

Obtaining a Principal Peddler/Solicitor Permit in the City of Springdale, AR

- Business license application completed and issued to Principal Permittee.
- Principal Permit Application for Peddlers/Solicitors completed.
- Please see the check list of Requirements on the application.
- Background checks- Contact Ark State Police- (479) 751-6663
Or www.asp.arkansas.gov

**City of Springdale
Arkansas**

201 Spring Street
Springdale, AR 72764
479-750-8118

Principal Permit Application for Peddlers/Solicitors

Date of Application: _____

Dates of Solicitation: _____ through December 31, 20__.

Business Information

Name of Company: _____

Address of Company: _____

Contact Name: _____

Daytime Telephone Number: (____) _____ Cell Phone: (____) _____

Description of Business (Product Sold): _____

Proposed Method of Operation: _____

Requirements by City for Principal Permit

- \$40.00 Fee (Non-Refundable)
- Current City of Springdale Business License
- List of all persons who will peddle or solicit in the city on behalf of the principal
- Criminal Background Check from Arkansas State Police on all peddlers/solicitors
- Arkansas State Police contact numbers (479) 751-6663 or www.asp.arkansas.gov

Applicant's Signature

List of all persons who will peddle or solicit in the city on behalf of the Principal:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Individual Peddler/Solicitor's Permit Application Instructions-

- Complete the form for the individual Peddler/Solicitor Permit.
- See the check list of Requirements by City on the form.
- Background Checks-Contact Ark State Police at (479) 751-6663
Or www.asp.arkansas.gov

City of Springdale

Arkansas

201 Spring Street
Springdale, AR 72764
479-750-8118

Individual Peddler/Solicitor Permit Application

Date of Application: _____

Dates of Solicitation: _____ through December 31, 20__.

Applicant Information

Name of Applicant: _____ Date of Birth _____

Address of Applicant: _____

Daytime Telephone Number: (____) _____ Cell Phone:(____) _____

Business Information

Name of Company: _____

Address of Company: _____

Daytime Telephone Number: (____) _____ Cell Phone:(____) _____

Description of Business (Product Sold): _____

Proposed Method of Operation: _____

Requirements by City for Peddler/Solicitor:

- \$5.00 Fee (Non-Refundable)
- Criminal Background Check from Arkansas State Police
- Arkansas State Police contact numbers (479) 751-6663 or www.asp.arkansas.gov
- Photo Identification Visible to Public (provided by Principal company)
- Copy of Ordinance 4585 to be carried when soliciting in Springdale, Arkansas
- Copy of their Permit issued by the City Clerk on their person

I have applied for a permit as a peddler/solicitor in the City of Springdale, Arkansas. After being duly sworn, I state under oath that I have never been convicted of a felony or of a misdemeanor involving theft, a sexual offense, or a drug offense.

Applicant's Signature

ORDINANCE NO. 5724

AN ORDINANCE AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, PERTAINING TO DOOR TO DOOR SOLICITATION; AND DECLARING AN EMERGENCY.

WHEREAS, on April 24, 2012, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 4585, now codified as Section 82-1 of the Code of Ordinances of the City of Springdale, Arkansas, setting forth regulations pertaining to door to door peddling and solicitation on residential properties in the City;

WHEREAS, on August 28, 2012, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 4619, now codified as Section 82-4 of the Code of Ordinances of the City of Springdale, Arkansas, setting forth regulations pertaining to door to door peddling and solicitation on commercial and industrial properties in the City;

WHEREAS, the City has a substantial interest in protecting the well-being, tranquility, personal safety, and privacy of its citizens, which include the ability to protect citizens from fraud or from unwanted intrusions upon residential, commercial, and industrial property; and

WHEREAS, in order to more effectively carry out the purposes and enforcement of the aforementioned Ordinances, the City Council for the City of Springdale finds that Section 82-1 and Section 82-4 of the Code of Ordinances of the City of Springdale, Arkansas, need to be amended to clearly set forth the penalties for a violation of these Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: Section 82-1(f) of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

- (f) *Penalty.* ~~Any violation of this section shall be deemed a nuisance and punishable by a fine as provided by section 1-9~~ A person convicted of a violation of this subchapter shall be punished by a fine not exceeding \$1,000.00, or double such sum for each repetition thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed \$500.00 for each day that the violation is unlawfully continued. The imposition of a penalty does not prevent the revocation of a permit pursuant to subsection (h) herein. Violations of this subchapter that are continuous with respect to time, are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.

