



# Methuen Police Department

Quinn Public Safety Building

90 Hampshire Street ~ Methuen, Massachusetts 01844

TELEPHONE (978) 983-8698

## DOOR-TO- DOOR SALES APPLICATION PACKET

A Door-to-Door sales permit is **REQUIRED** by ANY person:

1. Seeking to obtain orders for the present of future delivery of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatsoever, for any kind of consideration whatsoever; or
2. Seeking to obtain prospective customers for application or purchase of insurance of any type or character; or
3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or
4. Seeking to obtain gifts or contributions or money, clothing or any other valuable thing for the support or benefits of any association, organization, corporation or project, not otherwise exempt under this chapter.

**Exemptions:** *Please see Chapter 13, Section 50-11 for persons exempt from this ordinance.*

*EACH SALESPERSON MUST APPLY INDIVIDUALLY TO THE METHUEN POLICE DEPARTMENT DURING POSTED ADMINISTRATIVE HOURS BY SUBMITTING A COMPLETED APPLICATION AND PROPER FEES.*

**Door-to-Door Sales Permits are valid for 30-Days and can be renewed for an additional fee. All fees are payable to the CITY OF METHUEN by CHECK ONLY.**

**Permit Fee - \$35.00** (payable upon submission of each completed application, non-refundable).

**Deposit Fee - \$25.00** (each permits requires a deposit, payable upon permit issuance, which will be refunded upon return of the expired permit within the 30-day period, noted in application packet and on permit. All expired permits must be returned).

**Renewal Fee - \$20.00** (payable upon written request to extend permit for each additional 30-days).

**NOTICE:** Attached you will find a copy of the City of Methuen Ordinance Chapter 13 Section 50 regulating door-to-door sales within the city of Methuen. Please review this ordinance in its entirety. Violations of the ordinance are subject to arrest and/or summons of a criminal complaint and/or fines.

**\* All Door-to-Door Sales Permit Applications shall be submitted to the Methuen Police Department Records Office during normal business hours only.**

# City of Methuen

## Door-to-Door Sales Application

Each Salesperson must apply individually to the Methuen Police Department during posted administrative hours by submitting a completed application, which shall require the following:

**SALESPERSON/SALES SUPERVISOR (PERSON WHO PERMIT WILL BE ISSUED TO)**

Name: ( Last, First, Mi)	
Date of Birth:	Social Security Number:
Permanent Residential Address:	City/State/Zip code
Temporary Local Address:	City/State/Zip code
Home Telephone Number:	Current Cell Phone Number:

**SALES ORGANIZATION (WHO DO YOU WORK FOR)**

Sales Organization Company Name:	Sales Organization Address:
Sales Organization City/State/Zip code:	Sales Organization DIRECT phone number:
Sales Supervisor Identity:	Sales Supervisor DIRECT phone number:
What are you selling? (Include a detailed statement of what your organization is selling/presenting/delivering.)	

**VEHICLE INFORMATION:** Vehicle used to transport sales agent, supervisor or sales materials. If more than 1 vehicle include separate sheet.

Make/Model/Color:	Vehicle Registration Number:
Vehicle Owner Name:	Vehicle Owner Address:

**\* Applicant shall include a copy of the following upon application submittal:**

- 1) Drivers License or other Government issued photographic identification**
- 2) (2) Passport type photographs**
- 3) Non Refundable Permit fee of \$35.00. Check Payable to the City of Methuen.**

*For internal use only:*

- CORI  
 Permit #: \_\_\_\_\_ Valid Dates: \_\_\_\_\_ to \_\_\_\_\_  
 issued copy of city ordinance

City of Methuen  
Chapter 13, Section 13-50 of the Methuen Municipal Code  
**“DOOR TO DOOR SALES REGULATION”**

WHEREAS, many residents complain to the Police Department each year about door-to-door Solicitation; and

WHEREAS, citizens indicate that being the largest target of solicitation in their homes is annoying, intrusive and unpleasant, and

WHEREAS, others are concerned at having strangers approaching their homes uninvited. Many seek assurance that the solicitors are known to City officials and properly licensed; and

WHEREAS, residents are vulnerable to crimes such as fraud, identity theft and larceny; and

WHEREAS, Senior citizens and retirees constitute a substantial portion of the City's population and are particularly susceptible to these crimes.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Methuen that Chapter 13, Section 13-50 of the Methuen Municipal Ordinance is hereby AMENDED as follows:

By deleting said Section 13-50 in its entirety and inserting in place thereof the following:

“Any person or persons violating this section may be arrested without warrant and/or summoned before a court of competent jurisdiction, and punished by a fine of not more than One Hundred (\$100.00) Dollars.”

**Section 50-1 Findings and intent**

This ordinance is intended to regulate door-to-door sales by licensing sales agents and promulgating reasonable time and manner restrictions on door-to-door solicitation.

