

# CITY OF HARDIN

## DOOR TO DOOR SOLICITATION CHECKLIST

*(See complete instructions in Ordinance 2015-03 and Resolution 2070 and Business License Ordinances)*

### Requirements:

1. Business license required
2. Permit required for each solicitor to be obtained from the City Clerk and upon payment of the applicable permit fee
3. PHOTO ID Badge to be issued by the City and conspicuously displayed at all times
4. Solicitation activities shall be undertaken and completed between the hours of 9:00 a.m. and 9:00 p.m.
5. All solicitation prohibited if posted “No Solicitation” or “No Trespassing”
6. ID Badge shall contain photo of the solicitor, bear the words “Permitted Solicitor,” include the name of the employer and solicitor, and the expiration date of the permit.
7. All permits are to be issued in the name of the applicant with a copy of the permit given to each applicant
8. City Clerk shall create and maintain a list of all personnel authorized to engage in solicitation under the permit
9. Application to include:
  - Full name, business address and business telephone number
  - Complete list including supervisors and all persons to be authorized to solicit
10. Each person authorized will submit the following information:
  - Name, address, telephone number and date of birth
  - Current copy of the person’s background check, dated no more than sixty (60) days prior to the date of the application, as maintained by the Montana Attorney General
  - A description of the individual including height, weight, color of eyes and hair, and number and state of issuance of the person’s driver’s license
  - A photo taken no more than six (6) months prior to date of application
11. Each permit is valid for up to one (1) year and expire on December 31<sup>st</sup> regardless of the issue date
12. Permits are not transferrable

### Costs:

Business License – Per Business License Schedule  
Permit/renewal fee - \$50 for each permit  
ID Badge fee - \$10 for each individual’s badge  
Badge deposit - \$50 each badge (refunded at expiration of term or relinquishment)

# City of Hardin

406 N Cheyenne, Hardin, MT 59034 ~ 406-665-9292 ~ www.hardinmt.com ~ fax 406-665-2719

## 2023 Business License Application

Name of Business: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Business Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Emergency Phone (after hours): \_\_\_\_\_

