



Public Safety & Court Committee Agenda

Wednesday, July 24, 2024
9:00 AM

City Hall - 141 W. Renfro
Burleson, TX 76028

1. **CALL TO ORDER**

2. **CITIZEN APPEARANCES**

Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

3. **REPORTS AND DISCUSSION ITEMS**

A. Consider approval of the minutes from the February 7, 2024 Public Safety & Court Committee meeting. (*Staff Contact: Amanda Campos, City Secretary*)

B. Receive a report, hold a discussion, and provide staff direction regarding the Real Time Crime Center (RTCC) for the Burleson Police Department. (*Staff Contact: Billy J. Cordell, Chief of Police*)

C. Receive a report, hold a discussion, and provide staff direction regarding calls for service that involve solicitation in the City of Burleson. (*Staff Contact: Billy J. Cordell, Chief of Police*)

4. **BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

5. **RECESS INTO EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Committee may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The Committee may reconvene into open session and take action on posted items.

Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

6. **ADJOURN**

Billy Cordell

Chief of Police

CERTIFICATE

I hereby certify that the above agenda was posted on this the 17th of July 2024, by 5:30 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

Public Safety & Court Committee

DEPARTMENT: City Secretary's Office
FROM: Amanda Campos, City Secretary
MEETING: July 24, 2024

SUBJECT:

Consider approval of the minutes from the February 7, 2024 Public Safety & Municipal Court Committee meeting. (*Staff Contact: Amanda Campos, City Secretary*)

SUMMARY:

The Public Safety & Municipal Court Committee duly and legally met on February 7, 2024 for a regular meeting.

OPTIONS:

- 1) Committee may approve the minutes as presented or approve with amendments.

RECOMMENDATION:

Approve.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A.

FISCAL IMPACT:

N/A.

STAFF CONTACT:

Amanda Campos
City Secretary
acampos@burlesontx.com
817-426-9665

PUBLIC SAFETY & MUNICIPAL COURT COUNCIL COMMITTEE
February 7, 2024
DRAFT MINUTES

Council present:

Victoria Johnson, Chair
Ronnie Johnson
Larry Scott

Council Absent:

Staff present via video conference

Tommy Ludwig, City Manager
Harlan Jefferson, Deputy City Manager
Eric Oscarson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Billy Cordell, Police Chief
Ashley Manning, Director of Public Safety Communications
Matt Ribitzki, Deputy City Attorney
Jay Davis, Police Department
Tim Mabry
Doug

1. CALL TO ORDER – Time: 11:00 am.

Victoria Johnson called the meeting to order. **Time: 11:00 a.m.**

2. CITIZEN APPEARANCES

- None.

3. GENERAL

A. Nominate and elect a Chair for the Public Safety & Municipal Court Committee for Fiscal Year 2023-2025 term. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Larry Scott and seconded by Ronnie Johnson to nominate Victoria Johnson to serve as chair.

Motion passed 3-0.

B. Consider approval of the minutes from the April 30, 2020 Public Safety & Municipal Court Committee meeting. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Larry Scott and seconded by Ronnie Johnson to approve.

Motion passed 3-0.

C. Receive a report, hold a discussion and provide staff direction regarding public safety communications operations and initiatives. (Staff Presenter: Ashley Manning, Director of Public Safety Communications)

Ashley Manning, Director of Public Safety Communications, presented an overview of the public safety communications operations and initiatives to the committee.

Discussion included:

- Initiatives
 - Implementation of Emergency Medical Dispatch (EMD)
 - 12 hour shifts
 - Nature code classification system to categorize typed of emergencies.
 - Guide cards for police specific calls
 - TCOLE agency
- Departmental goals
 - Recruitment (hiring, training)
 - Guide cards for fire department specific calls
 - IT and CAD implementation
 - Rewriting department policies
 - Accreditation
 - Cross departmental collaboration and relationships
- Industry update
 - 9-1-1 Saves Act of 2023

The committee was happy with the changes and upcoming initiatives.

D. Receive a report, hold a discussion, and provide staff feedback regarding Police Reporting Areas (PRAs) and patrol beat realignment for the Burleson Police Department (Staff Presenter: Billy J. Cordell, Chief of Police)

Billy J. Cordell, Chief of Police, presented Police Reporting Areas (PRAs) and patrol beat realignment for the Burleson Police Department to the committee.

Discussion included:

- Beat realignment
- Evaluation of current response model
- District model
- Beat model
- District v. Beat comparison
- Response times

The committee was in favor of transitioning to the beat model.

4. BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- None.

5. EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the Committee may convene in Executive Session in the City Council Workroom at City Hall to conduct a closed meeting to discuss any item listed on this agenda.

- **Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

No executive session needed.

6. ADJOURN

There being no further business, a motion made by Larry Scott and seconded by Ronnie Johnson to adjourn.

Chair Victoria Johnson adjourned the meeting.

Time: 11:54 a.m.

Monica Solko
Deputy City Secretary

Public Safety & Court Committee

DEPARTMENT: Police

FROM: Billy J. Cordell, Chief of Police

MEETING: July 24, 2024

SUBJECT:

Receive a report, hold a discussion, and provide staff direction regarding the Real Time Crime Center (RTCC) for the Burleson Police Department (*Staff Contact: Billy J. Cordell, Chief of Police*)

SUMMARY:

Staff will present the implementation plan of a Real Time Crime Center (RTCC) for the Burleson Police Department.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

STAFF CONTACT:

Billy J. Cordell
Chief of Police
bcordell@burlesontx.com
817-426-9913

Real Time Crime Center

Public Safety Committee Meeting

CHIEF BILLY CORDELL

JULY 24, 2024

Real Time Crime Center (RTCC)

Advantages of a RTCC

- Allows law enforcement field personnel to leverage technology and resources in real time as they respond to, investigate, and address active criminal incidents and public safety concerns.
- Improves officer safety
- Provides key data for follow-up investigations

FWPD RTCC

- Fully operational facility- staffed 24/7
- Their vision is to regionalize their facility
- BPD has an officer from SRT assigned to FWPD
- FWPD has access to our primary radio system



Flock Automatic License Plate Readers

- January 13, 2023, the Burleson Police Department entered into a contractual agreement with Flock Safety (Flock) for the installation and maintenance of four Flock (ALPR) at points of ingress and egress on TXDOT right-of-ways.
- The Flock ALPR system provides real-time intelligence on vehicles that have been entered into local, state or federal databases. Some examples are stolen vehicles, wanted felons, warrants, missing persons, Amber alerts, and runaways.
- The Flock ALPR system captures the license plate, date, time, location, and direction of travel for vehicles.
- The Flock ALPR system is not designed to capture the occupants of the vehicle.
- The Flock ALPR system retains data for 30 days.

Burleson- FLOCK ALPR's

CURRENT FOOTPRINT

- 4 FLOCKS Deployed
- 2 Mobile FLOCKS Deployed



Flock Technical Component

Annual subscription includes:

- Specialized digital camera to read license plates (\$3,000 per unit)
- Installation and power (one-time cost \$1,250 per unit)
- System management and maintenance
 - “No-fault” warranty guards against unexpected repair/replacement costs
- Connects through cellular data
- Digital storage infrastructure
- Limited city costs needed for implementation

ALERTS

SMS Off

Email Off

NOTIFICATION REASONS

Search Reason

☐ NCIC



CAMERAS (229/231)

CAMERA MAP

☐ All Cameras / Public Cameras

DOWNLOAD CSV

TEST NOTIFICATION
















Plate	TX ABC 1234	List Name	Burleson PD	Camera	SB 3000 Bryant Irvin Rd #2203
Date	3/13/2023, 4:56:36 PM	Case Number	22-001234		(Stream)
	2 days ago	Reason	STOLEN VEHICLE	Network	Fort Worth TX PD Wing Cameras





Item B.

PTZ Cameras

CURRENT FOOTPRINT

- 2 mobile cameras
- 4 cameras loaned by FWPD



PTZ Cameras Technical Component

Custom-built PTZ Cameras system (~\$4,100 per unit) includes:

- Pan/tilt/zoom Axis digital camera (~\$2,100 per unit – one time cost)
- Camera housing (~\$300 per unit – one time cost)
- Network equipment (~1,040 per unit – one time cost)
- AT&T FirstNet cellular data connectivity (~\$660 per unit – one time cost)
- Assembled in-house for significant cost savings over commercial off-the-shelf products
- City of Burleson responsibility
 - Assembly and installation (PD)
 - System management and maintenance (PD)
 - Device firmware management (IT)
 - Digital storage infrastructure/Milestone video management system (IT)
 - Cellular service & APN management (IT)

