City of Houston

Administration & Regulatory Affairs

CITY OF HOUSTON

Administration & Regulatory Affairs Department

Class A - Thirty-Day Application for Certificate of Registration for Solicitation of Funds for Charitable Purposes

Registration Fee: $20.64 (per 30 day period) _____ 20 _____

Certificate Number _____

TO THE DIRECTOR OF ADMINISTRATION & REGULATORY AFFAIRS, HOUSTON, TEXAS:

THE UNDERSIGNED HEREBY MAKES APPLICATION FOR A CERTIFICATE OF REGISTRATION TO ENGAGE IN THE SOLICITATION OF FUNDS FOR CHARITIBLE PURPOSES WITHIN THE CITY OF HOUSTON UNDER ARTICLE V OF CHAPTER 36 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS AND IN CONNECTION WITH SUCH APPLICATION MAKES THE FOLLOWING STATEMENTS AND REPRESENTATIONS:

The solicitation period will commence on or about: _____ 20 _____
Month Day Year

and will conclude on or about: _____ 20 _____
Month Day Year

1. The Full Name of the Person Registering (registrant) is: _____
Please print the full name

   Registrant's E-Mail Address is: _____

2. The Registrant is an: (a) Individual (b) Partnership (c) Corporation of (d) Association (Circle One.) According to your answer in Question #2 above, complete one of the following

A. INDIVIDUAL:

Business or residence address: _____
(P.O. Box will not be accepted)

Business or residence telephone no: _____

B. IF PARTNERSHIP:

Names of Partners	Business Address (P.O. Box Not Accepted)	Telephone No.

(If additional space is necessary use a separate sheet)

C. CORPORATION:

Organized under Texas Law _____ Foreign Law _____ (Check One) According to your answer complete 1 or 2 below:

1) IF TEXAS CORPORATION:

Mailing Address:

_____
(P.O. Box will not be accepted)

Business Location: _____

Telephone No.: _____

Individual in charge of Houston office: _____

Names of Officers and Directors or Trustees:

(If additional space is necessary use a separate sheet)

2) IF FOREIGN CORPORATION:

Mailing Address: _____

(P. O. Box will not be accepted)

Business Location: _____

Business Telephone No: _____

Place of incorporation: _____

Individual in Charge of Houston Office: _____

Names of Officers and Directors or Trustees:

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

(If additional space is necessary use a separate sheet)

D. IF AN ASSOCIATION:

Location (if multi state) of Principal Headquarters: _____

_____

(P.O. Box will not be accepted)

Mailing Address (if multi state) of Principal Headquarters: _____

_____

Principal Local Business Address: _____

Principal Local Mailing address: _____

Principal Business Telephone No: _____

Names and principal business or residence address (P. O. Box will not be accepted) and telephone numbers of all members of the association. (If the number exceeds 10. you may alternatively list the names and principal business address of the officers and directors or trustees.)

Names of Members/Officers/Directors (Whichever applies)	Business Address	Telephone No.

(If additional space is necessary use a separate sheet)

3. Give a brief description of the charitable purpose for which the funds are to be solicited, and an explanation of the intended use of the funds toward that purpose: _____

_____

_____

4. List the individuals authorized to incur expenses on behalf of the Registrant related to the solicitation or to disburse only proceeds of the solicitation.

Names	Mailing Address (P. O. Box not accepted)	Telephone No.

(If additional space is necessary use a separate sheet)

5. State the name, mailing address and telephone number of each individual having organizational responsibility with respect of the solicitation of funds. If the number exceeds 20, List the 20 individuals with principal organizational responsibility with respect to the solicitation of funds.

Names	Mailing Address (P. O. Box not accepted)	Telephone No.

(If additional space is necessary use a separate sheet)

6. Describe the methods and means that will be used to solicit funds:

_____

_____

7. The total amount of funds proposed to be collected is: $ _____

8. Give a projected schedule of salaries, wages, fees, commissions, expenses, and costs that the registrant reasonably believes will be incurred and paid in connection with the solicitation of funds or in connection with their disbursement during the entire period in which solicitation is to be made.

Salaries	Wages	Fees	Commission	Expenses	Cost	**Total**
$	$	$	$	$	$	$

9. List the name of other cities outside Harris County, Texas, in which funds have been solicited by registrant for charitable purposes within the last five years (If the number of cities exceeds 5, registrant may list the 5 most populated cities in which it has solicited funds during the previous 5 years):

(If additional space is necessary use a separate sheet)

10. The registrant hereby agrees and affirms that if a Certificate of Registration is granted, such Certificate will not be used as or represented to be an endorsement by the City or any of its officers or employees.

11. List any officer, director, trustee, partner, current agent or employee of the registrant planning to engage in the solicitation of funds who has been convicted of (or incarcerated for any conviction) or a felony or misdemeanor involving moral turpitude within the past 7 years:

(If additional space is necessary use a separate sheet)

12. In accordance with Section 36-76 (b) of Chapter 36 of the Code of Ordinances, please identify below the physical location(s) at which solicitation of funds is to occur and the number of persons to be involved in the solicitation of funds at each location:

Location	Number of Persons

(If additional space is necessary use a separate sheet)

13. If the registrant is unable to provide any of the information requested in items 1-12 above, please explain why the information is not available. ____

____

14. I prepared and have carefully read this Application for Certificate of Registration. I hereby swear or affirm that every statement made herein is true and correct and that I am authorized to sign this application on behalf of the registrant.