~ IF DIFFERENT THAN ABOVE ~

Owner/Manager Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Owner/Manager Address: \_\_\_\_\_

~~~Please Check One~~~

|                 |                                                                                                                                                                                                                                                                                    |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>\$500.00</b> | <b>Utilities:</b> All gas, power and light, telegraph, telephone, and all other utility companies of a similar nature                                                                                                                                                              |
| <b>\$100.00</b> | <b>Public Services:</b> All persons, firms or corporations engaged in the business of extending services or accommodations to the general public, such as banks, financial institutions, pawnbrokers and money lenders, and all other agencies or institutions of a similar nature |
| <b>\$100.00</b> | <b>Elevators and Oil Dealers:</b> All grain and feed elevators, and all bulk gasoline and oil dealers, and all other business establishments of a similar nature                                                                                                                   |
| <b>\$50.00</b>  | <b>All others:</b> Businesses that are not listed in subsection A, B or C of Title 5, Chapter 1, Section 2D                                                                                                                                                                        |

|                                                                  |                                           |                   |                                                                                                |
|------------------------------------------------------------------|-------------------------------------------|-------------------|------------------------------------------------------------------------------------------------|
| Temporary (90 Days)<br>50% of Regular Fee                        | \$ _____                                  | Start Date: _____ | <b><u>Plumbers &amp; Electricians must</u></b><br><b><u>Attach a copy of State License</u></b> |
| Pro-Rated (50% After July 1 <sup>st</sup> )<br>New Business Only | \$ _____                                  | Start Date: _____ |                                                                                                |
| <b>Exemption Review Requested</b>                                | Per section 5-1-2E or 5-1-2K of City Code |                   |                                                                                                |

**After February 1, two hundred percent (200%) of the required fee will be charged.**  
**After March 1, three hundred percent (300%) of the required fee will be charged.**

*I understand that this application is made subject to all of the terms and conditions of [Title 5, Chapter 1](#) of the Code of the City of Hardin, which are hereby agreed to and this license is not transferable without prior City approval of said transfer.*

*All business licenses shall be **payable in advance on or before February 1 of each year**, and all licenses expire at the end of the calendar year for which they are issued. I understand that I must be in compliance with all zoning requirements as stated in Title 11 of the City Code and that my failure to be in compliance is grounds for the City to revoke this license at any time.*

**By Signing below:** *I hereby certify that if I am a home based occupation, I have been approved for **Home Occupation** with the City of Hardin according to Section 11-1-8-1 City Code.*

*I hereby certify that if this business is a Marijuana Business as defined in Section 11-1-2-5 of the City Code of Hardin, that I have submitted the separate Marijuana Business application, and have been approved by the City-County Planning Board and the Hardin City Council for such business, as required by Sections 11-1-2-5-4 and 11-1-2-5-5 of the City Code of Hardin.*

*I further certify under penalty of perjury that all the information in this application and all attachments are true and accurate.*

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

### **5-1-1: APPLICATION FOR LICENSE OR PERMIT:**

Applications for all licenses and permits required by this code shall be made to the city clerk, unless otherwise specified. The applicant shall furnish such information as the city clerk may require for preparation of the license. (Ord. 2012-06, 10-2-2012)

### **5-1-2: PERSONS SUBJECT TO LICENSE; FEES:**

Unless specifically exempted by state law or other provisions of this chapter, all persons and/or entities doing business or engaged in commerce in the city, whether residents or nonresidents, are required to pay city license fees.

- A. Public Services: All persons, firms or corporations engaged in the business of extending services or accommodations to the general public, such as banks, financial institutions, pawnbrokers and money lenders, and all other agencies or institutions of a similar nature, shall pay a license fee of one hundred dollars (\$100.00).
- B. Utilities: All gas companies, power and light companies, telegraph companies, telephone companies and all other utility companies of a similar nature shall pay a license fee of five hundred dollars (\$500.00).
- C. Elevators And Oil Dealers: All grain and feed elevators, and all bulk gasoline and oil dealers, and all other business establishments of a similar nature shall pay a license fee of one hundred dollars (\$100.00).
- D. Other Businesses: All other businesses that are not listed in subsection A, B or C of this section shall pay a license fee of fifty dollars (\$50.00).
- E. Exemptions: Charitable or fraternal organizations sponsoring or conducting a business enterprise may apply to the city council for an exemption to the license requirement herein. (Ord. 2012-06, 10-2-2012)
- F. Proration Of Fees: All fees set forth in this chapter shall be prorated on July 1 of each calendar year to fifty percent (50%) of the fee provided that the business did not operate within the city limits at any time during the current calendar year preceding July 1. If the business operated or conducted business within the city limits at any time during the calendar year prior to July 1 and obtains the license after July 1 then the full fee shall be collected and the business is not entitled to a proration.
- G. Temporary Business License: Any person or entity doing business or engaged in commerce in the city on a temporary basis may purchase a temporary license that is valid for a period of ninety (90) days from the date of purchase. The fee for a temporary license shall be fifty percent (50%) of a regular business license and subsection F of this section shall not apply to determining the fee. (Ord. 2014-03, 7-15-2014)
- H. Regular Routes; Delivery Service: Merchants servicing regular routes within the city, individuals or organizations rendering a supply or delivery service to the business establishments of the city shall pay a license fee of fifty dollars (\$50.00) per year.
