



## RESIDENTIAL SOLICITATION LICENSE PROCESS

- Completely fill out Solicitor Application:
  - Section I – Complete all lines enter N/A if not applicable.
  - Section II - Check list of required items.
  - Section III – List goods and services offered.
  - Section IV – Read Written Disclosures and sign here stating so.
  - Section V – Affirm or deny each question.
  - Section VI – Sign and date application.
- Provide an original or copy of a BCI background check, dated no older than 180 days prior to the date of the application. Obtain a background check from the BCI:
  - Bureau of Criminal Investigation
  - 3888 West 5400 South
  - (801)965-4445
  - Hours: Monday - Friday 8:00 am – 4:30 pm
- Provide copies of the business entity's current business license, department of commerce registration, and marketing information.
- Provide Utah State sales tax number from entity which the applicant will be soliciting for.
- Provide picture identification.
- Solicitor application fee: \$25.00 per solicitor.
- If you have any questions please contact Business License at (801)944-7067 or [businesslicense@ch.utah.gov](mailto:businesslicense@ch.utah.gov).

Processing will begin once a completed application, all required items, and fees have been submitted. A temporary license for twenty-five (25) calendar days shall be issued if the application form does not affirmatively show a disqualifying status. An annual license will be issued upon further verification of the truthfulness and completeness of the information submitted by the applicant.



**Cottonwood Heights  
BUSINESS LICENSE DIVISION**  
1265 E Fort Union Blvd, Suite 250  
Ph: 801.944.7067 ♦ Fax: 801.944.7007  
www.cottonwoodheights.utah.gov

**SOLICITOR APPLICATION  
For Certificate of Registration**

FOR OFFICE USE ONLY	
Issued _____	Expires _____
Business. ID. No. _____	
Code _____	Receipt No _____
Date Received _____	
Solicitor Application Fee ..... \$ <b>25.00</b>	
<input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Charge   Total: \$ _____	

**SECTION I: Business Information** - Please type or print clearly. Complete all lines – enter N/A if an item is not applicable.

A. True/Correct Legal Name of Solicitor: \_\_\_\_\_ **Contact** Phone No. \_\_\_\_\_

B. All former names/aliases used by Applicant in last 10 years: \_\_\_\_\_

C. Business Entity / DBA: \_\_\_\_\_ Commerce Entity No. \_\_\_\_\_

D. Applicant - Date of Birth: \_\_\_\_\_ Applicant State Driver License/ID Card No. \_\_\_\_\_ State: \_\_\_\_\_  
 Applicant SSN: \_\_\_\_\_ Utah State Special Event Sales Tax No. (call 801-297-6303): \_\_\_\_\_

E. Applicant Home Address: \_\_\_\_\_ **Home Ph. No.** \_\_\_\_\_  
Street City State Zip  
 Applicant Mailing Address: \_\_\_\_\_  
Street City State Zip

F. If different from Applicant, Responsible Party Name: \_\_\_\_\_ **Ph. No.** \_\_\_\_\_  
 Address: \_\_\_\_\_  
Street/PO Box City State Zip

G. Address for Notices: \_\_\_\_\_  
Street/PO Box City State Zip

SECTION II: Items required with application	SECTION III: Goods or Services Offered
<input type="checkbox"/> BCI Report less than 180 days old <input type="checkbox"/> Proof of Identification (one of the following): <input type="checkbox"/> Valid State-issued Driver License or Identification Card <input type="checkbox"/> Valid Passport issued by the United States <input type="checkbox"/> Valid U.S.A. Military Identification Card <input type="checkbox"/> Any Licenses / permits... required to transact this business	<b>SECTION IV: Written Disclosures</b> I have received and reviewed the disclosure information required by the City Municipal Code Section 5.86, included with the entire Solicitor Code. APPLICANT SIGNATURE _____ DATE _____