PTZ



Toggle 3D Positioning

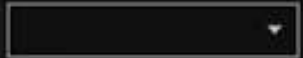


Profile

1 Active

Schedule

Current Group



Streaming Quality

Jpeg HD



Vision for Burleson RTCC

Total Build-Out Today

- 30 - FLOCK LPR's needed
- 32 – Pan/ tilt/ zoom cameras needed

Real Time Crime Center Staffing

- Partnership with FWPD Real Time Crime Center
- Utilize the old Communications Center
- Combination of both

Community Partnerships

Community Partnerships for FLOCK LPRs

- Business
- Residential

School Districts

Task Forces- STOP

Other city owned Cameras

- Plaza Cameras
- Critical infrastructure
- Parks



Success Stories- Since April 23rd

FLOCK hits

Stolen vehicles

FWRPD Robbery Warrant and wanted persons

Shoplifting case

RTCC

Officer Safety (Over watch using PTZ and Axon Respond)

Multiple Arrests following observation of suspicious activity by RTCC with PTZ



Multi-State Gift Card Theft/ Fraud Case

DFW Metroplex gift card thefts/ fraud

Home Depot

Target

Apple

FWPD Real Time Crime Center

Home Depot provided info on vehicle

RTCC entered information into FLOCK

FLOCK alert on John Jones

BPD located suspect vehicle



Questions

Public Safety & Court Committee

DEPARTMENT: Police Department
FROM: Billy J. Cordell, Chief of Police
MEETING: July 24, 2024

SUBJECT:

Receive a report, hold a discussion, and provide staff direction regarding calls for service that involve solicitation in the City of Burleson (*Staff Contact: Billy J. Cordell, Chief of Police*)

SUMMARY:

Staff will present on the calls for service involving solicitation from public rights-of-way/ places involving panhandling, fundraising, sales of goods, and solicitation door to door.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Billy J. Cordell
Chief of Police
bcordell@burlesontx.com
817-426-9913

Solicitation

Public Safety Committee Meeting

CHIEF BILLY CORDELL

JULY 24, 2024

Solicitation, Sales, and Panhandling

Burleson Ordinance 14-405

- Stands on or in any manner occupies a roadway, median, traffic island, or public right-of-way in the city
- To solicit or attempt to solicit for the purpose of exchange with occupants of a vehicle
- Sell or offer for sale and merchandise or service directly to the occupants of a vehicle
- Distributes or attempts to distribute any object directly to the occupants of the vehicle, or
- Panhandle directly to the occupants of a vehicle.

Defense to Prosecution

- It is a defense to prosecution if at the time of the solicitation, offer, distribution, or panhandle the occupants of the vehicle were lawfully parked.

Types of Solicitation

Item C.

Panhandlers in right of way

- Solicitation of funds only- "Will work for food", "Please Help" signs

Fundraising

- Sports teams, Bands, Church Donations, Medical Bills etc.