Additionally, I have reviewed the ordinance provisions of the City of Houston, some of which are cited below, regulating the solicitation of funds for charitable purposes. I hereby affirm that such solicitation will be conducted in compliance with Chapter 36 of the Code of Ordinances of the City of Houston.

_____
Registrant

The registration statement must be signed: by the Registrant, if the Registrant is an individual; if the Registrant is a partnership, by the partner charged with disbursing the funds solicited: if the registrant is a corporation or an association, by its officer charged with disbursing the funds solicited.

STATE OF TEXAS X

COUNTY OF HARRIS X

BEFORE ME, the undersigned authority, on this day personally appeared _____
Who being by me first duly sworn, upon his oath stated that all of the information given above and all of the answers made to the forgoing questions are within the knowledge of Affiant and are true and correct.

WITNESS my hand and seal of office this _____ day of

_____ AD., _____

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

My Commission Expires:

_____

_____
PRINTED NAME OF NOTARY

In compliance with Section 36-81 of Chapter 36, Article V, each Registrant shall file a preliminary closing statement no later than thirty (30) days from the expiration of its Certificate of Registration. It need not be sworn to and any amounts stated thereon may be estimated based upon whatever information is reasonably available to the Registrant at the time it is filed. A final closing statement shall be filed within the Administration & Regulatory Affairs Department no later than one hundred and twenty (120) days from the expiration of the, Certificate of Registration.

Read and Acknowledged _____
APPLICANT

Acknowledgement

Sec. 36-72. Unlawful solicitation.
It shall be unlawful within the corporate limits of the city:
(1) For any person, directly or through an agent or employee, to solicit funds unless such person has first obtained a certificate of registration from the director, as hereinafter provided.
(2) For any individual, as the agent or employee of another, to solicit funds unless his principal or employer has received a certificate of registration as hereinafter provided.
(3) For any person to solicit funds between the hours of 9:00 p.m. and 8:00 a.m.
(4) For any person, directly or through an agent or employee, to solicit funds after the expiration of any certificate of registration issued as hereinafter provided.
(5) For the person registering or the agents or employees thereof to solicit funds for a purpose other than that set out in the registration statement upon which the certificate of registration was issued.
(6) For any person who solicits funds to represent, in connection with such solicitation of funds, that the issuance of a certificate of registration by the city constitutes an endorsement or approval of the purposes, means, or methods of such solicitation of funds by the city or any department, officer or employee thereof.
(7) For any person issued a certificate of registration hereunder to fail to file any financial statement required to be filed under this article.
(8) For any person to employ, suffer or permit a minor to solicit funds.
(9) For any person to use or expose any animal to hazardous conditions to solicit funds.

Sec. 36-73. False or misleading solicitation.
It shall be unlawful for any person to knowingly make a false or misleading representation in the course of a solicitation of funds. False or misleading representations include, but are not limited to, the following:
(1) Stating that the solicitation of funds is being carried out on behalf of an organization that does not exist.
(2) Stating that the solicitor represents an organization when such statement is false.
(3) Exhibiting a military, medical or religious order uniform or other indication of military service or membership in a medical profession or religious order when the person soliciting funds is neither a present nor former member of the service indicated, or a member of a medical profession or religious order, unless the person is soliciting funds on behalf of the military branch, medical profession, or religious order indicated in the statement.
(4) Exhibiting an indication of physical disability or using makeup or a device to simulate any deformity or disability, when the person soliciting funds does not suffer the deformity or disability indicated.

Sec. 36-74. Solicitation on public streets.
(a) *Solicitation in roadways.* Except as provided in section 36-75, it shall be unlawful for any person to stand in a roadway to solicit funds. It shall be unlawful for a minor to stand in a roadway for any purpose, including solicitation of funds, except as permitted by the traffic laws of the state.
(b) *Requirements.* It shall be unlawful for any person to solicit funds pursuant to a class A certificate unless the person:
(1) Properly wears a high visibility traffic vest provided by the director pursuant to rules and regulations promulgated therefor;
(2) Conducts the solicitation of funds only within 40 feet of an intersection controlled by a traffic signal that requires all traffic to come to a full stop;
(3) Solicits funds only while located on a shoulder, improved shoulder, curb or sidewalk adjacent to the roadway, excluding any median;
(4) Does not enter the roadway to solicit or retrieve funds; and
(5) Does not obstruct traffic or create a hazard to traffic or any other person.
(c) *First aid requirement.* It shall be unlawful for a person to solicit funds pursuant to a class A certificate where more than four individuals are also soliciting funds simultaneously at the same location unless a person certified by the American Heart Association or American Red Cross in cardiopulmonary resuscitation and first aid is present at the location.
(d) *Location.* It shall be unlawful for a person to solicit funds pursuant to a class A certificate from a location not specified in the certificate.