**SECTION V: Disqualifying Status Questions - Affirm or Deny Each of the Following Statements \***

\* ANY NEGATIVE RESPONSE IN SECTION V OF THIS APPLICATION RENDERS THE APPLICANT DISQUALIFIED FROM CERTIFICATION \*

<p><b>- I have been criminally convicted for:</b></p> <p>1) Felony homicide: _____ 2) Sexual assault of any kind: _____</p> <p>3) Physically abusing, sexually abusing, or exploiting a minor: _____</p> <p>4) Sale or distribution of controlled substance: _____</p> <p><b>- I have criminal charges currently pending for:</b></p> <p>1) Felony homicide: _____ 2) Sexual assault of any kind: _____</p> <p>3) Physically abusing, sexually abusing, or exploiting a minor: _____</p> <p>4) Sale or distribution of controlled substance: _____</p> <p><b>- I have had a criminal felony conviction within last 10 years: _____</b></p> <p><b>- I was incarcerated in federal or state prison in last 5 years: _____</b></p>	<p><b>- I was criminally convicted of a misdemeanor in last 5 years involving:</b></p> <p>1) A crime of moral turpitude: _____</p> <p>2) Violent or aggravated conduct with persons or property: _____</p> <p><b>- I have a Final Judgement entered against me in the last 5 years for:</b></p> <p>1) Engaging in fraud or intentional misrepresentation: _____</p> <p>2) A debt that was non-dischargeable in bankruptcy: _____</p> <p><b>- I am now on parole/probation to any court, penal institution, or govt. entity, including being under house arrest or subject to a tracking device: _____</b></p> <p><b>- I have an outstanding arrest warrant from any jurisdiction: _____</b></p> <p><b>- I am now subject to a protective order for physical or sexual abuse: _____</b></p>
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**SECTION VI: Waiver Statement and Applicant Acknowledgement of Written Disclosures and Disqualifying Status**

I, the undersigned, do hereby verify, under penalty of perjury, that the information provided herewith is complete, truthful and accurate to the best of my knowledge and belief. I do hereby agree to allow the City to obtain a name/date of birth BCI background check for enforcement purposes of Cottonwood Heights Municipal Code Section 5.86. I agree to conduct business in complete accordance with all laws, ordinances, and regulations governing operation of such business. I acknowledge that soliciting without a valid certificate in plain view may result in revocation of such and/or citation. I understand that once the certificate of registration is issued, it becomes invalid if any of the application information changes, and a new application will be required to update the information on record.

_____	_____	_____	_____
Signature of Applicant	Date	Approval of City Authorized Signature	Date
_____	_____	_____	_____
Signature of Applicant	Date	Approval of City Police Department Signature	Date

## **WRITTEN DISCLOSURES**

Cottonwood Heights Municipal Code Section 5.86

1. The applicant's submission of the application authorizes the City to verify information submitted with the completed application including:
    - A. The applicant's address
    - B. The applicant's and responsible person or entity's state tax identification and special use tax numbers, if any;
    - C. The validity of the applicant's proof of identity.
  2. The City may consult any publically available sources for information on the applicant, including but not limited, to databases for any outstanding warrants, protective orders, or civil judgments.
  3. Establishing proof of identity is required before registration is allowed.
  4. Identification of the fee amount that must be submitted by applicant with a completed application.
  5. The applicant must submit a BCI background check with a completed application.
  6. To the extent permitted by State and/or Federal law, the applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection.
  7. The City will maintain copies of the applicant's application form, proof of identity, and identification badge. These copies will become public records available for inspection on demand at the City offices whether or not a certificate is denied, granted, or renewed.
  8. The criteria for disqualifying status, denial, or suspension of a certificate under the provisions of this chapter.
  9. That a request for a temporary certificate will be granted or denied the same business day that a completed application is submitted.
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## CHAPTER 5.86

### RESIDENTIAL SOLICITATION

#### Sections:

- 5.86.001 Purpose.**
- 5.86.002 No other city license or approval required.**
- 5.86.003 Definitions.**
- 5.86.004 Exemptions from chapter.**
- 5.86.005 Solicitation prohibited.**
- 5.86.006 Registration of solicitors.**
- 5.86.007 Application form.**
- 5.86.008 Written disclosures.**
- 5.86.009 When registration begins.**
- 5.86.010 Issuance of certificates.**
- 5.86.011 Form of certificate and identification badge.**
- 5.86.012 Maintenance of registry.**
- 5.86.013 Non-transferability of certificates.**
- 5.86.014 Denial, suspension or revocation of a certificate of registration.**
- 5.86.015 Appeal.**
- 5.86.016 Deceptive soliciting practices prohibited.**
- 5.86.017 "No Soliciting" notice.**
- 5.86.018 Duties of solicitors.**
- 5.86.019 Time of day restrictions.**
- 5.86.020 Buyer's right to cancel.**
- 5.86.021 Penalties.**