Sales of goods/ animals

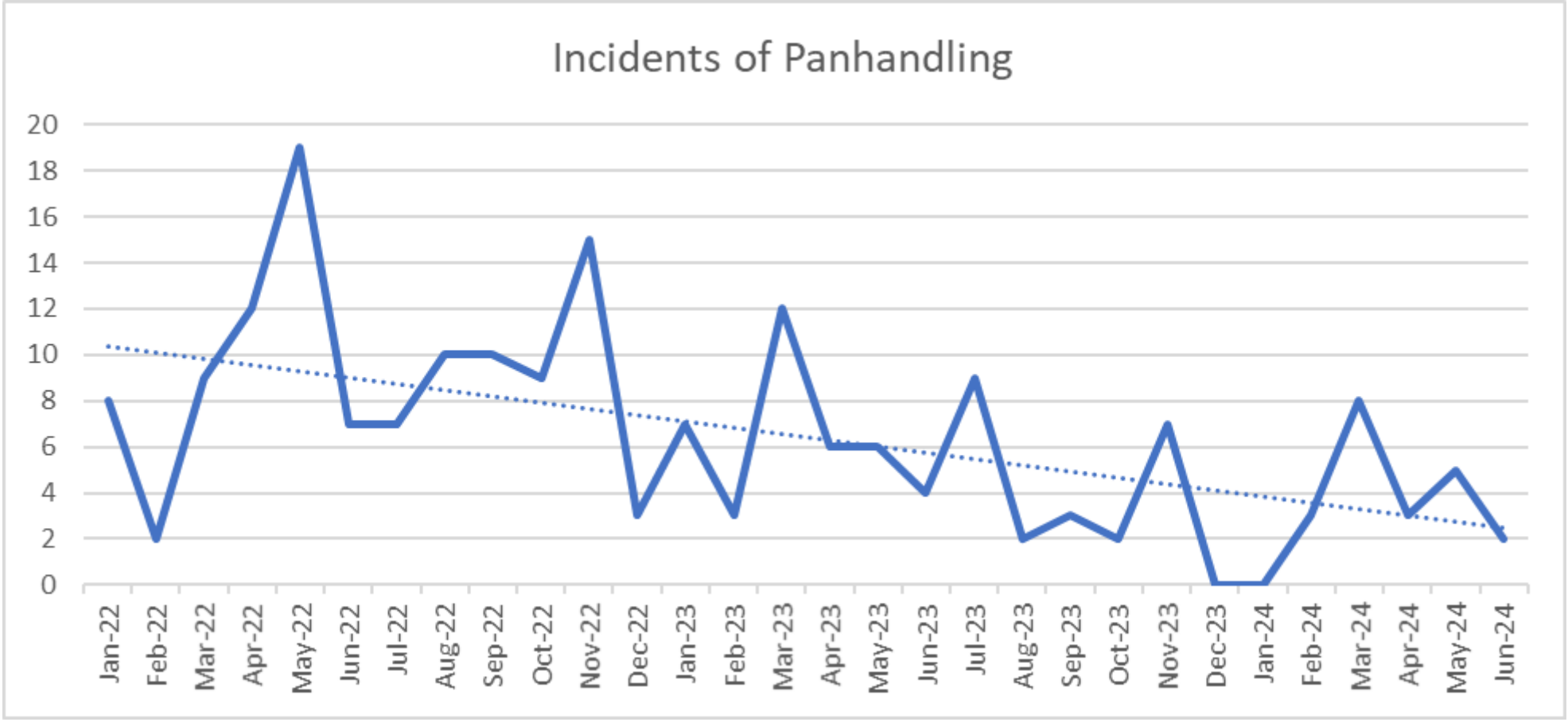
- Typically dogs/ cats, flowers, Food, etc.

Door-to-Door Solicitor (Permits)

- Roofers, Security Systems, Pest Control, Solar Panels, etc.

TYPE OF SOLICITATION	2022	2023	2024
Panhandler	111 (52%)	61 (30%)	21 (32%)
Fundraising	6 (3%)	12 (6%)	6 (9%)
Selling goods	22 (10%)	22 (11%)	9 (14%)
Door-to-Door (Solicitor Calls)	76 (35%)	108 (53%)	30 (45%)

Panhandling Calls -2022, 2023, June 2024



Panhandling Locations

	2022	2023	2024
Business Parking Lot	62	35	14
Intersection/Arterial Street Block	47	26	7
Residential Block	1	0	0
City Owned Property	1	0	0

Top Three Intersections for Panhandling:

- 1. Alsbury/35W** *(46 reported incidents)*
- 2. John Jones/Wilshire** *(12 reported incidents)*
- 3. Bethesda/35W** *(5 reported incidents)*

Resolution of Encounters

Nearly half of the incidents were resolved with a verbal warning from the officer and the individual agreeing to stop the action or leave the area.

	2022	2023	2024
Unable to Locate	37 (33%)	15 (25%)	7 (33%)
Verbal Warning	45 (41%)	29 (48%)	10 (48%)
Warning Citation	0	1	0
Citation	7	3	1
Arrest	3	2	1
Criminal Trespass Warning	9	2	1

Court Cases/ Rulings

Indigent law- Can't hold a person for a class c misdemeanor that is punishable by fine only

Supreme Court- Panhandling- often defined by ordinances as a verbal or written request for immediate donation of money, is a form of speech protected by the First Amendment

Texas- There is no statewide prohibition against panhandling- often covered in an ordinance.

Dallas- Passed panhandling ordinance in October 2022 for soliciting in medians less than 6' wide
The Texas Civil Rights Project sued on behalf of four people because it "criminalizes" homelessness. Said Dallas manufactured an unjust "public safety" issue that violates the First Amendment.

Supreme Court- June 28, 2024 ruled cities could fine homeless people for sleeping in public. This covers encampments.

