

**CITY OF MERCER ISLAND****CITY CLERK'S OFFICE**

9611 SE 36th Street • Mercer Island, WA 98040

(206) 275-7793 • www.mercerisland.gov/soliciting**--FOR CITY USE ONLY--**

Receipt # _____

Issuance Date _____

Expiration Date _____

License Number _____

Proof showing affiliation ☐ Y ☐ N**SOLICITING LICENSE APPLICATION****APPLICANT INFORMATION**

Name: _____

Other names used within the last 2 years _____

Cell Phone: _____ Work Phone: _____

Address _____

List each previous address within the last two 2 years:

Address: _____

Address: _____

DESCRIPTION OF GOODS, WARES, MERCHANDISE, OR SERVICES TO BE OFFERED BY APPLICANT:

ORGANIZATION OR BUSINESS INFORMATION: (Applicant must show proof of affiliation with the following organization or business.)

Business Name: _____

Business Address: _____

Business Phone: _____

Supervisor's Name: _____

Supervisor's Phone: _____

--FOR CITY USE ONLY--

Initials

The undersigned hereby applies for a soliciting license in accordance with the foregoing information, under and pursuant to Mercer Island City Code Section 5.16, and hereby certifies the information contained herein as true and correct to the best of the applicant's knowledge and belief.

SIGNATURE OF APPLICANT _____**DATE** _____**Please note:**

- Solicitors shall carry their license at all times when soliciting and shall display the license upon request by any police officer or any person solicited.
- Licenses are non-transferable; each solicitor must have his or her own individual license.
- If electric bicycles, Segways, motorized scooters, etc. are used for travel, they must be left on the sidewalk or right-of-way when visiting a home or business.

**\$30.00 fee is
due upon
license
issuance**

Chapter 5.16 REGULATION AND LICENSING OF SOLICITORS

5.16.010 Definitions.

Solicitor means a person who conducts commercial or not-for-profit solicitation by going from house to house. A solicitor makes contact, for any of the purposes described in subsections B and C of this section, without regard to whether the solicitor has a prior relationship with the person contacted.

Commercial solicitor means a person who sells or attempts to sell any good or service in the city.

Not-for-profit solicitor means (1) a person who either requests contributions or gifts of money, clothing, or any other valuable item for the support or benefit of a religion, creed, political cause, ideological position, and/or any other cause, charitable or nonprofit organization, association or corporation; or (2) any person who proselytizes or canvasses on behalf of a religion, creed, political cause, ideological position, and/or any other cause, charitable or nonprofit organization, association or corporation.

The term "solicitor" does not include an individual who contacts others within the individual's neighborhood. Contacts within one-quarter mile of the individual's primary residence are presumed to be within the individual's neighborhood.

(Ord. 15C-06 § 1; Ord. 14C-01 § 1)

5.16.020 Soliciting restrictions.

- A. No solicitor shall engage or attempt to engage in the business of soliciting at any home, residence, apartment complex or business that prominently displays a "No Peddlers" or "No Solicitors" sign or any other similar sign that communicates the occupants' desire not to be contacted by solicitors.
- B. No solicitor, whether commercial or not-for-profit, shall solicit between the hours of 9:00 p.m. and 10:00 a.m.

(Ord. 15C-06 § 1; Ord. 14C-01 § 1)

5.16.030 License required—Exemptions.

- A. It is unlawful for any person to act as a solicitor unless that person first secures a license in the manner provided in this chapter. The license required under this chapter is in addition to the business license that may be required under chapter 5.01 MICC when applicable.
- B. The following are exempt from the licensing and application requirements of this chapter, but must comply with MICC 5.16.020:
 - 1. Newspaper carriers;
 - 2. Not-for-profit solicitors;
 - 3. Peddlers of fruit, vegetables, berries, eggs, or any farm produce edibles raised, gathered, produced or manufactured by such person;
 - 4. A person who, after being specifically requested by another to do so, calls upon the requestor or his/her household for the purpose of displaying or delivering goods, literature, or giving information about any article, thing, product, or service; and
 - 5. All persons under the age of 18 unless employed by another person or organization to conduct solicitation.

(Ord. 19C-13 § 5; Ord. 15C-06 § 1; Ord. 14C-01 § 1)

5.16.040 License fees.

The license fees for solicitors shall be established by city staff.

(Ord. 14C-01 § 1)

5.16.050 License application—Information required.

- A. Any person desiring to secure a solicitor's license shall apply by filing a written application to the city clerk. The application form shall include:
1. The name, address and telephone number of the applicant;
 2. In the event the name or address of the applicant has changed within the last two years, each name and address over the last two-year period;
 3. The nature or character of the goods, wares, merchandise, or services to be offered by each applicant;
 4. The name of the organization with which the solicitor is affiliated (if any);
 5. Proof showing the affiliation with said organization; and
 6. Other information as reasonably required by city officials.
- B. The city clerk shall deny the applicant the license if the applicant has:
1. Committed any act which would be grounds for suspension or revocation of a license;
 2. Been previously denied a license under the provisions of this chapter; provided, however, that any applicant denied a license under the provisions of this chapter may reapply if and when the reasons for denial no longer exist; and
 3. Made any false or misleading statements in the application.
- C. The city clerk is authorized to promulgate rules regarding the manner and method of payment, including a prohibition or regulation of payment by check, and the form of the application.

(Ord. 14C-01 § 1)

5.16.060 Duration of license.

All licenses issued pursuant to this chapter shall expire one year from issuance.

(Ord. 14C-01 § 1)

5.16.070 Carrying of license required.

Any solicitor subject to the licensing requirements of this chapter shall carry his or her license at all times when soliciting and shall display the license upon request by any law enforcement officer or any person solicited.

(Ord. 14C-01 § 1)

5.16.080 Revocation of license.

The city may revoke a license upon finding that the solicitor or the solicitor's firm or organization is in violation of any city licensing ordinances.

(Ord. 14C-01 § 1)

5.16.090 Appeal procedure.

- A. Whenever the city clerk determines that there is cause for denying any license application or revoking any license issued pursuant to this chapter, the city clerk shall notify the person holding the license by mail with return receipt requested or by personal service on the licensee. If notice is provided by mail, the licensee is deemed notified three days after mailing. The notice shall specify the grounds for the denial or revocation of a license.
- B. The applicant or licensee may appeal the decision of the city clerk to deny or revoke a license by filing a written notice of appeal to the city manager within five business days of the city clerk's decision. The city's hearing examiner shall hear the appeal.
- C. Upon timely receipt of the notice of appeal, the city clerk shall set a date for hearing the appeal, which shall occur within 30 business days of receipt of the appeal, unless otherwise agreed to by the parties. The city clerk shall provide notice of the date of the hearing to the applicant or licensee at least five business days prior to the hearing date.
- D. The hearing shall be de novo. The hearing examiner may affirm, reverse or modify the city clerk's decision.
- E. The decision of the hearing examiner shall be final. Any person desiring to appeal must file an appropriate action in superior court within 14 days of the hearing examiner's decision.

(Ord. 14C-01 § 1)

5.16.100 Violations.

- A. A violation of any provision of this chapter constitutes a Class I civil infraction pursuant to RCW Chapter 7.80. Each day of any violation is a separate civil infraction.
- B. Issuance and disposition of infractions for violations of this chapter are in accordance with RCW Chapter 7.80, as amended, and any applicable court rules.

(Ord. 14C-01 § 1)