#### **5.86.001 Purpose.**

Residents of the city have an inalienable interest in their personal safety, well-being, and privacy in their residences, as well as their ability to provide or receive information regarding matters of personal belief, political or charitable activities, and goods and services lawfully in commerce. The city has a substantial interest in protecting the well-being, tranquility, personal safety, and privacy of its citizens, which includes the ability to protect citizens from unwanted intrusions upon residential property. The city also has a

substantial interest in protecting citizens from fraud or otherwise unfair consumer sales practices as well as criminal activity.

There must be a balance between these substantial interests of the city and its citizens, and the effect of the regulations in this chapter on the rights of those who are regulated. Based on the collective experiences of city officials derived from regulating business activity, protecting persons and property from criminal conduct, responding to the inquiries of citizens regarding door-to-door solicitation, the experience of its law enforcement officers and those affected by door-to-door canvassing and solicitation, as well as judicial decisions outlining the boundaries of constitutional protections afforded and denied persons seeking to engage in door-to-door solicitation, the city adopts this chapter to promote the city's substantial interests in:

- A. respecting citizen's decisions regarding privacy in their residences;
- B. protecting persons from criminal conduct;
- C. providing equal opportunity to advocate for and against religious belief, political position, or charitable activities; and
- D. permitting truthful and non-misleading door-to-door solicitation regarding lawful goods or services in intrastate or interstate commerce.

The city finds that the procedures, rules and regulations set forth in this chapter are narrowly tailored to preserve and protect the city interests referred to herein while at the same time balancing the rights of those regulated.

#### **5.86.002 No other city license or approval required.**

A. Registered solicitors and persons exempt from registration need not apply for, nor obtain, any other license, permit, or registration from the city to engage in door-to-door solicitation.

3. Charitable organization includes a chapter, branch, area, or office, or similar affiliate or any person soliciting contributions within the state for a charitable organization that has its principal place of business outside the city or state of Utah.<sup>1</sup>

K. "*Competent individual*" means a person claiming or appearing to be at least eighteen years of age and of sufficiently sound mind and body to be able to engage in rational thought, conversation, and conduct.

L. "*Completed application*" means a fully completed application form, a BCI, two copies of the original identification relied on by the applicant to establish proof of identity, and the tendering of Fees.

M. "*Criminally convicted*" means the final entry of a conviction, whether by a plea of no contest, guilty, entry of a judicial or jury finding of guilt, which has not been set aside on appeal or pursuant to a writ of habeas corpus. The criminal conviction is that offense of which the applicant or registered solicitor was convicted, without regard to the reduced status of the charge after completion of conditions of probation or parole, and charges dismissed under a plea in abeyance or diversion agreement.

N. "*Disqualifying status*" means anything specifically defined in this chapter as requiring the denial or suspension of a certificate, and any of the following:

1. The applicant or registered solicitor has been criminally convicted of: (a) felony homicide, (b) physically abusing, sexually abusing, or exploiting a minor, (c) the sale or distribution of controlled substances, or (d) sexual assault of any kind.

2. Criminal charges currently pending against the applicant or registered solicitor for: (a) felony homicide, (b) physically abusing, sexually abusing, or exploiting a minor, (c) the

sale or distribution of controlled substances, or (d) sexual assault of any kind.

3. The applicant or registered solicitor has been criminally convicted of a felony within the last ten years;

4. The applicant or registered solicitor has been incarcerated in a federal or state prison within the past five years;

5. The applicant or registered solicitor has been criminally convicted of a misdemeanor within the past five years involving a crime of: (a) moral turpitude, or (b) violent or aggravated conduct involving persons or property.