Solicitation Permits

Issued by the police department

- Burleson records check for local arrests
- Check for outstanding warrants
- Background check through DPS
- Permit is valid for one year from date of issuance

Do not issue permit when:

- Convicted of a felony, misdemeanor, or any sex offense, narcotic trafficking, or any violent acts against person or property in the previous five years from date of application

Burleson costs

- \$75 for the first five permits from the same company
- \$10 for each additional, from the same company
- Issued **AFTER** they pass the checks and permit is issued

Solicitor Permit Benchmarking

Solicitor permits issued by Burleson:

- 2022- 23
- 2023- 129
- 2024- 77 (through July 15th)

Benchmarking:

- **Burleson**- \$75 for first five **permits** and \$10 for subsequent permits from the same company
- Benbrook, Haltom City, Mansfield, North Richland Hills- \$100 per **application**, non-refundable
- Cleburne- \$50 for first **permit** and \$10 for subsequent permits from the same company
- Grand Prairie- \$50 per **application**, non-refundable
- Hurst- \$50 per **application**, non-refundable
- Richland Hills- \$50 for first **permit**, \$25 for subsequent applications from the same company

Questions

Chapter 14. Businesses

ARTICLE VIII. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

DIVISION 1. GENERALLY

§ 14-405. Solicitation, sales, and panhandling in certain locations.

(Ord. No. B-701, § 1(11-94), 7-10-2003; Ord. No. CSO#1133-09-2019, § 1, 10-7-2019)

- (a) A person commits an offense if he or she stands on or in any manner occupies a roadway, median, traffic island, or public right-of-way in the city to solicit or attempt to solicit for purpose of an exchange with the occupants of a vehicle, sell or offer for sale any merchandise or service directly to the occupants of a vehicle, distributes or attempts to distribute any object directly to the occupants of a vehicle, or panhandle directly to the occupants of a vehicle.
- (b) It is a defense to prosecution under this section that at the time of the solicitation, offer, distribution, or panhandle the vehicle occupants occupied a lawfully parked vehicle.
- (c) An offense under this section occurs when the offer, solicitation, distribution or panhandle is made regardless of whether a transaction is completed.
- (d) For purposes of subsection (a) of this section, the term "roadway" is defined as that portion of a street or highway designed, improved or ordinarily used for vehicular travel, typically delineated by curbs, edge lines or the edge of pavement.

DIVISION 2. REGISTRATION

§ 14-431. Required.

(Ord. No. B-684, § 1(11-82), 7-11-2002)

- (a) Except as provided by subsection (b) of this section, a person shall not engage in solicitation activities in the city without first registering with the city and obtaining a registration certificate and identification badge from the chief.
- (b) Minors who are engaged in solicitation activities involving fundraising for nonprofit organizations, charitable organizations, religious organizations, civic organizations, or public or private schools or groups directly affiliated with such schools are exempt from the provisions of this article.

§ 14-432. For sponsor of minors.

(Ord. No. B-684, § 1(11-83), 7-11-2002)

- (a) A person, company, or organization that sponsors or employs one or more minors solicitation activities other than those described in section 14-431(b), shall apply for registration with the city. The sponsor shall pay an annual fee as determined by the city council by ordinance or resolution.
- (b) The sponsoring person, company, or organization shall:
 - (1) Provide to each individual minor a badge or other easily readable form of identification which identifies the name of the sponsor and the name of the minor;
 - (2) Require all minors to wear the identification so that it is clearly visible at all times when the minor is engaged in solicitation activities; and
 - (3) Be responsible for supervising and controlling the conduct of all minors engaging in solicitation activities under the sponsor's registration.

§ 14-433. Application; contents.

(Ord. No. B-684, § 1(11-84), 7-11-2002)

A separate application for a solicitor's registration is required for each solicitor. An application must contain the following information:

- (1) Proof of age, address, and identification of the applicant, to be provided through the applicant's driver's license, article incorporation, or other legally recognized form of identification;
- (2) If the solicitor is employed by another, the name and business address of the employer; if acting as an agent, the name, address, and telephone number of the principal who is being represented, with credentials in written form establishing the relationship and the authority of the employee or agent to act for the employer or principal;
- (3) A brief description of the goods or services to be sold or offered for sale;
- (4) The hours and location of the solicitation activities;
- (5) Proof of possession of any license or permit which, under federal, state, or local laws or regulations, the applicant is required to have in order to conduct the proposed business, or which, under any law or regulation, would exempt the applicant from the registration requirements of this article; and
- (6) Two passport quality photographs of the applicant, measuring at least 1½ inches × two inches and showing the head and shoulders of the applicant in a clear and distinguishing manner, which shall have been taken within the preceding 60 days before the filing of the application.

§ 14-434. Bond.