**Section 50-2 Definitions**

The following words and phrases shall have the following meanings:

**DOOR-TO-DOOR SALES** – The in-person solicitation by a person by entry upon residential property, including multifamily or duplex residential property, 1. Seeking to obtain orders for the present or future delivery of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatsoever, for any kind of consideration whatsoever; or 2. Seeking to obtain prospective customers for application or purchase of insurance of any type or character; or 3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or 4. Seeking to obtain gifts or contributions or money, clothing or any other valuable thing for the support or benefits of any association, organization, corporation or project, not otherwise exempt under this chapter.

**DOOR-TO-DOOR SALES PERMIT** – A permit issued to a sales agent to engage in door-to-door sales in accordance with this article.

**SALES ORGANIZATION** – Any entity engaged in the supervision, recruitment, retention or employment of a salesperson or salespersons, including any person or representative thereof for door-to-door sales of goods, services, periodicals for future delivery.

**SALESPERSON** – Any person engaged in door-to-door sales of goods or services for present or future delivery or seeking gifts or contributions of money or any other item(s) of value.

**SALES SUPERVISOR** – Any person who directs or supervises a salesperson or

salespersons engaged in door-to-door sales.

SOLICITATION – 1. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatsoever, for any kind of consideration whatsoever; or

2. Seeking to obtain prospective customers for application or purchase of insurance of any type or character; or 3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or 4. Seeking to obtain gifts or contributions or money, clothing or any other valuable thing for the support or benefits of any association, organization, corporation or project, not otherwise exempt under this chapter

### **Section 50-3 Administration**

The City of Methuen door-to-door sales permit process shall be administered by the City of Methuen Police Department.

### **Section 50-4 Application Requirements**

A. Each salesperson must apply individually to the Methuen Police Department during posted administrative hours by submitting a completed application, which shall require:

1. Government issued photographic identification
2. Date of birth
3. Social security number
4. Permanent residential address
5. Home telephone number
6. Temporary local address
7. Current cell phone number
8. Sales organization information
9. Sales supervisor identity
10. Make, model, color and registration number of any vehicle(s) used to transport the sales agent, his/her supervisor or sales materials.
11. Such other identifying information as may be reasonably required
12. Submission of (2) "passport" type photo's. IE: A color photo printed on photo quality paper, 2x2 inches in size, sized such that the head is between 1 inch and 1 3/8 inches from the bottom of the chin to the top of the head, taken within the last 6 months to reflect the applicants current appearance, with a plain white or off-white background, taken directly facing the camera with a neutral expression and both eyes open.
13. Submission of non-refundable permit fee.

B. An application fee to be established and adjusted from time to time by the City Council shall accompany each City Methuen sales permit application.

### **Section 50-5 Background Check**

A) Subject to the provisions of the Massachusetts Criminal Records Offender Statute, M.G.L. Chapter 6, Section 167 et seq., and regulations promulgated thereunder, the City of Methuen shall conduct a criminal records check of each applicant for a City of Methuen door-to-door sales permit to determine the applicant's fitness and suitability to conduct door-to-door sales.

B) An inquiry shall be completed to determine whether a sales agent, or supervisor is a missing person.

### **Section 50-6 Door-to-Door sales regulations**

A. No salesperson shall engage in door-to-door sales without first having applied for and received a City of Methuen door-to-door sales permit.

B. No sales organization shall allow any salesperson to engage in door-to-door sales who has not applied for and received a City of Methuen door-to-door sales permit.

C. No sales supervisor shall direct, supervise or allow any salesperson to engage in door-to-door sales who has not applied for and received a City of Methuen door-to-door sales permit.

D. Each salesperson shall wear affixed to their outer clothing the City of Methuen door-to-door sales permit at all times while engaged in door-to-door sales.

E. No salesperson or supervisor shall use any vehicle to transport persons or materials for door-to-door sales unless said vehicle is identified in the City of Methuen door-to-door sales permit application and the exterior of said vehicle is marked with the name of the sales organization and the words "door-to-door sales." All required information shall be in letters a minimum of four inches in height on both sides of the vehicle.

F. The fee for a 30 day the door-to-door sales permit shall be \$35.00. Fee's are non-refundable and shall remain with the Methuen Police Department.

G. \$25.00 deposit is required for the door-to-door sales permit; returned to person upon return of door-to-door permit to Methuen Police Department.

H. Within 30 ays of expiration, the expired sales permit shall be returned to the Methuen Police Department. After 30 days, the Methuen Police Department will no longer refund the \$25.00 deposit. However, parties are still required to return the door-to-door sales permit upon conclusion of the 30 days to the Methuen Police Department or be subject to criminal charges.