6. A final civil judgment been entered against the applicant or registered solicitor within the last five years indicating that: (a) the applicant or registered solicitor had either engaged in fraud, or intentional misrepresentation, or (b) that a debt of the applicant or registered solicitor was non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19);

7. The applicant or registered solicitor currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device;

8. The applicant or registered solicitor has an outstanding arrest warrant from any jurisdiction; or

9. The applicant or registered solicitor is currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.

O. "*Door to door solicitation*" means the practice of engaging in or attempting to engage in conversation with any person at a residence, whether or not that person is a competent Individual, while making or seeking to make or facilitate a home solicitation sale, or attempting to further the sale of goods and or services.

P. "*Entity*" includes a corporation, partnership, limited liability company, or other

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<sup>1</sup>Charitable Solicitation Act, UTAH CODE ANN. § 13-22-2(1)(a) & (b).

competent Individual in a residence regarding a particular good(s) or service(s) that entitles the consumer to rescind the same within three days under any applicable federal, state, or local law.

DD. *"Services"* means those intangible goods or personal benefits offered, provided, or sold to a competent Individual of a residence.

EE. *"Soliciting"* or *"solicit"* or *"solicitation"* means any of the following activities:

1. Seeking to obtain sales or orders for the exchange of goods, wares, merchandise or perishables of any kind, for any kind of remuneration or consideration, regardless of whether advance payment is sought;

2. Seeking to obtain prospective customers to apply for or to purchase insurance, subscriptions to publications, or publications;

3. Seeking to obtain contributions of money or any other thing of value for the benefit of any person or entity;

4. Seeking to obtain orders or prospective customers for goods or services.

5. Seeking to engage an individual in conversation at a residence for the purpose of promoting or facilitating the receipt of information regarding religious belief, political position, charitable conduct, or a home solicitation sale.

6. Other activities falling within the commonly accepted definition of soliciting, such as hawking or peddling.

FF. *"Solicitor"* or *"solicitors"* means a person(s) engaged in door-to-door solicitation.

GG. *"Submitted in writing"* means the information for an appeal of a denial or suspension of a certificate, submitted in any type of written statement to the city offices by certified, registered, priority, overnight or delivery confirmation mail, facsimile, or hand delivery.

HH. *"Substantiated report"* means an oral, written, or electronic report:

1. That is submitted to and documented by the city;

2. By any of the following:

(a) A competent individual who is willing to provide law enforcement or other city employees with publicly available identification of their name, address, and any other reliable means of contact;

(b) City law enforcement or licensing officer; or

(c) Any other regularly established law enforcement agency at any level of government;

3. That provides any of the following information regarding a registered solicitor:

(a) Documented verification of a previously undisclosed disqualifying status of a registered solicitor;

(b) Probable cause that the registered solicitor has committed a disqualifying status which has not yet been determined to be a disqualifying status;

(c) Documented, eye-witness accounts that the registered solicitor has engaged in repeated patterns of behavior that demonstrates failure by the registered solicitor to adhere to the requirements of this chapter; or

(d) Probable cause that continued licensing of the registered solicitor creates exigent circumstances that threaten the health, safety, or welfare of any individuals or entities within the city.

II. *"Waiver"* means the written form provided to applicant by the city wherein applicant agrees that the city may obtain a name/date of birth BCI background check on the applicant for licensing purposes under this chapter, and which contains the applicant's notarized signature.

#### **5.86.004 Exemptions from chapter.**

The following are exempt from registration under this chapter:

A. Persons specifically invited to a residence by a competent individual prior to

4. A valid identification issued by a branch of the United States military.

Upon verification of identity, the original identification submitted to establish proof of identity shall be returned to the applicant.

D. *Proof of registration with Department of Commerce.* The applicant shall provide proof that either the applicant, or the responsible person or entity, has registered with the Utah Department of Commerce;

E. *Special events sales tax number.* The applicant shall provide a special events sales tax number for either the applicant, or for the responsible person or entity for which the applicant will be soliciting;

F. *Marketing Information.*

1. The goods or services offered by the applicant, including any commonly known, registered or trademarked names;

2. Whether the applicant holds any other licenses, permits, registrations, or other qualifications required by federal or state law to promote, provide, or render advice regarding the offered goods or services.

