**ORDINANCE # 167**

AN ORDINANCE REQUIRING THOSE PERSONS INGAGING IN BUSINESS AS CANVASSERS, PEDDLERS, ITINERANT VENDORS, AND SOLICITORS TO OBTAIN A PERMIT WITH THE CITY OF LOSTINE.

THE CITY COUNCIL OF THE CITY OF LOSTINE OREGON ORDAINS AS FOLLOWS:

**PURPOSE.** THIS ORDINANCE IS INTENDED TO PROTECT THE PUBLIC HEALTH, SAFTEY, AND WELFARE BY REQUIRING THOSE PERSONS ENGAGING IN BUSINESS AS CANCASSERS, PEDDLERS, INTINERANT VENDORS, AND SOLICITORS TO OBTAIN A PERMIT WITH THE CITY OF LOSTINE. THESE REGULATIONS AND REQUIREMENT ARE NECESSARY BECAUSE OF THE TRANSITORY NATURE OF THESE TYPE OF BUSUINESS OPERATIONS.

**BE IT ORDAINED** BY THE CITY OF LOSTINE THAT NO PERSON SHALL ACT AS A CANVASSER, PEDDLER, ITINERANT VENDOR OR SOLICITOR WITHIN THE CITY OF LOSTINE WITHOUT FIRST OBTAINING A LICENSE IN ACCORDANCE WITH THIS ORDINANCE. THIS DOES NOT APPLY 1) A FEDERAL, STATE OR LOCAL GOVERNMENT EMPLOYEE OR A UTILITY EMPLOYEE IN THE PERFORMANCE OF HIS/HER DUTY FOR HIS/HER EMPLOYER, OR 2) PERSONS CONDUCTING PERIODIC YARD/GARAGE/ESTATE/RUMMAGE SALES ON PROPERTY WITHIN THE CITY, OR 3) CHILDRENS LEMONAID STAND.

WHEREAS: A PERMIT APPLICATION MAY BE PICKED UP AT CITY HALL DURING REGULAR BUSINESS HOURS. THE APPLICANT SHALL SUBMIT WITH THE COMPLETED APPLICATION A NONREFUNDABLE FEE TO COVER COSTS OF ADMINISTRATION AND REGULATION. THE AMOUNT OF THE PERMIT FEES ARE SET BY RESOLUTION # 275. IN ADDITION TO THE LICENSE FEE, THE LICENSEE SHALL REIMBURSE THE CITY IN FULL FOR ANY ENFORCMENT EXPENSES INCURRED BY THE CITY, INCLUDING, BUT NOT LIMITED TO, COURT COSTS AND ATTORNEY FEES, TO OBTAIN THE LICENSEE’S COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE. ALL APPLICATIONS WILL GO IN FRONT OF THE CITY COUNCIL FOR APPROVAL BEFORE BEING ISSUED. LICENSES SHALL BE ISSUED ANNUALLY, QUARTERLY, MONTHLY, OR DAILY.

**CONDITIONS.** 1) ANY MERCHANT THAT GOES DOOR TO DOOR WILL BE LIMITED TO OPERATE BETWEEN THE HOURS OF NINE A.M. AND SIX P.M.; AND IS PROHIBITTED FROM ENTERING PROPERTIED POSTED “NO TRESSPASSING” OR “NO SOLICITING”. 2) ANY MERCHANT THAT OCCUPIES A TEMPORARY FIXED LOCATION MUST COMPLY WITH ALL CITY ORDINANCES INCLUDING BUT NT LIMITED TO SET BACKS REQUIRING CLEANLINESS AND MAINTENANCE OF PROPERTY. AND MUST CONNECT WITH APPROPRIATE CITY WATER SERVICE WHEN REQUIRED BY CITY ORDINANCE OR REGULATIONS. MAY NOT ALLOW OVERNIGHT CAMPING AT OR WITHING THE FACILITY WITHOUT PRIOR WRITTEN PERMISSION FOR THE CITY COUNCIL. 3) ANY TRANSIENT AND ITINERANT MERCHANTS MAY ONLY OCCUPY TEMPORARY FIXED LOCATIONS WITHIN COMMERCIAL AND MIXED-USE ZONES. TEMPORARY FIXED LOCATIONS ARE NOT ALLOWED IN RESIDENTIAL ZONES. 4) LICENESES ISSUED PURSUANT TO THIS ORDINANCE ARE NOT TRANSFERABLE.

WHEREAS ANY PERSONS VIOLATING ANY PROVSION OF THIS CHAPTER OR GIVING FALSE OR MISLEADING INFORMATION ON AN APPLICATION REQUIRED BY THIS ORDINANCE, IS SUBJECT TO A FINE NOT TO EXCEED ONE HUNDRED DOLLARS ($100.00). WACH DAY THAT A VIOLATION OF THIS CHAPTER CONTINUES CONSTITUES A SEPARATE OFFENCE. THE CITY COUNCIL RESERVES THE RIGHT TO WITHDRAWL PERMIT AT ANYTIME.

PASSED BY THE COMMON COUNCIL THIS 5TH DAY OF SEPTEMBER 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF SEPTEMBER 2018.

MAYOR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_