(Ord. No. B-684, § 1(11-85), 7-11-2002)

- (a) Solicitors requiring cash deposits or payment for future delivery or who require a contract of agreement to finance the sale of goods or services for future delivery, or for services to be performed in the future, shall furnish to the city a bond with the application in the amount determined in subsection (c) of this section, signed by the applicant and surety company authorized to do business in the state, conditioned:
 - (1) For the final delivery of goods or services in accordance with the terms of any order obtained;
 - (2) To indemnify purchasers for defects in material or workmanship that may exist in the goods sold and that are discovered within 30 days after delivery; and
 - (3) For the use and benefit of persons, firms, or corporations that may make a purchase or give an order to the principal of the bond or to the agent or employee of the principal of the bond.
- (b) If the applicant is a person, firm, or corporation engaging in solicitation activities through one or more agents or employees, only one bond is required for the activities of all the agent or employee solicitors.
- (c) The amount of the bond is determined by the number of solicitors acting as agents or employees of the same person, firm, or corporation as follows:

1—3 solicitors	\$3,000.00
4—6 solicitors	4,000.00
7 or more solicitors	5,000.00

§ 14-435. Fees and duration.

(Ord. No. B-684, § 1(11-86), 7-11-2002)

An applicant for registration shall pay an annual fee for each solicitor as determined by the city council by ordinance or resolution. A solicitation registration is valid for one year.

§ 14-436. Application review and acceptance.

(Ord. No. B-684, § 1(11-87), 7-11-2002)

- (a) Upon receipt of an application, the chief shall review the application to ensure the protection of the public health, safety, and general welfare.
- (b) If the chief finds the application to be satisfactory and in accordance with this article, the chief shall authorize registration.

§ 14-437. Certificate and identification badge.

(Ord. No. B-684, § 1(11-88), 7-11-2002)

- (a) Upon authorization of the registration and payment of the fee, the chief shall deliver a registration certificate and identification badge for each registered solicitor.
- (b) The registration certificate shall show the name, address, and photograph of the solicitor, the kind of goods or services to be sold or offered for sale, a description of any vehicle to be used in carrying on the solicitation activities, the registration number, and the dates of issuance and expiration of the certificate.

- (c) The registration certificate must be carried by the solicitor while engaging in solicitation activities.
- (d) While engaging in solicitation activities, a solicitor shall wear the identification badge so that it may be easily read by those being solicited. If a badge becomes damaged, the solicitor shall return it to the city and receive a replacement badge.
- (e) A registration certificate and an identification badge shall be used only by the person to whom they were issued and may not be transferred to another person.

§ 14-438. Denial of application.

(Ord. No. B-684, § 1(11-89), 7-11-2002)

- (a) The chief shall deny an application for registration if the chief finds any of the following to be true:
 - (1) The location, time, or manner of the solicitation activities would interfere with the public's use of streets or endanger the safety and welfare of the public, the solicitors or their customers.
 - (2) An investigation reveals that the applicant falsified information on the application.
 - (3) Within five years preceding the date of application, the applicant or an employee or agent of the applicant, has been convicted of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property.
 - (4) The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit, or misrepresentation has been entered within five years preceding the date of application.
 - (5) The applicant provided no proof of authority to serve as agent for the principal.
 - (6) The type of solicitation activity requires a bond, and the applicant has not complied with the bond requirements.
 - (7) The applicant has been denied registration under this article within the previous 12 months, and the applicant has not shown to the satisfaction of the chief that the reasons for the earlier denial no longer exist.
- (b) A denial and the reasons for the denial shall be noted on the application, and the applicant shall be notified of the denial by notice mailed to the applicant at the address shown on the application or the last known address.

§ 14-439. Revocation or suspension.

(Ord. No. B-684, § 1(11-91), 7-11-2002)

A registration certificate issued pursuant to this article may be revoked or suspended by the chief, after notice and hearing, for any of the following reasons:

- (1) Fraud, misrepresentation, or false statement contained in the application for registration;
- (2) Fraud, misrepresentation, or false statement made by a solicitor in the course of conducting solicitation activities;
- (3) Conducting solicitation activities which were not described in the application;
- (4) Conviction for a crime described in section 14-438(a)(3) or (a)(4);
- (5) Violation of the regulations described in section 14-403; or
- (6) Conducting solicitation activities in such a manner as to create a public nuisance, constitute disorderly conduct, or endanger the health, safety, or general welfare of the public.

§ 14-440. Appeals.