G. *BCI background check.* The applicant shall provide:

1. An original or a copy of a BCI background check as defined in section 5.86.003; and

2. A signed copy of a waiver whereby applicant agrees to allow the city to obtain a name/date of birth BCI background check on applicant for purposes of enforcement of this chapter.<sup>2</sup>

H. *Responses to questions regarding "disqualifying status."* The applicant shall be required to affirm or deny each of the following statements on the application form:

1. Has the applicant been criminally convicted of: (a) felony homicide, (b) physically abusing, sexually abusing, or exploiting a minor, (c) the sale or distribution of controlled substances, or (d) sexual assault of any kind.

2. Are any criminal charges currently pending against the applicant for: (a) felony homicide, (b) physically abusing, sexually abusing, or exploiting a minor, (c) the sale or distribution of controlled substances, or (d) sexual assault of any kind.

3. Has the applicant been criminally convicted of a felony within the last ten years;

4. Has the applicant been incarcerated in a federal or state prison within the past five years;

5. Has the applicant been criminally convicted of a misdemeanor within the past five years involving a crime of: (a) moral turpitude, or (b) violent or aggravated conduct involving persons or property.

6. Has a final civil judgment been entered against the applicant within the last five years indicating that: (a) the applicant had either engaged in fraud, or intentional misrepresentation, or (b) that a debt of the applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6), or (a)(19);

7. Is the applicant currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device;

8. Does the applicant have an outstanding arrest warrant from any jurisdiction; or

9. Is the applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.

I. *Fee.* The applicant shall pay such fees as determined applicable by the city, which shall not exceed the reasonable cost of processing the application and issuing the certificate and/or identification badge.

J. *Execution of application.* The applicant shall execute the application form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the applicant, the information provided is complete, truthful and accurate.

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<sup>2</sup>See UTAH CODE ANN. §53-10-108(1)(b).

B. *Annual certificate.* Within twenty-five (25) calendar days of the issuance of a temporary certificate the city shall:

1. Take any and all actions it deems appropriate to verify the truthfulness and completeness of the information submitted by the applicant, including, but not limited to those disclosed with the application form.

2. Issue written notice to the applicant and the responsible person or entity, if any, that the applicant either:

(a) will be issued an annual certificate, eligible for renewal one year from the date of issuance of the temporary certificate; or

(b) will not be issued an annual certificate for reasons cited in section 5.86.014 of this chapter.

C. *Renewal certificate.* An annual certificate shall be valid for one year from the date of issuance of the temporary certificate and shall expire at midnight on the anniversary date of issuance. Any annual certificate that is not suspended, revoked, or expired may be renewed upon the request of the registered solicitor and the submission of a new completed application and payment of the fee, unless any of the conditions for the denial, suspension or revocation of a certificate are present as set forth in section 5.86.014 of this chapter, or a disqualifying status is present.

#### **5.86.011 Form of certificate and identification badge.**

A. *Certificate form.* If the licensing officer determines that the applicant is entitled to a certificate, the licensing officer shall issue a certificate to the applicant. The certificate shall list the name of the registered solicitor and the responsible person or entity, if any, and the date on which the certificate expires. The certificate shall be dated and signed by the license officer. The certificate shall be carried by the registered solicitor at all times while soliciting in the city.

B. *Identification badge.* With both the temporary and annual certificates, the city

shall issue each registered solicitor an identification badge that shall be worn prominently on his or her person while soliciting in the city. The identification badge shall bear the name of the city and shall contain: (1) the name of the registered solicitor; (2) address and phone number of the registered solicitor, or the name, address, and phone number of the responsible person or entity is provided; (3) a recent photograph of the registered solicitor; and (4) the date on which the certificate expires.

#### **5.86.012 Maintenance of registry.**

The licensing officer shall maintain and make available for public inspection a copy or record of every completed application received and the certificate or written denial issued by the city. The applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection. The licensing officer may furnish to the head of the city's law enforcement agency a listing of all applicants, those denied, and those issued a certificate.

