

ORDINANCE NO. 144

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING ORDINANCE NO. 119 WHICH ESTABLISHED A SYSTEM FOR APPLICATION AND ISSUANCE OF GENERAL BUSINESS REGISTRATION LICENSES, AS AMENDED, BY ESTABLISHING REQUIREMENTS FOR SOLICITORS AND PEDDLERS, SETTING HOURS DURING WHICH PEDDLING OR SOLICITATION IS ALLOWED, PROHIBITING SOLICITATION OR PEDDLING ON POSTED PREMISES, AND ESTABLISHING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

WHEREAS, on September 23, 1996, the City Council of University Place passed ordinance No. 119 establishing a system for the application and issuance of general business registration licenses;

WHEREAS, in the interest of the public health and safety, the City Council wishes to extend the general business registration license requirement to solicitors and peddlers; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE DO ORDAIN AS FOLLOWS:

Section 1. Peddlers and Solicitors Defined. Section 1, Definitions, of Ordinance No. 119, is amended to add definitions for peddlers and solicitors as follows:

Peddler means any person who goes from house to house, or place to place, within the City of University Place, selling and providing immediate delivery or performance, or offering for sale and immediate delivery or performance, any goods, wares, merchandise, services, or anything of value, to persons not commercial users or sellers of such commodities or services.

Solicitor means any person who goes from house to house or place to place within the City of University Place, taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance from persons not commercial users or sellers of such commodities or services.

The terms *peddler* or *solicitor* shall include any person, firm, or corporation which employs, hires, or engages others to act as peddlers or solicitors where as employees, agent, or independent contractor, but shall not include any person making solicitations for charitable or religious purposes or while exercising political free speech.

Section 2. Requirements for Solicitors and Peddlers. A new Section 4, Requirements for Solicitors and Peddlers, is added to Ordinance No. 119 as follows:

A. License, or Facsimile Copy, must be carried on person while peddling or soliciting. Each licensee which employs, hires or engages others to act as peddlers or solicitors shall furnish as credentials to each employee, agent, independent contract, or other person peddling or soliciting for or on behalf of such licensee, a facsimile copy of its license upon which shall appear the typed or printed name and address, and the signature of the person to whom such facsimile copy is issued. Such facsimile copies will be issued by the City Clerk, who will maintain a listing of all persons to whom facsimile copies are issued. A licensee shall be responsible for the conduct and acts performed within the scope of employment or contract of any person peddling or soliciting for or on behalf of the licensee, and shall maintain a list of all persons to whom facsimile copies of its license have been issued. It shall be unlawful for any licensee or any person to peddle or solicit without having in their possession such license, or a facsimile copy thereof, which shall be shown to all prospective buyers, and to any police officer, deputy sheriff, or license officer of the City upon the request of such officer. Such facsimile copies shall be nontransferable and shall at all times remain in the possession of the person to whom issued. Whenever any person to whom a facsimile copy has been issued ceases to act as a peddler or solicitor for or on behalf of such licensee, notification thereof shall be given to the City Clerk by the licensee and the facsimile copy issued to such person shall be surrendered to the licensee.

B. Hours during which peddling is allowed. It is unlawful for any person to peddle or solicit, except during the following hours, without the specific prior consent of the prospective buyer:

October 1 through April 30 - between 10:00 and 6:00 pm of any day.

May 1 through September 30 - between 10:00 am and 8:00 pm of any day.

C. Unlawful to peddle or solicit on posted premises. It is unlawful for any peddler or solicitor to ring the bell, or knock on the door, or otherwise attempt to gain admittance for the purpose of peddling or soliciting at any residence or dwelling at which a sign bearing the words "No Peddlers or Solicitors" (or words of similar import indicating that peddlers or solicitors are not wanted on said premises) is painted, affixed, or otherwise exposed to public view; provided, that this section shall not apply to any peddler or solicitor who rings the bell, knocks on the door, or otherwise attempts to gain admittance to such residence or dwelling at the invitation or with the consent of the occupant thereof.

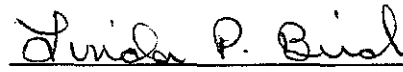
Section 3. Penalties and Violations. Section 12.A. of Ordinance No. 119 is amended to clarify that persons found in violation of this ordinance are guilty of a misdemeanor, as follows:

A. *Criminal Penalties.* Any person violating any of the terms of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, be punished as provided in RCW 9A.20.021(3).

Section 4. Renumbering Sections 4 through 23. Sections 4 through 23 of Ordinance No. 119, are renumbered to be Sections 5 through 24.

Section 5. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. The ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MAY 19, 1997.



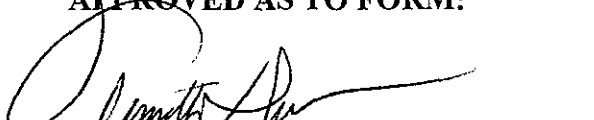
Linda P. Bird, Mayor

ATTEST:



Susan Matthew, City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney

Date of Publication: May 21, 1997
Effective Date: May 26, 1997