(Ord. No. B-684, § 1(11-92), 7-11-2002)

- (a) A person who is denied registration or whose registration is revoked or suspended by the chief, may appeal the decision to the city manager by filing notice of appeal with the chief within 15 days after the notice of the decision is mailed to the address indicated on the application or the last known address of the solicitor.
- (b) Within ten days of the receipt of the notice of appeal, the city manager shall set a time and place for a hearing on the appeal which shall be not later than 30 days from the date of receipt of the notice of appeal.
- (c) Notice of the time and place of the hearing shall be delivered to the appellant by mail, sent to the address indicated on the application or the last known address of the appellant.
- (d) The decision of the city manager on the appeal is final. No other administrative procedures are provided by the city.

§ 14-441. through § 14-470. (Reserved)

TO: APPLICANTS

FROM: BURLESON POLICE DEPT.

SUBJECT: SOLICITATION IN THE CITY OF BURLESON

Applicants seeking a permit to solicit door-to-door in the residential areas of Burleson must complete the attached application and the DPS Computerized Criminal History (CCH) Verification form. Applicants must also provide a passport quality photograph of themselves, measuring 1 ½" X 2" and showing the head and shoulders of the applicants in a clear and distinguishing manner. The photograph must have been taken within the preceding 60 days before the filing of the application. Partially completed applications will not be accepted.

Minors who are engaged in solicitation activities involving fund-raising for nonprofit organizations, charitable organizations, religious organizations, civic organizations, or public or private schools or groups directly affiliated with such schools are not required to apply for a permit.

The city may investigate the application and issue a permit, with the following conditions:

No permit shall be issued without positive identification (e.g. picture I.D.) and proof of authority to serve as agent for the principal (where necessary).

No permit shall be issued to an individual who has been convicted of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property with five years preceding the date of application.

No permit shall be issued if one or more statements or answers are false in whole or in part or if the applicant is a person against whom a judgement based upon, or conviction for, fraud, deceit, or misrepresentation has been entered within five years preceding the date of application.

No permit shall be issued allowing solicitation on any public right-of-way.

Interstate commerce operators are exempt from the fees, but must fill out an application. The city shall issue a permit certifying that the applicant has registered with the city.

Applicants may check back with the Administrative Deputy Chief on their application. Applicants must purchase a surety bond issued to the City of Burleson in the amount of \$3,000 for 1-3 solicitors, \$4,000 for 4-6 solicitors, and \$5,000 for 7 or more solicitors. Applicants must also pay a fee of \$75 for the first five agents/employees. There will be a \$10 fee per agent for more than 5 agents/employees.

Within thirty (30) days before the expiration of the license issued, any person desiring to continue to engage in door-to-door selling shall apply again.

REGULATIONS FOR SOLICITATION

As stated in the City ordinances of Burleson:

A person shall not engage in solicitation activities in the city without first registering with the city and obtaining a registration certificate and identification badge from the Police Department. Minors who are engaged in solicitation activities involving fund-raising for nonprofit organizations, charitable organizations, religious organizations, civic organizations, or public or private schools or groups directly affiliated with such schools are exempt from the provisions of this ordinance.

The registration certificate must be carried by the solicitor while engaging in solicitation activities. The solicitor shall also wear the identification badge so that it may be easily read by those being solicited. If a badge becomes damaged, the solicitor shall return it to the city and receive a replacement badge. A registration certificate and an identification badge shall be used only by the person to whom they were issued and may not be transferred to another person.

A solicitor shall not engage in solicitation activities:

- (1) Between the hours of 9:00 p.m. and 9:00 a.m.;
- (2) On public property without first procuring authorization from the city council;
- (3) at a residence or business that has a sign posted giving clear notice that solicitors are not welcome, such as "no solicitors" or words of similar meaning;
- (4) on Sundays, New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Eve or Christmas Day; or
- (5) after having been verbally informed by the resident that the solicitation is not welcome.

If a person uses a vehicle in solicitation activities, there must be a sign located in a conspicuous place on the vehicle, identifying the name of the person or the company or organization that the person represents. If the name is an individual, it must be followed by the word "solicitor". The lettering on the sign must be at least two and one-half inches high.

A registration certificate may be revoked or suspended for any of the following reasons:

- 1) fraud, misrepresentation, or false statement contained in the application for registration;
- 2) fraud, misrepresentation, or false statement made by a solicitor in the course of conducting solicitation activities;
- 3) conducting solicitation activities which were not described in the application;
- 4) conviction within the last five years for a felony, misdemeanor, or ordinance violation involving fraud, deceit, misrepresentation, a sex offense, trafficking in controlled substances, or any violent acts against persons or property
- 5) violation of the regulations listed above
- 6) conducting solicitation activities in such a manner as to create a public nuisance, constitute disorderly conduct, or endanger the health, safety, or general welfare of the public.