Section 2: Section 82-4(d) of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

- (d) *Penalty.* ~~Any violation of this section shall be deemed a nuisance and punishable by a fine as provided by section 1-9~~ A person convicted of a violation of this subchapter shall be punished by a fine not exceeding \$1,000.00, or double such sum for each repetition thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed \$500.00 for each day that the violation is unlawfully continued. Violations of this subchapter that are continuous with respect to time, are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.

Section 3: All other provisions of Chapter 82 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended herein shall remain in full force and effect.

Section 4: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED, this 24th day of May, 2022.



Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED:



Ernest B. Cate, City Attorney

ORDINANCE NO. 4585

AN ORDINANCE AMENDING SEC. 82-1 OF THE CODE OF THE ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, WHICH RELATES TO DOOR TO DOOR SOLICITATION AT PRIVATE RESIDENCES; AND FOR OTHER PURPOSES.

WHEREAS, the City Council for the City of Springdale, Arkansas finds that residents of the City have an inalienable interest in their personal safety, well-being, and privacy in their residences, as well as their ability to provide or receive information regarding matters of personal belief, political or charitable activities, and goods and services lawfully in commerce;

WHEREAS, the City has a substantial interest in protecting the well-being, tranquility, personal safety, and privacy of its citizens, which include the ability to protect citizens from fraud or from unwanted intrusions upon residential property;

WHEREAS, the City finds that there must be a balance between the substantial interest of the City and its citizens and the effect of the regulations in this chapter on the rights of those who are regulated, as well as judicial decisions outlining the boundaries of constitutional protection afforded and denied persons seeking to engage in door to door solicitation;

WHEREAS, in order to carry out the above stated purposes, the City Council for the City of Springdale finds that the current door to door solicitation ordinance needs to be amended;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Sec. 82-1 is hereby amended as follows:

Sec. 82-1. - Door to door solicitation at private residences.

(a) *Definitions.* The following words, terms and phrases and their derivations, when used in this section, shall have the meanings ascribed to them in the section, except where the context clearly indicates a different meaning:

(1) Charitable activity means any activity represented to be carried on for unselfish, civic or humanitarian motives or for the benefit of others and not for private gain and means, and includes patriotic, philanthropic, social service, health, welfare, benevolent, educational, civic, cultural or fraternal;

(2) Charitable organization means a non-profit organization holding a tax exemption certificate from the Internal Revenue Service pursuant to §501 et. seq., and any amendments thereto.

(3) City means City of Springdale, Arkansas.

(4) Peddler means any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, carrying or transporting goods, wares, merchandise or personal property of any nature and offering the same for sale.

(5) Peddling includes all activities ordinarily performed by a peddler as indicated in the previous paragraph.

(6) Political purpose shall mean any form of communication related to a political issue, a particular candidate to a position or non-partisan office, a political committee, or to a political party;

That which is underlined is added; that which is stricken through is deleted.

(7) Religious purpose shall mean the use of money or property for the support of a church, religious society or other religious sect, group, or order.

(48) Solicitor means any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, for the purpose of taking or intending to take orders for the sale of goods, wares, merchandise or other personal property of any nature for future delivery, or for services to be performed in the future.

(59) Solicitation or soliciting includes all activities ordinarily performed by a solicitor as indicated in the previous paragraph.

(10) Principal means the person or other legal entity whose goods, merchandise, personal property or services are being peddled or solicited.

