

GUIDANCE ON HOW TO HANDLE SOLICITORS

Question: What are the rules regarding permits for solicitors that come to my door, and that occasionally stand on the sidewalks?

Answer: The rules depend on whether the solicitor is a commercial or charitable organization. The Records Division of the Oakland Police Department (OPD) handles the commercial solicitor permits, which require the applicant to go through the fingerprinting and criminal background check process. These permits allow door-to-door solicitation. However there is a provision in the law that prohibits solicitors from ringing or knocking at residences that have “No Peddlers” signs. The law is Chapter 5.48 of the Oakland Municipal Code (OMC), which you can access from the City’s homepage, www.oaklandnet.com.

If the solicitation is for a charitable cause, permits are handled under OMC chapter 5.18. A permit is also required and the organization must file proof of their charitable 501c3 status. These permits are usually issued for specific events, but there are some organizations that request an annual permit to cover all fundraising activities. Again, ask to see the permit, and, if they do not have one, call OPD at 777-3333 to report it.

Anyone soliciting for money must have a copy of the permit. Each person must be carrying their own permit with the expiration date of their solicitation listed at the bottom. The excuse that a supervisor, or the Headquarters Office, has it is not acceptable.

Distributors of free printed matter and newspapers are not subject to the permit rule. They may distribute their materials without permits because they do not ask for donations. If they do, the permit requirement applies.

Question: Who issues the permits to solicitors, and who enforces the rules regarding carrying permits?

Answer: The City Administrator issues the charitable ones. If complaints are received from the public indicating abuse of the privilege, it is unlikely the permit would be renewed. However, for the most part, OPD Officers enforce the law by asking solicitors to see permits and citing and/or shutting them down when they are not properly permitted. The OPD Records Department issues and enforces the commercial solicitation permits. In both cases, calls from citizens are helpful in locating people who are soliciting without permits.

Question: Do charitable organizations such as the Girl or Boy Scouts, School Groups, etc... need permits?

Answer: All organizations that raise money in Oakland are required to have a charitable solicitation permit. Obviously, not all organizations know about this. If no one complains, the City of Oakland will not know about it. The cost of a permit is normally \$20, and the duration can be as long as a year.

Question: What should I do if a solicitor comes to my door? Should I answer the door?

Answer: If you have posted a "No Peddlers" sign and solicitors still come to your door, call OPD at 777-3333 because it is illegal. Do not be afraid to call OPD about it. Whether you answer the door or not is a judgment call you must make. If you do not feel safe doing so, do not answer the door. If they are behaving in a disruptive manner, do not answer the door. Immediately call 911 from your landline or 777-3211 from a cellular telephone.

Question: What should I do if a solicitor appears to be doing something other than soliciting, such as behaving in a manner that is inappropriate or possibly causing the neighborhood to commit a crime?

Answer: Do not answer the door and do not confront them. Immediately call 911 from a landline or 777-3211 from a cellular telephone.