It shall be unlawful for any person to peddle, hawk, sell, solicit, or take orders for any services, wares, merchandise, or goods on parking lots, streets, rights-of-way, medians, or sidewalks within the City of Burleson, or any other location at which the City of Burleson has not issued a certificate of occupancy for the activity conducted, unless the activities involve:

- 1) a City-sponsored or authorized festival or carnival;
- 2) a sidewalk or parking lot sale conducted by a merchant whose permanent place of business is immediately adjoining; or
- 3) the sale of Christmas trees between November 15 and December 25.

CITY OF BURLESON
APPLICATION FOR SOLICITOR'S PERMIT

Item C.

APPLICANT'S NAME _____ PHONE (____) _____

ADDRESS _____

COMPANY NAME _____ PHONE (____) _____

ADDRESS _____

(If the solicitor is an agent of a company, attach credentials establishing the relationship and the authority of the agent to act for the employer or principal)

Nature of the articles or items which are to be sold or for which orders are to be solicited: _____

Hours of solicitation activities: _____ Location of the solicitation activities: _____

Will applicant demand or receive payment or deposit of money in advance of final delivery? Yes _____ No _____

Make and model of vehicle to be used in carrying on the solicitation activities: _____

Color of vehicle: _____ Year of vehicle: _____ License plate # and state of registration: _____

If you will be requiring cash deposits or payment for future delivery, or a contract to finance the sale of goods or services for future delivery or for services to be performed in the future, you must supply a bond in accordance with Section 11-85 of the City's Code of Ordinances. If applicable, attach the appropriate bond to your application.

APPLICANT'S DESCRIPTION:

Driver's License # (copy attached) _____

Date of Birth _____ Age _____ Sex _____ Height _____ Weight _____ Hair Color _____

Eye Color _____

APPLICANT RESPONSIBLE FOR FOLLOWING INFORMATION
APPLICANT'S CRIMINAL RECORD, IF ANY:

Have you been convicted within the last five years of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property? _____

Has any employee or agent of yours been convicted within the last five years of a felony, misdemeanor, or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property? _____

Have you had a judgment or conviction entered against you within the last five years for fraud, deceit, or misrepresentation? _____

ALL OF THE FOREGOING STATEMENTS ARE TRUE & CORRECT.

_____ DATE _____

Approved by : _____

Date: _____

Permit # _____

ATTACH A RECENT PASSPORT-QUALITY
PHOTOGRAPHS HERE:

(at least 1 ½" X 2", clearly showing head and
shoulders of applicant, taken within last 60 days)

Records -Clear Not Clear Date Initials /Warrants -Clear Not Clear Date Initials

DPS Computerized Criminal History (CCH) Verification (AGENCY COPY)

I, _____, have been notified that a Computerized Criminal History (CCH) verification check will be performed by accessing the Texas Department of Public Safety Secure Website and will be based on name and DOB identifiers I supply.

Because the name-based information is not an exact search and only fingerprint record searches represent true identification to criminal history, the organization conducting the criminal history check for background screening is not allowed to discuss any criminal history record information obtained using the name and DOB method. Therefore, the agency may request that I have a fingerprint search performed to clear any misidentification based on the result of the name and DOB search.

For the fingerprinting process I will be required to submit a full and complete set of my fingerprints for analysis through the Texas Department of Public Safety AFIS (Automated Fingerprint Identification System). I have been made aware that in order to complete this process I must make an appointment with L1 Enrollment Services, submit a full and complete set of my fingerprints, request a copy be sent to the agency listed below, and pay a fee of \$24.95 to the fingerprinting services company, L1 Enrollment Services.

Once this process is completed and the agency receives the data from DPS, the information on my fingerprint criminal history record may be discussed with me.

(This copy must remain on file by your agency. Required for future DPS Audits)

Signature of Applicant or Employee

Date

Burleson Police Department

Agency Name (Please print)

Agency Representative Name (Please print)

Signature of Agency Representative

Date

Please: Check and Initial each Applicable Space	
CCH Report Printed:	
YES <input type="checkbox"/>	NO <input type="checkbox"/> _____ initial
Purpose of CCH: _____	
Hire <input type="checkbox"/>	Not Hired <input type="checkbox"/> _____ initial
Date Printed: _____ initial	
Destroyed Date: _____ initial	
Retain in your files	