(b) Duties of city clerk under this section. The city clerk is hereby directed to prepare and maintain a list of the names and addresses of all residents of the city who desire no peddling or soliciting at their residence. The said residents of the city who desire for their name to be placed on this list may do so by contacting the city clerk in person, by phone, or by mail. Obtaining "No Soliciting/No Peddling" decal or sign. The city clerk shall provide any resident of the City a decal which reads, "No Soliciting/No Peddling." This decal may be posted at the front of the any private residence in the City, and by posting said notification, any solicitor or peddler has notice that soliciting or peddling at this address is prohibited by city ordinance. The city clerk shall also have signs that may be used instead of the decal, but any resident that wants a sign must pay the city's cost to obtain the sign.

(c) Principal permit. No peddling or solicitation shall be conducted within the city without a principal permit being issued. The cost for the principal to obtain a solicitor/peddler's permit is \$40.00, and shall be paid to the City Clerk before any peddling or soliciting is conducted within the city. The permit shall expire on December 31 in the year the permit is issued. In addition to the principal's permit, the principal must also comply with the city's business license requirements under Sec. 26-27, et. seq. of the Code of Ordinances of the City. To obtain a permit, a representative of the principal shall provide a written, signed application stating:

- (1) the name, address, telephone number, type of organization, and contact person for the principal applicant;
- (2) the nature of the products or services involved;
- (3) the proposed method of operation in the city;
- (4) a list of persons who will peddle or solicit in the city on behalf of the principal in the city.

(d) Permit for peddlers/solicitors. In addition to the principal permit, each peddler or solicitor acting for the principal shall also obtain a permit from the City Clerk before peddling or soliciting within the City. The cost to obtain a peddler/solicitor permit is \$5.00. In applying for the permit, each applicant shall provide the following to the City Clerk:

- (1) the name of the principal applicant for whom they are going to act as a peddler or solicitor;
- (2) the name, address, and telephone number of the person who is going to act as a peddler or solicitor, and in addition, they must also provide photo identification;

That which is underlined is added; that which is stricken through is deleted.

- (3) a signed statement under oath that the person applying to be a peddler/solicitor has not been convicted of any felonies or any misdemeanors involving theft, sexual offenses, or drug offenses.
- (4) a criminal background check from the Arkansas State Police which shows that the peddler or solicitor has not been convicted of any felonies, or any misdemeanors involving theft, sexual offenses, or drug offenses. No person shall be issued a permit as a peddler or solicitor that has been convicted of any of the offenses set out herein.
- ~~(e) — Duties of peddler or solicitor. Prior to engaging in the practice of peddling or soliciting at private residences, all persons must first obtain a copy of the list of residents who desire no peddling or soliciting at their private residence. Any peddler or solicitor who contacts any owner or owners, occupant or occupants of said private residences who are on the list, shall be in violation of this section.~~
- ~~(d) — Prohibition when signs are posted. It shall be unlawful for any person, while conducting the business of a peddler or solicitor, to enter upon any residential premises in the city where the owner, occupant or person legally in charge of the premises has posted, at the entry of the premises, or at the entry of the principle building on the premises, a sign bearing the words "no peddlers," "no solicitors," "no trespassing," or words of similar import.~~
- ~~(e) — Hours restricted. No person while conducting the activities of peddler or solicitor shall enter upon any private residence, knock on doors, or otherwise disturb persons in their residence between the hours of 8:00 p.m. and 9:00 a.m.~~
- (e) *Prohibition.* It is unlawful for any solicitor or peddler to:
- (1) peddle or solicit within the City without having a copy of this ordinance on their person, as well as a copy of their permit issued by the City Clerk, as well as photo identification visible, which is provided by the principal, identifying the person peddling or soliciting;
 - (2) enter upon any private residence, knock on a door, ring the doorbell, or otherwise attempt to gain admittance at the residence when the premises has posted at the entry of the residence a decal or sign bearing the words, "No Soliciting/No Peddling," "No Peddlers", "No Solicitors", "No Trespassing", or other words of similar import;
 - (3) conduct the activities of peddler or solicitor and knock on a door, ring the doorbell, or otherwise attempt to gain admittance at the residence between the hours of 7:00 p.m. and 10:00 a.m. during regular standard time, and between the hours of 8:00 p.m. and 10:00 a.m. during daylight savings time;
 - (4) remain at the private residence when requested to leave, or to otherwise conduct business in a manner which a reasonable person would find obscene, threatening, intimidating or abusive;
 - (5) make any false or misleading statements about the product or service being sold, including untrue statements of endorsement;
 - (6) claim to have the endorsement of the City solely based on the City having issued a permit to that person;
 - (7) fail to disclose his or her name and the name of the principal who he represents at the outset of the initial conversation;
 - (8) fail to leave the premises or residence after having been asked by the owner or occupant thereof to do so.

