SAN DIEGO POLICE DEPARTMENT
PERMITS AND LICENSING UNIT
1400 'E' STREET, MS-735, SAN DIEGO, CA 92101
(619) 531-2250

SOLICITORS, PEDDLERS AND INTERVIEWERS

REGULATIONS

A solicitor is a person who goes from house to house, business to business, without an appointment, or to one house, street, sidewalk, alley, plaza, park, public place, by foot or vehicle, who sells or solicits for value of goods. They may work for themselves or for a business (San Diego Municipal Code 33.1401).

1. All persons working as interviewers, solicitors, peddlers or vendors of merchandise, services, magazines, etc. are required to obtain a Police Registration Card. When operating, the card **MUST** be displayed on the front of their person, and they **MUST** exhibit the card to any peace officer upon demand (San Diego Municipal Code 33.1402).
2. **All** solicitors **MUST** have a **City of San Diego Business Tax Certificate** or be employed by a licensed business. You may obtain a Business Tax Certificate at the City Treasurer's Office.
3. All self employed solicitors selling taxable property **MUST** obtain a Sellers Permit from the State of California, Board of Equalization, and file a fictitious name with the County Clerk (1600 Pacific Highway) if the business name is other than their own.
4. It is unlawful for **ANY** person to ring the doorbell of a residence, rap or knock on any door, or create any sound in a manner calculated to attract attention for the purpose of engaging in activity as a solicitor or interviewer if the occupants have posted on the premises "no solicitors", "no soliciting", "no solicitors or peddlers" or any similar language clearly denying invitation and entry to solicitors (San Diego Municipal Code 33.1409).
5. **NO PERSON** shall operate as a solicitor between the hours of 8:00 p.m. to 9:00 a.m., except by appointment (San Diego Municipal Code 33.1410).
6. **JUVENILES**: No person under 14 years of age will be issued a Registration Card (San Diego Municipal Code 33.1405). Persons under 18 years of age are required to have a work permit from the school district in which they attend.
7. California Civil Code, Section 1689 et. seq., requires solicitors to provide a contract to buyers allowing a "3-day cooling-off period" for sales of $25.00 or more.
8. Business & Professions Code, Section 17500 et. seq., makes it illegal to misrepresent or falsely advertise **ANY** product or service.
9. California Penal Code, Section 532(d), makes it a misdemeanor to make false representation in solicitation of charitable contributions.
10. **Information for Non-Profit Organizations**: It is suggested that a solicitor, peddler or interviewer for a non-profit organization possess an identification card, and a letter on the organization letterhead authorizing the solicitor, peddler or interviewer as a representative of the organization. The letter should include a name and a telephone number of an employee of the organization. It is also suggested that the solicitor, peddler or interviewer carry a copy of the non-profit status letter from the State Franchise Tax Board and the IRS. For more information, please contact the State of California Attorney General Registry of Charitable Trust.

SOLICITOR APPLICATION PROCESS

PLEASE PROVIDE THE FOLLOWING WHEN SUBMITTING YOUR APPLICATION

- A completed Police permit **application** and **business addendum** (when applicable). A 30-day investigation period begins at the time each application is submitted. A criminal records check will be made on each applicant. All documents, approvals and fees must be included, along with completed applications, when submitted to the Permits/Licensing Office. Applications must be submitted in person. **Incomplete applications will not be accepted.**

- A copy of the **Business Tax Certificate** from the San Diego City Treasurer's office, 1200 Third Avenue (1st Floor), San Diego, CA 92101 - Phone (619) 615-1500. **All** solicitors **MUST** show a City of San Diego Business Tax Certificate, or **MUST** show proof of employer's City of San Diego Business Tax Certificate Number.

- **PERMIT FEE** - Cash, check, cashier's check or money order (no out of state checks) for the regulatory fee of **$166.00**. Payable to City Treasurer.

- **Photographs** - will be taken at the time the application is turned in to the Police Permits and Licensing office.

  $166.00 Regulatory Fee
  $ 15.00 Photograph ID Card
  $181.00 Total

- **Live Scan FingerPrints are required** for all new applicants. Fill out the attached "Request for Live Scan Service" form and bring it with you to the Live Scan agency. **See attached list** for locations. **Note:** Completed Live Scan fingerprints must be submitted with the application within **thirty (30) days** from the date the fingerprints were taken.

- **ID** - Valid government issued picture identification card (driver's license or military ID, etc.). Applicant must provide a valid State or Federal issued identification with their photo affixed, and showing their date of birth. Realtors and insurance salespersons must show State of California License/ID.

