviewed the suggested modifications and the rationale for the changes and agrees that it is in the best interest of the Town to adopt those changes.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMEN of the Town of Kernersville that:

1. Section 5-76(c)(9) be amended to read as follows:

“Description of each automobile or other vehicle used by the applicant showing the make, model, body style, color and license number, if applicable, together with proof of liability insurance for each such vehicle.”

2. Section 5-76(c)(6) be amended to read as follows:

“Time period for which the application is sought with a maximum time period permitted of six months provided that the applicant can renew said permit upon proper application.”

3. Section 5-76(c) is amended by adding a new section 10 as follows:

“(10) An application fee in the amount established in the Schedule of Fees established by the Board of Aldermen.”

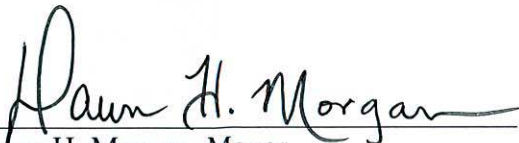
4. Section 5-77(c)(6) be amended to read as follows:

“Time period for which the application is sought with a maximum time period permitted of six months provided that the applicant can renew said permit upon proper application.”

5. The Schedule of Fees of the Town is amended by changing the fee for a Peddling Sales Permit to \$50.00.

6. This amendment shall be effective upon adoption.

This the 4th day of September, 2012.


Dawn H. Morgan, Mayor

Attested to:


Dale F. Martin, Town Clerk



ORDINANCE NO. O-2001-44

**ORDINANCE REGULATING PEDDLING AND SALES
ON STREETS, SIDEWALKS AND PUBLIC AREAS**

WHEREAS, the Board of Aldermen of the Town of Kernersville authorizes certain community events such as a New Years Eve Celebration and Halloween festivities to be conducted in the central business district, during which times the streets are closed and public rights of way are used for the various activities undertaken at said events; and

WHEREAS, the Town Board has determined that the existing Town Ordinances do not adequately regulate sales of goods, merchandise and food items on the public rights of way both during such events and on a routine basis; and

WHEREAS, the General Statutes of the State of North Carolina grant the Town the authority to regulate businesses and trades, to regulate solicitation and peddling, and to exercise control over the streets and public rights of way; and

WHEREAS, the Town Board has concluded that it is in the best interest of the Town that certain regulations be adopted to provide reasonable regulations regarding who may sell goods, merchandise or food on the public rights of way, what times such goods merchandise or food may be sold, and the manner in which such sales may be made.

NOW, THEREFORE BE IT HEREBY ORDAINED by the Board of Aldermen of the Town of Kernersville that the Code of Ordinances is amended as follows:

1. Adding Article IV to Chapter 5 as follows:

Article IV. Peddlers and Solicitors

1. The purpose of this Article is to regulate door to door selling of goods and services and solicitation of orders therefor and to promote the public health, safety and welfare.
2. No person shall for commercial purposes sell, or solicit orders for, goods and services by going from door to door or from place to place without prior appointments with the residents or occupants thereof or on the streets or sidewalks or in any public area, without first having obtained a permit from the Town Manager or Town Manager's designee.
3. Applications for a permit to Peddle or Solicit shall be submitted to the office of the Town Manager or Town Manager's designee on a form available from the office of the Town Manager, and shall include the following information:

- (a) Applicant's full name.
- (b) Permanent address of applicant.
- (c) Temporary address of applicant during solicitation, if applicable.
- (d) Name and address of applicant's employer or the organization or company with which applicant is associated in connection with peddling or solicitation activity.
- (e) Description of goods or services offered.
- (f) Time period for which the application is sought with a maximum time period permitted of sixty days provided that the applicant can renew said permit upon proper application.
- (g) Statement of any and all crimes of which the applicant has been convicted or has pleaded no contest to within the past ten years.
- (h) Age, height, weight and other reasonable information required by the Town Manager or Town Manager's designee to ensure proper identification of the person applying for the permit.
- (i) Description of each automobile or other vehicle used by the applicant showing the make, model, body style, color and license number, if applicable.