That which is underlined is added; that which is stricken through is deleted.

(f) *Penalty.* Any violation of this section shall be deemed a nuisance and punishable by a fine as provided by section 1-9.

(g) *Exemptions.* The following shall be exempt to all provisions of this ordinance:

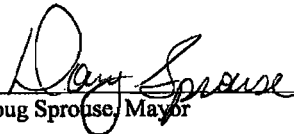
(1) Officers or employees of the city, county, state, or federal government, or any subdivision thereof when on official business;

(2) Charitable activities on behalf of a charitable organization, or activities related to a religious purpose or political purpose.

(h) *Revocation of permit.* Any permit issued pursuant to the provisions of this ordinance may be suspended or revoked for good cause by the City Council. Good cause for such suspension or revocation shall include any violation of this ordinance, or any other reasons for suspensions or revocation as set out in Sec. 26-42.1 of the Code of Ordinances of the City and said violations are hereby incorporated herein by reference. The procedure for suspension or revocation under this ordinance shall be the same procedure as set out in Sec. 26-42.1(b) of the Code of Ordinances of the City and said procedure is hereby incorporated herein by reference.

This ordinance shall become effective July 1, 2012.

PASSED AND APPROVED, this 24th day of April, 2012.



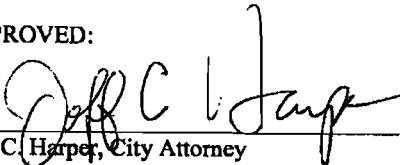
Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED:



Jeff C. Harper, City Attorney



Criminal Background Check DEMO

[ASP Home](#) | [Bureaus & Divisions](#) | [Public Services](#) | [Quick Links](#) | [Site Map](#)

Frequently Asked Questions

Search for Record

How do I get an Arkansas criminal history background check?

Try the demonstration!

There are two ways to obtain statewide Arkansas background checks.

How this Site Works

Manual Process

The first way (manual process) requires the subject of the record check to sign the State Police form ASP-122. This form must be notarized. The cost is \$20.00. The completed form along with an addressed stamped envelope and \$20.00 is mailed to Arkansas State Police, Identification Bureau, 1 State Police Plaza Drive, Little Rock, AR 72209. The request will be processed and the results of the background check will be mailed to the (business/person) authorized on the form. This method is open to all persons who have the written notarized release of the subject of the request. This method takes seven to 10 days to complete excluding mailing time.

Requirements and Use of Information

Other Ways to Get Records

Frequently Asked Questions

Contact Us

The ASP-122 is available as an Adobe PDF document. [Click to download the ASP-122 form](#), print and follow the instructions on the form.

Adobe PDF documents require the free [Adobe Reader](#).

Electronic Process

The second way (electronic process) is **open only to employers and professional licensing boards** (hereinafter PLB) under Act 63 of the First Extraordinary Session of 2003. The employer or PLB is required to register with Arkansas State Police and have their application accepted and approved. That approved application allows them to register for electronic internet service with the Information Network of Arkansas (INA), the internet access provider. The employer or PLB is then required to complete information online and create passwords. Upon completion of this process, the employer or PLB will be allowed electronic access to certain criminal history information (see below).