I. Any applicant not in violation of any provision of this article may obtain an extension of the door-to-door sales permit for a non-refundable fee of \$20.00 for each additional 30 days, provided that a criminal record check is conducted for each extension sought. The \$25.00 deposit will be refunded upon expiration and return of the extended sales permit to the Methuen Police Department. No deposit refund shall be issued without return of the sales permit.

J. Door to door sales shall be restricted to the hours of 10:00 A.M. thru 7:00 P.M., Monday thru Saturday. Door to door sales shall be prohibited on Sundays.

#### **Section 50-7 Denial and revocation**

A. The Chief of Police or designee may deny issuance or revoke any door-to-door sales permit after notice for any of the following causes:

1. Fraud, misrepresentation or any false statements made to the police department in furnishing the information required by section 50-4.
2. Any violation of this article.
3. Conviction of the permit holder of any felony within the past 10 years of the date of application.
4. Conviction of the permit holder of any misdemeanor within the past 5 years of the date of application.
5. Conducting solicitation in an unlawful manner or in such a manner as to constitute a breach of the peace or to be a menace to the health, safety or general welfare of the people of the City.

B. Notice of denial or revocation of a permit shall be given in writing, stating the reasons therefor. Such notice shall be mailed to the permit seeker or holder at the address given in the application.

**Section 50-8 Transfer; use by other person**

A permit issued pursuant to this article shall not be assigned or transferred. Nor shall a permit be used by any person other than the person to whom the permit was issued.

**Section 50-9 Signs prohibiting solicitation; trespass**

A. It shall be unlawful for any salesperson to enter the premises or remain on property displaying a "No Trespassing" or "No Solicitation" sign.

B. It shall be unlawful for any salesperson to ignore a no solicitation directive or remain on private property after a resident or resident's representative has indicated that the salesperson is not welcome.

**Sec. 50-10. "Do Not Knock Registry".**

(a) The Police Department Designee shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Chief of Police or his designee, that a door-to-door salesperson, hawker, peddler or any other person, including corporate or business entities, wishing to sell wares or services in all districts, in locations which are not stationary are not permitted on the premises (hereinafter referred to as the "Do Not Knock Registry"). Notification shall be by completion of a form available at the Police Department.

(b) The Chief of Police or designee shall distribute the current "Do Not Knock Registry" to a person or entity licensed under this chapter at the time of issuance of the license. The licensee shall not peddle, canvass, or conduct door-to-door sales at any premises identified on the then current "Do Not Knock Registry".

(c) Any canvasser, peddler, itinerant vender or owner or employee of a door-to-door sales enterprise who violates any provision of this section shall be:

- 1) Subject to an ordinance violation fine of \$300.00 per offense and/or
- 2) Subject to a one-year revocation of any license issued pursuant to the within article.

**Section 50-11 Exemptions**

A. No license shall be required under this ordinance for any students who reside in/or attend a school within the City of Methuen and minors participating in City of Methuen recognized/chartered/sponsored youth organizations, for the purpose of participating in organization sponsored fundraiser drives. Section 50-6J as it pertains to hours of door-to-door sales shall pertain to this exemption additionally allowing door-to-door sales on Sundays from 12:00 P.M. thru 6:00 P.M.

B. Under Section 50-4(A), a minor, (not exempt under section 50-A), who does not possess government issued photographic identification may present an original birth certificate or an affidavit signed under the penalties of perjury by the minor's parent or guardian attesting to the minor's date of birth.

C. The provisions of this Ordinance shall not apply to any person who goes door-to-door to sell goods or periodicals on behalf of any group organized for any political purpose or for any purpose described in Section 4, Chapter 180 of the General Laws, nor shall this section apply to a person engaged in any activity governed by Section 69 of the General Laws. However under Section 50-4(B) and Section 50-6, the license fee shall only be waived for any salesperson engaged in door-to-door sales for a non-profit organization upon presentation of written evidence of status under Internal Revenue Service Code (IRC 501 (c) (3)).

D. The provisions of Section 50-5 regarding CORI certifications shall not apply to individuals under the age of fourteen (14) years of age providing a sales supervisor for the individual(s) has complied with the provisions of this section, and filled out an "Affidavit of Supervision" listing all participants names and addresses, and that the individuals are individually known to the supervisor, and will be supervised in their door-to-door solicitation and will be responsible for their conduct.

E. No license shall be required under this ordinance for any person going door-to-door for the purpose of advocating any religious, political, social or other position or belief protected by the federal or state constitution. (This exemption does not apply and such person is required to obtain a license if the exercise of the person's constitutional rights are merely incidental to a commercial activity.)

**Section 50-12 Violations and penalties**

A. Each violation of any provision of this article shall be punished by a fine not to exceed \$300.00.

B. Upon the occurrence of a second violation of this article by any salesperson, the issuing authority shall permanently revoke that salesperson's City of Methuen door-to-door sales permit.

**Section 5-13 Severability**

The invalidity of any portion or portions of this article shall not invalidate any other portion, provision or section thereof.