

**COMMON  
QUESTIONS AND  
ANSWERS ON**

# **SOLICITATION**



**1. WHAT DOES THE CITY'S SOLICITATION ORDINANCE COVER?**

The ordinance regulates solicitation in the city rights of way, the distribution of handbills, circulars, pamphlets, on property, and commercial peddlers who go door to door. City Code section 11-145

**2. MUST SOLICITORS OBTAIN A PERMIT?**

Yes, if they are engaged in commercial solicitation on residential property, a permit is required. The permit is obtained from the police department. The solicitors are required to keep a copy of the permit in their possession while they are engaged in solicitation. Solicitors are also required to have some identification of who they are and if they are soliciting on behalf of another. A person can request that a solicitor display the identification.

**3. WHAT SHOULD I DO TO PREVENT SOLICITORS FROM ENTERING ONTO MY PROPERTY?**

The first step is for an owner to post notice on their property that soliciting is prohibited. The notice must be on a waterproof sign that is at least 3" by 4" in size bearing the words "no solicitation" or, "no handbills", or any similar notice that clearly conveys that the conduct is not permitted. The letters on the card must be at least 2/3" in height. The notice shall be posted in a conspicuous place on or near the main entrance to the residence.

**4. WHAT SHOULD I DO IF I HAVE POSTED AN APPROPRIATE NO SOLICITATION SIGN, AND I STILL RECEIVE HANDBILLS?**

In order to effectively prosecute the solicitor or those responsible for the illegal solicitation of handbills, the owner must file a complaint with the City prosecutor. The owner should also keep copies of the handbills that were left at the location as that will be used as grounds to substantiate the citation as well as evidence if a trial is required. If the prosecutor determines that the evidence indicates a violation occurred, a citation will be issued to the violator. If the violator contests it, a trial is required and the resident will need to testify. Our past history in tracking these types of complaints indicates that most violators have elected to pay a fine instead of going to trial.

**5. HOW DO I FILE A COMPLAINT?**

To file a complaint, please contact the Municipal Court Prosecutor's Office at 972.941.2056.

**6. CAN A POLICE OFFICER ISSUE A CITATION?**

Police officers cannot cite a violator unless the officer actually witnesses the offense.

**7. IS THERE A TIME LIMIT WITH REGARD TO SOLICITATION?**

Solicitation for any purpose is not permitted between ½ hour before sunset and ½ hour after sunrise unless the solicitor is on the premises with the permission or invitation of the resident.

**UNWANTED SOLICITATION AND HANDBILLS  
AT YOUR HOME OR BUSINESS  
Stop The Madness!**

The City has an ordinance prohibiting solicitation if a property owner has a posted sign. A violation of this ordinance is a Class C misdemeanor and may result in a fine up to \$500.00. Many solicitation problems are effectively handled when the citizen takes the following steps.

**STOPPING SOLICITATION AT YOUR HOME OR BUSINESS**

**STEP 1:** You must post a sign on your property stating that soliciting is prohibited. Many people place this sign in the area near or at the front porch or door. Remember, to be in compliance with the City Ordinance, the sign must:

- **Be in a conspicuous place!**
- **The waterproof sign must be at least 3” by 4” in size with words to the effect: “No Solicitation or Handbills”.**
- **Letters on the sign must be at least 2/3” in height.**

You may make or buy your own sign.

**YOU’VE DONE THE ABOVE AND THOSE PESKY  
HANDBILLS AND SOLICITORS ARE STILL APPEARING**

Sometimes, posting a sign is not enough to deter solicitors. If you are still getting unwanted handbills or solicitors, it is time for you to file a Citizen’s Application for Solicitation Complaint with the Plano Prosecutor.

**STEP 2:** The complaint process is fairly simple and a Citizen’s Application for a Solicitation Complaint form can be obtained by:

- Going online at [www.plano.gov](http://www.plano.gov) under “Online” and “What Do You Know About Solicitation”.
- Calling 972-941-2056 and asking that an Application be mailed, faxed or emailed to you;
- Stopping in the Prosecution office located at 900 E. 15<sup>th</sup> Street during business hours.

**Important:** A separate written Application for a Solicitation Complaint must be filled out for each offense AND the actual handbill, with the date it was left, must be attached to the Application. Because this is a crime, the Application must be notarized. If you do not have access to a notary, you can come to the Prosecutor’s Office and one of the staff will notarize your signature.

**STEP 3:** Drop off or mail the notarized Application, with the handbill attached, to the Prosecution Office. Physical address is: 900 E. 15<sup>th</sup> Street, Suite 220, Plano, TX 75074, and mailing address is: P. O. Box 860358, Plano, TX 75086-0358.

Many of these cases are resolved without the need for a trial. In the unlikely event that a trial is required, you will need to come to court to testify about your problem. It is also recommended a picture of the no solicitation sign and its placement on the premises be provided. Staff will take all reasonable steps to prepare you for this process.

If you have any questions on solicitation, please call the City Attorney’s Prosecution Office at 972-941-2056.

Today's Date \_\_\_\_\_

**Plano Municipal Court**  
**Application for Solicitation Complaint**

Your Name \_\_\_\_\_  
Home Address \_\_\_\_\_  
City & State \_\_\_\_\_  
Zip Code \_\_\_\_\_

Home Phone \_\_\_\_\_  
Business Phone \_\_\_\_\_

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Name of Defendant \_\_\_\_\_  
Business Address \_\_\_\_\_ City and State \_\_\_\_\_  
Zip Code \_\_\_\_\_ Business Phone \_\_\_\_\_  
Defendant's Race/Sex \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Physical Description, tattoos, scars, etc., \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Offense \_\_\_\_\_

Was Offense Reported to Plano Police Dept? \_\_\_\_\_ Offense Number if Known \_\_\_\_\_

Witnesses to the offense (give name, address, zip code, telephone numbers (if known) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please describe in detail the facts of the incident including a description of your no solicitation sign and its placement on the property indicating it is posted in a conspicuous place. Please specify the location where the offense took place. Location MUST be within the incorporated limited of the City of Plano, Texas. (Continue on back if necessary)

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

\_\_\_\_\_ I have reviewed the guidelines for Citizen's Application for Solicitation Complaint and fully understand the same.  
Yes      No

SWORN AFFIDAVIT

THE STATE OF TEXAS §  
COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, who stated under oath:

“I, \_\_\_\_\_, swear that the facts contained in the foregoing Citizen’s Application for Solicitation Complaint are true and correct and are within my personal knowledge.”

\_\_\_\_\_  
(Signature of Complainant/Affiant) (Date)

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

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
(Seal) (Date Commission Expires)

**UPON COMPLETION OF THIS APPLICATION FOR SOLICITATION COMPLAINT, PLEASE RETURN TO:** City of Plano Prosecution Office; P.O. Box 860358; Plano, Texas 75086-0358; telephone (972)941-2056.

DO NOT WRITE BELOW THIS LINE

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Not Approved by \_\_\_\_\_ Recommended Charge for Prosecution \_\_\_\_\_

Approved by \_\_\_\_\_ \_\_\_\_\_

Date \_\_\_\_\_ \_\_\_\_\_