The employer or PLB will be required to have a signed release from the employee and must maintain that release in their files for three years. If correct information is submitted, the results of the search may be completed in minutes. If research is required, the response may take several hours to complete.

What information will my response contain?

Manual Process

If the request is submitted through the manual process, the report will show only felony and misdemeanor convictions for the State of Arkansas. **FBI or other states' criminal history information will not be released.** The request checks by name against information that has been entered in the Arkansas Crime Information Center criminal history database. The ACIC database is based on fingerprints submitted after an individual's arrest.

- You will not have access to the same information that is available to law enforcement.**
- You will not be allowed access to arrests that are pending (where the court has not entered a disposition).
- You will not be allowed access to arrests that ended in the case being dismissed, nol prossed or found not guilty.
- You will not be allowed access to traffic records that do not appear on the criminal record. You will not be allowed access to sealed offenses except to the extent the information is releasable under Arkansas Attorney General Opinions 2003-057 and 2003-183. Visit the [Attorney General's website](#) for more information (opens in a new window).

Electronic Process

If the request is submitted in the electronic form, the report will show:

- any pending felony arrests (charges pending in court where a disposition has not been entered).
- any felony or misdemeanor convictions for the State of Arkansas.
- if the person is required to register as a sex offender (all levels - one through four).

FBI or other states' criminal history information will not be released. The request checks by name against information that has been entered in the Arkansas Crime Information Center criminal history database. The ACIC database is based on fingerprints submitted after an individual's arrest.

You will not have access to:

- the same information that is available to law enforcement.
- misdemeanor arrests that are pending (charges pending in court).
- arrests that ended in the case being dismissed, nol prossed or found not guilty.
- traffic records that do not appear on the criminal record.

Only in certain instances will persons be allowed access to a

sealed record information. See Arkansas Attorney General Opinions 2003-057 and 2003-183. Visit the [Attorney General's website](#) for more information (opens in a new window).

What are the costs of the Arkansas criminal history background check?

Manual Process

The cost is \$20.00. The funds may be sent by money order or personal/business check. Credit cards are not accepted for the manual transaction at this time. A stamped envelope must be included with each request.

Electronic Process

The cost is \$22.00 (\$20.00 background check fee and an additional \$2.00 processing fee is assessed and collected by the internet access provider).

If the employer is required by Arkansas law to perform the background check, the total cost will be \$20.00 (at this time).

There is also a \$50.00 annual fee that is assessed by INA to utilize their service. This fee is waived for State agencies and educational institutions. If you already receive services from INA, you may be able to add this service without additional registration expenses.

What are the advantages of using the Arkansas State Police background check process as compared to other background check products offered over the Internet?

All other background checks from private companies are linked by name only. If an applicant has a common name, there can be convictions linked to that person that do not belong to them or they could deny a conviction that is in fact them.

The Arkansas State Police retrieves the Arkansas criminal history information from the ACIC database. That database, in conjunction with the Arkansas State Police AFIS, connects all arrests based on fingerprints and not merely by name. If someone who has a criminal record is arrested under a false name and fingerprints are taken at the time of arrest, the current arrest will be linked to any previous criminal history regardless of the false name that was given.

Also, if a charge appears on a person's criminal history background check and the person claims that it is not their arrest, that person can arrange to have fingerprints taken by a law enforcement officer and those fingerprints compared to the fingerprints from the arrest that allegedly is not theirs. State Police will be able to positively confirm or exclude that person from that arrest/criminal history.

The State Police background check is not based on comparison of fingerprints to fingerprints, it is based on a name query of the criminal history system that is linked by fingerprints.

The State Police records are based on submission of fingerprint arrest cards from law enforcement arrest and not merely court records.