4. a. The Town Manager or Town Manager's designee shall deny an application under this Article if the applicant has submitted an incomplete application, has submitted false information, is not permitted by law to engage in the proposed activity for any reason, has been convicted of or pled no contest to any felony charge within the ten years preceding the application date, or has been convicted of or pled no contest to a misdemeanor charge involving theft, fraud, forging, uttering or other crime of like nature or involving moral turpitude within the five years preceding the application date.

b. The Town Manager or Town Manager's designee shall approve or deny the application within three (3) days of receipt of the application.

c. If a designee of the Town Manager shall make the determination regarding permit issuance, anyone denied such a permit shall have the right to file an appeal to the Town Manager. Any such appeal must be filed within ten days of the denial.

d. The determination of the Town Manager is final.

5. Permits shall include the applicants full name; permanent address; temporary address, if any; types of goods or services offered for sale; name of employer or firm or organization with which applicant is associated; the period for which the permit is valid; and a statement that issuance of the permit does not constitute in any manner an endorsement by the Town regarding the goods or services sold or offered.

6. Applicants shall display the permit on their person or upon a booth, whichever is applicable, during all peddling or solicitation.

7. Peddling or solicitation is prohibited between the hours of 9:00 P.M. and 9:00 A.M. unless the vending is part of a special event, in which case the vending may take place as permitted by the entity having control of said event.

2. Adding Article VI to Chapter 16 as follows:

Article VI. Selling on Streets or Sidewalks Prohibited.

1. Except during special community events as specifically authorized herein or during the Spring Folly as authorized in Chapter 5, it shall be unlawful to display, store, sell or offer for sale any goods, wares, merchandise or any other tangible items on any street, sidewalk or public right of way within the city. Goods, wares and merchandise shall include but not be limited to fruits, vegetables, farm products, dairy products, fish, game, poultry, meat, plants, flowers, appliances, wearing apparel, jewelry, art work, cosmetics and beauty aids, health products, medicines, household products or furnishings, and food, confections or drinks of any kind, whether or not for immediate consumption. Sidewalk means all that area legally open to public use as a pedestrian public way between the curb line and the legal building line of the abutting property.

2. a. The Board of Aldermen of the Town shall have the authority to authorize special events during which certain streets designated in said authorization may be closed and certain public areas, parks and sidewalks designated in said authorization may be utilized for the special event. All such special events shall be sponsored or co-sponsored by the Town. The Town may designate a nonprofit organization as the agency to conduct such special events. In the event a nonprofit organization is so designated, then said organization shall be responsible for the administration and control of the event and only those participants specifically authorized by the designated organization shall be entitled to participate in the special event without the restrictions imposed by this Article. A nonprofit organization conducting such a special event may be designated as the Town Manager's designee for the purpose of issuing vendor permits as required by Article IV of Chapter V of this Code.

b. No sale of any goods, wares or merchandise as defined herein shall be permitted within the area designated for the special event except as authorized by the designated organization and subject to the reasonable controls adopted by said organization or the Town. The designated organization may request and the Board of Aldermen may permit a charge to vendors of a fee for the right to participate in the special event. All vendors shall be required to procure a permit for peddling as required by Article IV of Chapter V of this Code.

c. Any vendor or peddler at any special event who sells food or food products subject to the regulation of the Forsyth County Health Department shall comply with any and all applicable regulations of the Forsyth County Health Department.

d. Special community events shall be designated by the Board of Aldermen by resolution and the resolution shall include the following information:

1. Dates, times and the location for the special event.

2. Designation of nonprofit organization administering and controlling the event, if applicable.

3. Activities that will be authorized on the public streets areas, and rights of way.

e. Nothing herein shall in any way prohibit or restrict any legally operated business located within or adjacent to the special event area from operating its business on its property in its customary fashion.

This the 8th day of November, 2001.

By: Larry R. Brown (SEAL)
Larry R. Brown, Mayor

Attest:

Dale F. Martin
Dale F. Martin, Town Clerk

