



## **Door-to-Door Solicitation**

### **WHO NEEDS A SOLICITOR'S LICENSE?**

- Door to Door Business Solicitation Activity within Las Cruces city limits requires that each individual engaged in this activity secure a solicitor's license prior to conducting this type of business/activity.
- Including immediate sales and/or placing orders for the sale of a product or service, distributing door hangers (marketing or promoting further contact); drop off distribution (such as phone books); distributing free samples of merchandise; soliciting contributions of anything of value.
- Political canvassing, circulating public interest petitions, and promoting religious/educational/charitable organizations are NOT considered business activity.
- EXCEPTION – Members of Churches and organized religious bodies, educational or charitable organizations acting under the authority of such bodies or organizations may sell and distribute items without a license. Example – Girl Scout cookie sales, school/church fund raisers.

### **LICENSE REQUIREMENTS:**

- Each applicant must submit a completed solicitor's license application to the City of Las Cruces, Community Development Department. The application must include a photograph of the applicant taken within 60 days immediately prior to the date the application is received. The photo must be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner.
- Each applicant shall submit a signed and notarized Authorization for Inspection/Obtaining Las Cruces Police Adult Criminal Arrest Records form.
- At time of submittal each applicant shall present a valid driver's license or other government issued photo identification.

### **FEES:**

- A license fee is \$50.00 per applicant and is valid for 90 days.
- Background check fee is \$5.00 (payable at the Las Cruces Police Department).

## **PROHIBITED ACTIVITY RELATED TO DOOR TO DOOR SOLICITATION:**

- It shall be unlawful to make false or fraudulent statements concerning the quality of goods, wares, merchandise or services for the purpose of inducing another to purchase such.
- It shall be unlawful to enter upon any private premises when such premises has posted a sign stating “no peddlers or solicitations allowed” or other words or notice to such effect.
- Any solicitor/peddler who enters upon premises owned, leased or rented by another and who refuses to leave such premises after been notified by the owner, occupant or designated agent of such premises to leave the premises shall be guilty of a petty misdemeanor.
- It shall be unlawful to engage in the business of soliciting/peddling within city limit of the city Las Cruces between the hours of 9:00 p.m. and 9:00 a.m., except by specific appointment with or invitation from the prospective customer.
- It shall be unlawful for any person to engage in business as a solicitor/peddler within the City of Las Cruces without first obtaining a license from the Community Development Department to do so.

**Solicitors must have photo identification and the original solicitor's license issued by the City of Las Cruces on their person while engaged in the business activity.**

## **APPLICATION PROCESS:**

- All business must have a State of New Mexico Tax Identification (CRS) number. This may be obtained from:

New Mexico Taxation and Revenue Department  
Office: 2540 El Paseo Dr., Las Cruces, NM 88001 (575) - 524-6225  
Online: [www.tax.newmexico.gov](http://www.tax.newmexico.gov)

- Business with employees, other than owners, must also obtain a Federal Employee Identification number from:

Internal Revenue Service  
Office: 505 S. Main St., Las Cruces, NM 88011 (575) 527-6903  
Online: [www.irs.gov](http://www.irs.gov)

- Prior to submitting a license application, the applicant must authorize the Las Cruces Police Department to complete a criminal background investigation that documents the applicant's arrest history. Requests for this service must be made directly to the Las Cruces Police Department. Please provide a valid picture ID and a notarized signed request in person or by mail. Background checks are performed Monday through Friday between

8:00 a.m. and 5:00 p.m. Background checks may take 72 hours to compile. An authorization form for the background check can be obtained from the Community Development Office or the Police Department. The complete form and payment of \$5.00 will be processed by the police department located at:

217 E. Picacho Ave. Las Cruces, NM 88001 (575)528-4137

- Submit all required documents, a complete solicitor's application and payment **(DO NOT MAIL CASH)** to:

Deliver to:

City of Las Cruces, Community Development  
700 N. Main St., Suite 1100, Las Cruces, NM 88001

Mail to:

City of Las Cruces, Community Development  
Attn: Business Registrations  
PO Box 20000, Las Cruces, New Mexico, 88004

- The complete packet for a solicitor's license application shall include:
  1. The City of Las Cruces Application for Solicitor's License completely filled out and signed by the applicant.
  2. A 2" X 2" photo of the applicant not more than 60 days old.
  3. Complete, signed and notarized background checks form and receipt for payment of same.
  4. Payment in the amount of \$50.00 per application **(DO NOT MAIL CASH)**.
  5. Proof of State Tax ID number (also known as Combine Reporting System/CRS number)
  6. Valid government issued photo ID.
  7. Surety Bond:
    - a. Every applicant, not a resident of the city, or who is a resident of the city and represents a firm whose principal place of business is located outside the state, shall file with the city clerk a surety bond running to the city in the amount of \$1,000.00, with surety acceptable to and approved by the risk manager. The bond shall be conditioned that the applicant shall comply fully with all the applicable sections of this Code, the ordinances of the city, and state law regulating and concerning the business of peddling and guaranteeing to any citizen of the city doing business with such peddler that the property purchased will be delivered according to the representations of such peddler. Action on such bond may

be brought in the name of the city to the use or benefit of the aggrieved person.

- b. If the applicant is an agent, employee, canvasser or solicitor of a corporation authorized to do business in this state or is registered under the Fictitious Name Act of the state, such corporation or fictitious name business may furnish one bond in the amount of \$1,000.00 for any and all of its agents, employees, canvassers or solicitors.

