Bonney Lake Police Department

Peddler's License Application

FOR STAFF USE ONLY
Date: _____
Permit Number:_____

Applicant Information:	
Name:	Phone Number
Street Address:	City, State & Zip
Email Address:	
Driver's License Number (Include a copy of your Driver's License):	

Description of product or service being peddled:

Business You Are Working For:	
Name:	Phone Number:
Address:	City, State & Zip:
Washington State Business License Number:	

AUTHORIZATION

I hereby authorize the Bonney Lake Police Department to conduct a Records Check for any and all information pertaining from our available resources. This authorization is specifically intended to include any and all information of a confidential or privileged nature as well as photocopies of such documents, if requested. The information will be used for the purpose of determining my eligibility for a peddler's license.

I hereby release you and your organization from any liability which may or could result from furnishing the information requested above or for any subsequent use of such information in determining my qualifications for the license described.

This form or a copy may be retained in your files and a photocopy will serve as an original.

Print Applicant's Name:	
Signature of Applicant:	**Date:**

ORDINANCE NO. 1349

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REPEALING CHAPTER 9.66 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NO. 703 § 2, AND REPLACING IT WITH A NEW CHAPTER 9.66.

WHEREAS, the City Council has determined that the current BLMC Chapter 9.66 is out-of-date; and

WHEREAS, the Bonney Lake City Council has determined that appropriate regulation of commercial solicitation, sometimes know as peddlers or hawkers, is desirable for the public protection of its citizens;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. BLMC Chapter 9.66 and Ordinance No. 703 § 2 are hereby repealed.

Section 2. A new BLMC Chapter 9.66, PEDDLERS, is hereby created to read as follows:

9.66.010 Peddlers defined.

"Peddler" for the purpose of this chapter shall be construed to include all persons, both principals and agents, who go from place to place, or house to house, carrying for sale, exposing for sale, or offering for sale, goods, wares, merchandise or services of any type. "Peddle" means to engage in such actions.

9.66.020 License required – Exceptions.

A. It is unlawful for any peddler to peddle any goods, wares, merchandise or services without first obtaining a peddlers license as provided for in this chapter.

B. Exceptions. No person shall be required to take out a license or pay a fee:

1 . For the peddling of local newspapers;

2 . For the peddling of fruits, vegetables, berries, butter, eggs, fish, milk, poultry, meats, or any farm produce or edibles raised, caught, produced or manufactured by such person in any place in this state;

3 . When that person, after having been specifically requested by another to do so, calls upon that other person for the purpose of displaying goods, literature or giving information about any article, thing, product or service ; or

4 . When that person is acting in his or her capacity as a member of a charitable, religious or nonprofit organization or corporation which has received tax exempt status under 26 U.S.C. Sec. 501(c)(3) or other similar civic, charitable or nonprofit organizations.

9.66.030 Application – Fee.

A. Every peddler, other than those exempt under this chapter, whether principal or agent, shall before commencing business in the city, make application in writing on a form to be provided by the Bonney Lake Permit Center. The application shall include an authorization allowing release of all criminal history record information to the Bonney Lake Police Department.

B. At the time of filing the application, a fee in the amount of $50 shall be paid to the City to cover the costs of investigation and processing the application. The permit is valid for a period of 180 days from the date of issuance.

C. The Permit Center shall refer the application to the Chief of Police, who shall make a criminal history background investigation of the applicant. Upon completion, the Chief of Police shall forward the results of the investigation, to the Permit Center.

D. If, as a result of the investigation, the applicant is not found to have committed any of the acts requiring denial as listed below, the Permit Center shall, upon payment of the prescribed fee, issue the license to the applicant. The City shall deny the applicant the license if the applicant has:

1 . Committed any act consisting of fraud or misrepresentation;
2 . Committed any act which, if committed by a licensee , would be grounds for suspension or revocation of a license;
3 . Within the previous ten years, been convicted of a misdemeanor or felony directly relating to his or her fitness to engage in the occupation of peddler, and including, but not limited to, those misdemeanors and felonies involving moral turpitude, fraud or misrepresentation ;
4 . Been charged with a misdemeanor or felony of the type defined in subdivision 3 of this subsection, and disposition of that charge is still pending;
5 . Been refused a license under the provisions of this chapter; provided, however, that any applicant denied a license under the provisions of this chapter may reapply if and when the reasons for denial no longer exist ; and
6 . Made any false or misleading statements in the application.

E. All peddlers shall present for inspection upon demand by any city official or potential customer their peddler's license and valid picture identification when selling.

F. The City is authorized to promulgate rules regarding the manner and method of payment, including a prohibition or regulation of payment by check.

G. The peddler's license shall be endorsed with a statement of the type of product or service sold by the licensee. The license is valid only for the product or service specified.

9.66.040 Restrictions on place and time of peddling.

A. No peddler shall engage or attempt to engage in the business of peddling at any home, residence, apartment complex or business that prominently displays a "No Peddlers" or "No Solicitors" sign or "No Trespassing" sign or any other similar sign that communicates the occupants' desire to not be contacted by peddlers.

B. No peddler shall engage in the business of peddling between the hours of nine p.m. and nine a.m.

C. No peddler shall make any untrue, deceptive, or misleading statements about the product or services offered for sale.

D. No peddler shall make any untrue, deceptive, or misleading statement regarding the purposes of his/her contact with a potential customer.

9.66.050 Penalty.

Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor.

Section 3. If any one or more section, subsection or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 4. This Ordinance shall take effect and be in force thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this 11th day of May, 2010.

Neil Johnson, Jr.
Mayor

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne
City Attorney

Passed: 5/11/10
Valid: 5/11/10
Published: 5/19/10
Effective Date: 6/10/10
There are 3 Pages to this Ordinance

AB10-58