#### **5.86.013 Non-transferability of certificates.**

Certificates shall be issued only in the name of the applicant and shall list the responsible party or entity, if any. The certificate shall be non-transferable. A registered solicitor desiring to facilitate or attempt to facilitate home solicitation sales with different: (a) goods or services; or (b) responsible person or entity, from those designated in the originally submitted completed application, shall submit a written change request to the licensing officer. A new certificate based on the amended information shall issue for the balance of time remaining on the solicitor's previous certificate before the amendment was filed. Before the new certificate is given to the registered solicitor, the registered solicitor shall obtain a revised identification badge from the city, after

or suspension, the documentation or information the city relied on to make the decision, the availability of the documentation for review by applicant upon one business day notice to the city, and the date upon which the denial or suspension of the certificate shall take effect. It shall further state that the applicant or registered solicitor shall have ten business days from the receipt of the notice of denial or suspension to appeal the same. The denial or suspension of the certificate shall be effective no sooner than two calendar days from the date the notice is sent, unless that suspension is because of exigent circumstances outlined in section 5.86.003(HH)(3)(d), in which case the suspension is effective immediately. The denial or suspension shall remain effective unless and until the order is rescinded, overturned on appeal, or determined by a court to be contrary to equity or law. Failure to appeal the suspension of a certificate automatically results in its revocation.

#### **5.86.015 Appeal.**

An applicant or registered solicitor whose certificate has been denied or suspended shall have the right to appeal to the city council or its designee. Any appeal must be submitted by either the applicant, the responsible person or entity, or legal counsel for either who: (a) documents the relationship with the applicant or responsible person or entity; or (b) is licensed or authorized by the state of Utah to do so, and makes the assertion of an agency relationship. The following procedures and requirements shall apply:

A. Any appeal must be submitted in writing to the city recorder with a copy to the license officer within ten business days of the decision from which the appeal is taken. Such appeal shall describe in detail the nature of the appeal, the action complained of and the grounds for appeal.

B. Upon request of the applicant or registered solicitor, within one business day,

the city will make available any information upon which it relied in making the determination to either deny or suspend the certificate.

C. The appeals officer shall review, *de novo*, all written information submitted by the applicant or registered solicitor to the licensing officer, any additional information relied upon by the licensing officer as the basis for denial, suspension or revocation, and any additional information supplied by the city, applicant or registered solicitor. Any additional information submitted by any party to the appeal to the appeals officer shall be simultaneously submitted to the opposing party. If desired, any party shall have three business days to submit rebuttal documentation to the appeals officer regarding the additional information submitted by the opposing party.

D. The appeals officer will render a decision no later than fifteen calendar days from the date the appeal was taken, unless an extension of time is agreed upon by the parties. In the event that any party to the appeal submits rebuttal information as allowed in section 5.86.015(c) of this chapter, the fifteen calendar days shall be extended to include the additional three days for rebuttal.

1. The denial or suspension of the certificate shall be reversed by the appeals officer if upon review of the written appeal and information submitted, the appeals officer finds that the licensing officer made a material mistake of law or fact in denying or suspending the applicant or registered solicitor's certificate.

2. If the written appeal and information submitted indicates that the licensing officer properly denied or suspended the certificate of the applicant or registered solicitor, the denial or suspension of the certificate shall be affirmed and constitute a determination that the suspended certificate is revoked.

3. The decision of the appeals officer shall be delivered to the applicant or registered

G. The solicitor shall not continue repeated soliciting after a person and/or competent Individual has communicated clearly and unequivocally their lack of interest in the subject, goods or services of the solicitor;

H. The solicitor shall not use obscene language or gestures.

**5.86.019 Time of day restrictions.**

It shall be unlawful for any person, whether licensed or not, to solicit at a residence before 9:00 a.m. or after 9:00 p.m., Mountain Time, unless the solicitor has express prior permission from the resident to do so.

**5.86.020 Buyer's right to cancel.**

In any home solicitation sale, unless the buyer requests the solicitor to provide goods or services without delay in an emergency, the seller or solicitor shall present to the buyer and obtain buyer's signature to a written statement which informs the buyer of the right to cancel within the third business day after signing an agreement to purchase. Such notice of "buyer's right to cancel" shall be in the form required by UTAH CODE ANN. § 70C-5-103, or a current version thereof or any state or federal law modifying or amending such provision.

**5.86.021 Penalties.**

Any person who violates any term or provision of this chapter shall be guilty of a class B misdemeanor and shall be punished by a fine of not to exceed \$1,000.00 and/or a jail sentence of not to exceed six (6) months.