



CITY OF WESLACO

PLANNING & CODE ENFORCEMENT DEPARTMENT

*****NOTE: PROCESSING TIME TAKES ABOUT TEN BUSINESS DAYS*****

THE FOLLOWING IS REQUIRED AS PART OF THE APPLICATION:

| | |
|---|--|
| _____ Completed & Notarized Application | _____ Letter of Authorization from business |
| _____ Copies of TX DL or ID's of 4 - 7 people assisting | _____ **Letter must be typed on Business Letter Head |
| _____ Proof of Non-Profit Status | _____ Processing fee (\$75) Non-refundable |
| _____ Letter of Intent/Purpose for fundraiser | _____ Receipt# |

THIS PART FOR OFFICE USE ONLY

TO: City Health Official,
Police Chief,

BL# _____

FROM: Planning/Code Enforcement Office

SUBJECT: Soliciting Application

DATE SUBMITTED: _____, 20____

Please review the attached application and submit your comments to the P/CE Department as soon as possible. Should you have any questions, please call (956) 447-3401.

| Route | STAFF |
|--------------|-----------|
| Date/Initial | RESPONSES |

**THIS SECTION
FOR P/CE ONLY
DATE RECEIVED**

| |
|-------------------------|
| POLICE CHIEF SIGN/DATE: |
| |
| |

| |
|---------------------------------|
| CITY HEALTH OFFICIAL SIGN/DATE: |
| |
| |



CITY OF WESLACO
PLANNING & CODE ENFORCEMENT DEPARTMENT

SOLICITING APPLICATION

FILE NO. _____

*****NOTE: PROCESSING TIME TAKES ABOUT TEN BUSINESS DAYS*****

NAME: _____ PHONE: _____

D.O.B.: _____ D.L. # _____

PERMANENT ADDRESS: _____

NAME & PHONE OF COMPANY, FIRM OR ORGANIZATION REPRESENTING: _____

ADDRESS OF COMPANY OR ORGANIZATION: _____

NAMES OF ALL PERSONS ASSOCIATED WITH BUSINESS: 1) _____

2) _____ 3) _____

4) _____ 5) _____

6) _____ 7) _____

LOCATION OF EVENT (INTERSECTING STREETS) : _____

GENERAL DESCRIPTION OF THINGS TO BE SOLD: _____

PROOF OF LIABILITY INSURANCE: _____

*****Please Note: Once an application is approved the issuance of a permit can take up to 10 days to process*****

I, hereby swear (under oath) that I have (have not) been sued in a civil or criminal proceeding in a duly constituted court of law of any form of fraud, theft or embezzlement, and swear to my knowledge the person, partnership, firm association, corporation or other business entity that I represent, has (has not) been convicted in a court of law of any form of fraud, theft or embezzlement.

Applicant Signature

NOTARY

Sworn and subscribed before me at Weslaco, Texas, this the _____ day of _____, 20____

Notary Public is and for Hidalgo County, Texas

My Commission Expires: _____

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CITY OF WESLACO
PLANNING & CODE ENFORCEMENT
DEPARTMENT

Sec.102-02 Soliciting from occupants of vehicles prohibited; causing a child to solicit from occupants of vehicles prohibited; penalty.

- (a) It shall be unlawful for a person to stand on a traffic median, shoulder, improved shoulder or sidewalk and solicit, or attempt to solicit, employment, business or charitable contributions from the occupants of any vehicle on a roadway.
- (b) It shall be unlawful for a person to knowingly cause a child ten (10) years of age or younger to stand on a traffic median, shoulder, improved shoulder or sidewalk and solicit, or attempt to solicit, employment, business or charitable contributions from the occupants of any vehicle on a roadway.
- (c) For purposes of this section, the term "cause" shall mean aid, direct, hire, encourage, permit, or allow.
- (d) Violation of any portion of this section constitutes a misdemeanor punishable by a fine not to exceed two hundred dollars (\$200.00).
- (e) Notwithstanding the other provisions of City Code of Ordinances, a person seventeen (17) years of age or older may solicit employment, business or charitable contributions while standing on a traffic median, shoulder, improved shoulder, sidewalk, or the improved portion of the roadway from occupants of any vehicle on a roadway provided said person wears a florescent orange visibility vest, does not impede traffic, enters or remains in a roadway only while the controlling traffic signal prohibits vehicle movement, and has obtained a permit to do so, or who is a member of an organization which has obtained a permit to do so, from the Planning & Code Enforcement Department.
- (f) Permits may be issued to no person or organization more than **twice per calendar year** for a period of no more than **two (2) consecutive days**, and between the hours of 9:00 a.m. and one (1) hour before sunset.
- (g) The Planning Director or designee shall issue a solicitation permit upon application provided said application states the name and address of the person or organization for whom solicitations are made, the names and addresses of the persons soliciting, the locations at which soliciting will take place, and the times during which the soliciting will take place.
- (h) Permit applications must be accompanied by a fee of seventy five and no/100ths (\$75.00) and a certificate of insurance signed by an agent authorized to bind coverage indicating that the applicant has obtained, at his sole expense, insurance coverage (1) that is written by an insurance company with an A- or better rating by AM Best and that is admitted and licensed to do business in the State of Texas; (2) that is in full force and effect for the duration of the permit period; (3) that provides one million dollars (\$1,000,000.00) of liability coverage per occurrence with no deductible; (4) that insures the applicant and all persons who will be soliciting; (5) that names the

City of Weslaco, its officers, employees, and elected representatives as an additional insured; (6) that provides that any insurance or self-insurance maintained by the city shall apply in excess of and not contribute with it; (7) that is written on an occurrence basis; and (8) that is otherwise acceptable to, and approved by, the Planning Director or designee.

(i) Notwithstanding the other provisions of the City Code of Ordinances, a person sixteen (16) years of age or older may solicit the sale of newspapers to occupants of motor vehicles from sidewalks, walkways, raised medians, islands and other off-roadway surfaces and may deliver the newspaper to any such occupant who responds to the solicitation in order to complete the sales transaction so long as doing so does not impede traffic flow and provided that such person wears a fluorescent orange visibility vest. The owner and publisher of the newspaper will be responsible for periodically monitoring the activity of any such solicitor under the age of eighteen (18), such monitoring to be done by an agent or employee of the newspaper who is at least twenty-one (21) years of age. Any solicitor under the age of eighteen (18) must have the consent of a parent or adult having custody of the child. The owner and publisher of any newspaper distributed pursuant to subsection (i) shall maintain at its sole expense insurance coverage:

- a. That is written by an insurance company with an A- or better rating by AM Best and that is submitted and licensed to do business in the state;
- b. That is in full force and effect at any time sales and distribution are being conducted pursuant to subsection (i);
- c. That provides one million dollars (\$1,000,000.00) of liability coverage per occurrence;
- d. That insures the newspaper and all persons who will be selling and distributing on its behalf;
- e. That names the city, its officers, employees and elected representatives as additional insures;
- f. That provides that any insurance or self-insurance maintained by the city shall apply in excess of and not contribute with it; and
- g. That is written on an occurrence basis.

The owner and publisher shall file and keep current a certificate of insurance signed by an agent authorized to bind coverage indicating that the owner and publisher has obtained the aforementioned insurance coverage, with the Planning Director or designee.