- **Ice Cream Vendors**: - Must provide a current Health permit and a current Sound permit. **Sound Permits** may be obtained by the City of San Diego, Information, Technology & Communications Department, located at 1220 Caminito Centro, San Diego on the corner of 20th & B Street. Please contact the **Citizen Line** - Phone (619) 525-8662.

- **Fruit and Vegetable Vendors** - Must possess a Health permit.

- Contact solicitors@pd.sandiego.gov if you have any questions.

RESTRICTED AREAS FOR SOLICITING

It is a misdemeanor for any person to solicit, peddle, hawk or sell any goods, wares or merchandise, services, magazines, periodicals or other publications or subscriptions for the same, except regularly published newspapers, upon any city of San Diego street, sidewalk, alley, plaza or in any park or public places within the following areas:

1. Public Parks, Beaches or Beach Areas (San Diego Municipal Code Section 63.02.13).

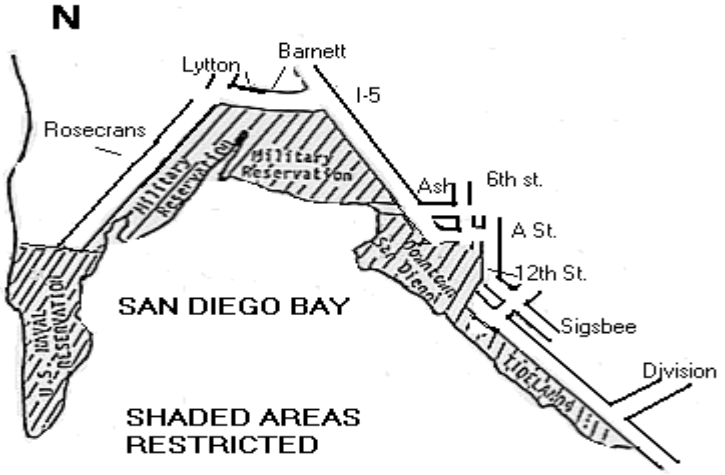
2. Tidelands of San Diego Bay except by permit issued by the Unified Port District (Unified Port District Code Section 8.05).

3. The areas listed in the San Diego Municipal Code, Section 33.1406. These areas are described below:

   a. That territory lying between the San Diego Bay and streets designated as the Central Business District (See map below).

   b. That territory lying westerly of the easterly line of Prospect Street, between the northerly line of Cave Street and the southerly line of Cuvier Street in the La Jolla Business District.

   c. That territory lying westerly of the San Diego and Arizona Eastern Railroad right-of-way, northerly from the International Border and easterly from Virginia Avenue to a point where the prolongation of Virginia Avenue intersects with the San Diego and Arizona Eastern Railroad right of way in the San Ysidro Business District.



INFORMATION SHEET

PEDDLERS, STREET VENDERS, ICE CREAM TRUCKS, SOLICITORS, YARD SALES

San Diego Municipal Code, section 33.0101(c), states you must have a valid police permit to operate a business designated as "Police Regulated". You are responsible for being familiar with and complying with the rules and regulations related to Solicitors. Copies of the Solicitor Regulations and General Divisions for police regulated activities may be obtained from the City Clerk's office located at 202 C Street, 2nd Floor, telephone # (619) 533-4000 or via the City's website: www.sannet.gov/ (Department, City Clerk, Documents, Municipal Code) SDMC Chapter 3, Article 3, Division 14 and Divisions 1-5.

NO SELLER IS PERMITTED TO DISPLAY OR SELL MERCHANDISE ON ANY PUBLIC SIDEWALK (San Diego Municipal Code 54.0105).

PUSHCARTS/MOBILE FOOD UNITS

No person shall sell, offer for sale, or distribute perishable food from door to door or from place to place by hand-carrying such food on his person or in a container, transporting such food by means of a handcart, pushcart or bicycle cart, or by carrying or transporting such food in any other type of vehicle propelled by muscular power either human or animal (San Diego Municipal Code 42.0101.2).

The small pushcarts utilized by some ice cream peddlers/vendors fall in this category and are prohibited.

Mobile food units (pushcarts) must sell from a fixed location and cannot operate from a public right of way (San Diego Municipal Code 42.0166c) except pushcarts approved by the Development Services Business Center which are only allowed on **public** property in the **Downtown Central Business District and Old Town**. In all other locations, they must be in an area, which allows commercial uses, on **private** property, subject to zoning review and approval. Pushcarts must also possess a current health permit and business tax certificate.