**REVIEW PROCESS:**

- Upon acceptance by the Community Development Department, the application with supporting documents will be forward to the Las Cruces Police Department for a recommendation from the Chief of Police. **PLEASE BE ADVISED THIS PROCESS TAKES A MINIMUM OF 14 BUSINESS DAYS TO BE COMPLETED.**
- If the recommendation is denial, the applicant will be advised and can follow up directly with the police department.
- Approved applications will be granted a solicitor's license which will be mailed to the applicant or can be picked up at the Business Registration Office.

**Solicitor's Licenses are valid for 90 days. A new application must be processed for continued activity.**



# Application for Solicitor's License

Place a 2" x 2" photograph of applicant in this box.  
Photo must:  
• Be no more than 60 days old  
• Show the head and shoulders of the applicant in a clear and distinguishing manner

State Tax ID Number (CRS): \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Applicant's Legal Name: \_\_\_\_\_

Permanent Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Local Physical Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

### APPLICANT'S PHYSICAL DISCRIPTION:

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Gender:  Male  Female

Height \_\_\_\_ Weight: \_\_\_\_ Eye Color: \_\_\_\_ Hair Color: \_\_\_\_

Driver's License/Identification No.: \_\_\_\_\_ State Issued: \_\_\_\_ Expiration Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

### BUSINESS INFORMATION:

Business/Company/Firm Name: \_\_\_\_\_

DBA: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Business/Company/Firm Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Nature/Type of Business: \_\_\_\_\_

Type of Goods/Service Sold: \_\_\_\_\_

### PRODUCT, PAYMENT AND DELIVERY INFORMATION:

Please provide the following information about the manufacturing and/or production of the goods sold.  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Country: \_\_\_\_\_  
State Providence: \_\_\_\_\_  
Postal Code: \_\_\_\_\_  
Phone No.: \_\_\_\_\_

Please provide the following information about the storage of the goods sold.  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Country: \_\_\_\_\_  
State Providence: \_\_\_\_\_  
Postal Code: \_\_\_\_\_  
Phone No.: \_\_\_\_\_

Delivery method: \_\_\_\_\_

Upon any sale or order, will the applicant of this license accept or receive payment or deposit of money in advance of final delivery? Yes  No

**SOLICITOR'S HISTORY:**

Please list the last five (5) municipalities in which the applicant of this license has been a solicitor:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

**CONVICTION DISCLOSURE STATEMENT:**

In the section below please provide a statement as to whether or not the applicant has been convicted of any felony, and if so, the date of conviction, the court rendering such conviction, the nature of the offense, and the punishment or penalty assessed therefor. If needed please include additional and/or supplemental documentation:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note:** If the applicant is employed by a company in conducting solicitation, credentials establishing the exact relationship between the applicant and the company are required to accompany this application. If the applicant is self-employed, this document is not required.

**A solicitor's license is valid for 90 days. A background check is required prior to approval and issuance of a solicitor's license.**

The applicant must provide a valid driver's license or other government issued photo identification at the time of submittal. A copy of this identification will be made by the Community Development Department and forwarded to the City of Las Cruces Police department.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**THE ACCEPTANCE OF THIS APPLICATION DOES NOT GUARANTEE APPROVAL OF THE SOLICITOR'S LICENSE.**

**OFFICE USE ONLY**

Date Received: \_\_\_/\_\_\_/\_\_\_ Received by: \_\_\_\_\_ BL Account # \_\_\_\_\_

Payment Amount: \$ \_\_\_\_\_ Receipt # \_\_\_\_\_

Payment Method: Cash/ Credit /Check or Money Order # \_\_\_\_\_

Date Processed to LCPD: \_\_\_/\_\_\_/\_\_\_ Date Received from LCPD : \_\_\_/\_\_\_/\_\_\_

Recommendation Status from Chief of Police:    Approved                      Denied



**Las Cruces Police Department  
Records Division  
Authorization for Inspection/Obtaining  
Las Cruces Police Adult Criminal Arrest Records**

TO: Las Cruces Police Department  
Records Division  
P.O. Drawer 20000  
Las Cruces, NM 88004

\_\_\_\_\_ **Application Date**

This will authorize my representative \_\_\_\_\_  
(Name & Organization)

to inspect and/or obtain copies of arrest information concerning myself, if any, filed with the Las Cruces Police Department.

\_\_\_\_\_  
**Date of Birth:**

\_\_\_\_\_  
**Name – SIGNATURE**

\_\_\_\_\_  
**Place of Birth:**

\_\_\_\_\_  
**Name – PRINT IN FULL**

\_\_\_\_\_  
**Social Security Number:**

\_\_\_\_\_  
**Street Address**

State of \_\_\_\_\_

\_\_\_\_\_  
**City                      State                      Zip Code**

County of \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Access to arrest records will be granted only during normal working hours, Monday through Friday, excluding legal holidays.  
Pursuant to City of Las Cruces resolution #89-231 the following service fees will be assessed:  
Criminal Records Checks: \$3.00 per name check *without* formal letter  
\$5.00 per name check *with* formal letter.

ALL QUERIES ARE BASED ON ADULT ARREST RECORDS ONLY BY NAME ONLY.  
JUVENILE FILE, TRAFFIC VIOLATIONS AND DISPOSITIONS THROUGH ANY COURT ARE NOT  
INCLUDED.

**Results:**

**Section 29-10-4 Confidentiality of arrest records. Arrest record information that reveals confidential sources, methods, information or individuals accused but not charged with a crime and that is maintained by the state or any of its political subdivisions pertaining to any person charged with the commission of any crime is confidential and dissemination or revealing the contents of the record, except as provided in the Arrest Record Information Act (Chapter 29, Article 10 NMSA 1978) or any other law, is unlawful.**