- Nothing herein shall be construed as requiring license fees on wholesale distributors provided that nothing herein shall be construed as authorizing or allowing any solicitor, peddler, hawker, itinerant merchant or transient vendor or merchant to operate in violation of chapter 3 of this title.
- I. Additional Licenses: In any case where any persons conduct, operate, transact, engage in or carry on two (2) or more different lines of business, industry, trade, pursuit, profession or vocation, they shall be charged a separate and distinct license fee for each such individual business, industry, trade, pursuit, profession or vocation. For the purposes of determining the assessment of more than one license fee against any person, the city clerk shall consider the uniqueness and individuality of each such additional business enterprise as opposed to the interdependence of such enterprises and the location of said business enterprises. If one engages in more than one type or classification of business as described herein and it is determined that only one license fee shall be assessed, then the licensee shall pay the highest applicable license fee.
- J. Objection: It shall be the privilege of any persons assessed for more than one city license fee to file a written objection to such additional license fee with the city clerk and thereafter he will be afforded a hearing before the council upon such objection. The council shall be the final arbiter of such objections.
- Any persons wishing to file an objection to the assessment of the city license fee must file written objection within fifteen (15) days after notice of license fee assessment is received.
- Fees assessed must be paid when due, regardless of whether any hearing or final determination relating to an objection is pending. All fees paid, which the council shall, after hearing on objections, determine to have been assessed in error will be promptly refunded by the finance officer. (Ord. 2012-06, 10-2-2012; amd. Ord. 2014-03, 7-15-2014)
- K. Exemptions: The Mayor is authorized to review and grant any request by a person or a group for an exemption to the business license requirement, upon sound discretion, if the Mayor determines that the party requesting should qualify for the exemption, and that such waiver is in the best interest of the community. The Mayor shall grant an exemption for farmer's markets, bakes sales, garages sales, lemonade stands, and may grant exemptions for other small and irregular business activities if he determines they are similar to those listed. The Mayor may, if needed, seek the guidance of the City Council for determining if an application for exemption should be granted.
- L. Rejection Of Application: The Mayor and/or City Clerk may reject any application for City business license if the Mayor and/or City Clerk determines that the business activities will violate City zoning, without a variance or conditional use permit in place, or if the business activities will violate City ordinance, County ordinance, State law, or Federal law. (Ord. 2018-04, 3-6-2018)

# CITY OF HARDIN

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Hardin, MT 59034

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## Door To Door Solicitation Demographic Information

FULL NAME of BUSINESS: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

BUSINESS PHONE: (\_\_\_\_) \_\_\_\_-\_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: (\_\_\_\_) \_\_\_\_-\_\_\_\_\_.

DATE OF BIRTH: \_\_\_\_/\_\_\_\_/\_\_\_\_.

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_ EYE COLOR: \_\_\_\_\_ HAIR COLOR: \_\_\_\_\_

Number and state of issuance of motor vehicle operator's license or chauffeur's license or State Issued photo identification. Number: \_\_\_\_\_ State: \_\_\_\_\_

\_\_\_\_\_ Electronic/Digital Photograph, emailed to [cityclerk@hardinmt.com](mailto:cityclerk@hardinmt.com) of each person to be authorized to solicit under the permit, taken no more than six (6) months prior to the Date of the application.

\_\_\_\_\_ Current copy of criminal background check, as maintained by the Montana Attorney General's office, dated no more than sixty (60) days prior to application.

Have You:

Yes \_\_\_\_\_ No \_\_\_\_\_ been released within the ten (10) years immediately preceding the application from any form of incarceration or court ordered supervision, including a deferred sentence, resulting from conviction of any felony under the laws of the state of Montana or an equivalent offense under any federal, state, county or municipal law?

Yes \_\_\_\_\_ No \_\_\_\_\_ had a permit or an identification badge previously issued to you by the city clerk revoked?

I Am: \_\_\_\_\_ Solicitor \_\_\_\_\_ Supervising Staff

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

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**AFFIDAVIT**

**DOOR TO DOOR SOLICITATION PERMIT APPLICATION**

DATE: \_\_\_\_\_

NAME OF BUSINESS: \_\_\_\_\_

OWNER/MANAGER NAME: \_\_\_\_\_

BUSINESS PHYSICAL ADDRESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

BUSINESS PHONE: (\_\_\_\_)\_\_\_\_-\_\_\_\_ ALTERNATE PHONE: (after hours) (\_\_\_\_)\_\_\_\_-\_\_\_\_

**DOCUMENTS CHECKLIST**

\_\_\_\_\_ Legal status and proof of business registration with, or a certificate of good standing from, the Montana Secretary of State.

\_\_\_\_\_ Proof of valid City Business License.

\_\_\_\_\_ Check here if the applicant is a foreign corporation or an employee of such corporation. Provide the name, address and telephone number of an agent for process residing in the state. \_\_\_\_\_

**ALL PERSONS TO BE AUTHORIZED TO SOLICIT UNDER THE PERMIT AND ALL SUPERVISING STAFF.**

Complete Demographic Information for each person.

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

**Please provide a brief explanation of the nature of the solicitation activity:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If permit is granted it shall be valid for up to 1 year. All permits expire on December 31 of each year regardless of the issue date.

I, \_\_\_\_\_ affirm that I am an authorized representative for \_\_\_\_\_ and will assure that the above mentioned business will not violate any ordinance of the City of Hardin, Montana or any law of the State of Montana or of the United States relating to Door To Door Solicitation.

Dated at \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.  
*City State*

X \_\_\_\_\_, \_\_\_\_\_  
*Signature of Applicant Title*

**The applicant named in the forgoing application being first duly sworn, deposes and says: that he/she has read the forgoing application, knows the contents thereof and that the matters and things therein stated are true.**

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

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ personally appeared before me and having been duly sworn did herein execute the above record for the purposes stated.

\_\_\_\_\_  
Notary Signature

-----Official CITY Use Only-----

Application Granted: \_\_\_\_\_

Application Denied: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_