All mobile food units/pushcarts shall operate from a fixed location within 25 feet of a building in which are located toilets and washrooms. Written permission for the operators of the mobile food units to use the toilet facilities within the building shall be placed on file with the Department of Health Services, and the mobile food unit shall not be operated at any time that the mobile food unit operator does not have free access to the toilet facilities.

FLOWERS, FRUITS AND VEGETABLES SELLERS

Sellers of flowers, fruits and vegetables must possess a "Cash Buyer's License" issued by the State of California Department of Food and Agriculture unless they grow and sell their own produce. Sellers who sell from a fixed location must be on private property and possess a business tax certificate for the fixed location. You must have the express consent of the owner or lessee of the property. All sales must be conducted on private property. Zoning review and approval is required for all private property locations to ensure that commercial use is permitted in the zone. If you are not operating from a fixed location, you must possess a business tax certificate noting "Mobile" and a solicitor's permit. You may obtain a solicitor's permit at the San Diego Police Department, Permits/Licensing office.

Fruit and Vegetable sellers must possess a health permit. You are not required to have a business tax certificate or solicitor's permit if you are selling from the property where the product is grown.

ICE CREAM/CANDY VENDORS

In order to operate an ice cream truck in San Diego, you must first obtain a business tax certificate, health permit, sound permit, and lastly a solicitor's permit. **Employees must also have a solicitor's permit**. The health permit must be affixed to the windshield of the truck. You and your employees must wear the solicitor's permit while selling ice cream. The business license and sound permit must be in the truck.

You are not permitted to set up on a city street and must keep moving until stopped by a customer. No food, beverage, merchandise or services shall be sold or distributed or offered for sale or distributed from a vehicle on a street or highway unless the vehicle is first lawfully parked or stopped and then remains for no longer a period of time than is necessary to complete the "immediate sale." An operator is considered to be engaged in an "immediate sale" when there are patrons waiting in line for service. Operators of such vehicles shall maintain a minimum clear space of ten (10) feet both in front of and behind the vehicle to allow for pedestrian safety and safe sight distance for approaching motorists. No sales or distribution shall be made when the designated minimum clear space of ten (10) feet does not exist. You are not permitted to stop within 500 feet of a school between the hours of 7:00 a.m. and 4:00 p.m. on school days.

The only sounds permitted from your truck are music and human speech, which shall not be profane, lewd, indecent, or slanderous. Sound shall not be issued within 100 yards of hospitals, schools, churches, or courthouses. No truck with its amplifying device in operation shall be driven on the same street past the same point more than twice in a period of one hour. The volume of sound shall be controlled so the volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons within the area of audibility. You can only operate between the hours of 9:00 a.m. and 8:00 p.m.

There are certain areas in the city of San Diego where soliciting is prohibited. See printout titled "Restricted Areas for Soliciting" in the Solicitors, Peddlers and Interviewers information packet.

VENDING VEHICLES AND LUNCH WAGONS

Vending vehicles and lunch wagons must have a current health certificate affixed to the windshield of the vehicle. Vending vehicles must also have a business tax certificate. If you operate as an independent contractor, you must have our own business tax certificate. A copy of the business tax certificate must be carried in the vehicle.

Food may be sold from food vending vehicles on developed private property pursuant to an established business thereon. Sales will be to the property owner or lessee's agents, customers or employees. Written permission shall be obtained from the property agent or lessee allowing use of property washrooms with flush toilets. Toilets shall be within 200 feet of vehicle. Food vending vehicles shall not be parked on vacant undeveloped, private property for the purposes of conducting sales or offering for sale, or giving away foods. Food vending vehicles will not be stopped on a public highway, thoroughfare, or street except for such time as to consummate an immediate sale. Immediate sale is when there are patrons waiting in line for service. The vehicle must not be used for any other purpose except food sales.

No food shall be stored, displayed, or sold except on or from the vehicle. The food storage and display compartment shall remain closed during period between sales and during times when the vehicle is in transit.

GARAGE, ALLEY AND YARD SALES

Garage or yard sales in residentially zones areas shall be limited to three (3) per year not to exceed two (2) days each per premises. A Zoning Use Certificate is not required. Failure to comply could subject you to a Notice of Violation or arrested by Misdemeanor Citation. (San Diego Municipal Code 101.0406.C.13)