

ORDINANCE NO. 2109

**AN ORDINANCE AMENDING IN PART CPMC CHAPTER 5.20 – SOLICITORS,
CANVASSERS AND PEDDLERS**

FINDINGS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The Council finds that door-to-door solicitation, peddling and canvassing has the potential to increase risk to vulnerable populations.
- C. Council finds it is in the public interest to further define certain criminal history that would render an individual ineligible to obtain a license under this chapter and to clarify the process for obtaining that criminal history background check.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Central Point Municipal Code 5.20.030 Permit and license – Application - Fee is amended in part to read:

A. Applicants for permit and license under this chapter must file with the city designee a sworn application in writing (in duplicate) on a form to be furnished by the city designee, which shall give the following information:

1. ~~Name~~ **Personal identification** of the applicant **including date of birth, driver's license number or other appropriate identification;**

2. Permanent home address and full local address of the applicant;

3. A brief description of the nature of the business and the goods to be sold;

4. Copies of any state or county licenses which are required to operate or conduct activities proposed by the applicant.

~~45.~~ If employed, the name and address of the employer, together with credentials establishing the exact relationship;

~~56.~~ The length of time for which the right to do business is desired;

~~67.~~ The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time said application is filed, and the proposed method of delivery;

78. A photograph of the applicant, taken within one year immediately prior to the date of the filing of the application, which picture shall show the head and shoulders of the applicant in a clear and distinguishing manner;

89. At the option of the police chief, the fingerprints of the applicant;

910. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor **A statement which confirms whether the applicant has previous criminal convictions for a felony theft or other felony or misdemeanor involving the following: fraud, moral turpitude, force or violence, including but not limited to, burglary, robbery, deceit, or any crime of violence or assault on a person such as murder, felonious or aggravated assault, aggravated menacing, illegal manufacture of drugs, patient abuse or neglect, domestic violence, rape, sexual battery, public indecency, sex trafficking, and drug trafficking (collectively referred to as disqualifying felonies and/or misdemeanors) within a ten (10) year period prior to the date of application.**

11. The applicant must sign a form provided by the city authorizing the City to conduct a criminal history background check for arrests, warrants, convictions, incarcerations and/or dispositions of charges that include disqualifying felonies and/or misdemeanors within a ten (10) year period prior to the date of application.

B. At the time of filing the application, a fee as set forth in the City of Central Point Business License Fee Schedule shall be paid to the city designee to cover the cost of **obtaining a criminal history conviction record and** investigation of the facts stated therein. (Ord. 1822 §1(part), 2001; Ord. 1443 §5, 1981; Ord. 983(part), 1970; Ord. 322 §3, 1953).

SECTION 2. Central Point Municipal Code 5.20.040 Permit and license – Application investigation - Issuance is amended in part to read:

A. Upon receipt of such application, the original shall be referred to the chief of police, who shall cause investigation of the applicant's criminal record to be made.

B. If the applicant is found to have been convicted of one or more felonies or one or more misdemeanors involving moral turpitude **disqualifying felonies and/or misdemeanors within 10-years prior to the date of application**, the chief of police shall endorse on such application a disapproval and the reasons for the same, and return the said application to the city designee, who shall notify the applicant that his application is disapproved and that no permit and license will be issued.

C. If the applicant is found to have been convicted of no **disqualifying** felonies and/or misdemeanors **within the previous 10-years**, the chief of police shall endorse on the

application an approval, execute a permit addressed to the applicant for the carrying on of the business applied for and return said permit along with the application to the city designee who shall, upon payment of the prescribed license fee, deliver to the applicant his permit and issue a license. Such license shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of the licensee, the class of license issued and the kind of goods to be sold thereunder, the amount of the fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in such soliciting or canvassing. The designee shall keep a permanent record of all licenses issued. (Ord. 1822 §1(part), 2001; Ord. 983(part), 1970; Ord. 322 §4, 1953).

SECTION 3. Central Point Municipal Code 5.20.090 Permit and license – Revocation is amended in part to read:

A. Permits and licenses issued under the provisions of this chapter may be revoked by the city council after notice and hearing, for any of the following causes:

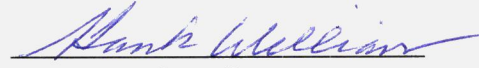
1. Fraud, misrepresentation or false statement contained in the application for license;
2. Fraud, misrepresentation or false statement made in the course of carrying on the business as solicitor, canvasser or peddler;
3. Any violation of this chapter;
4. Conviction of any **disqualifying** felony **and/or** ~~or of any~~ misdemeanor involving moral turpitude; or
5. Conducting the business of soliciting, canvassing or peddling in an unlawful manner or in such a manner as to constitute a breach of the peace.

B. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of hearing. Such notice shall be mailed postage prepaid to the licensee's last known address at least five days prior to the date set for hearing. (Ord. 1822 §1(part), 2001; Ord. 983(part), 1970; Ord. 322 §9, 1970).


SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 5. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this 25 day of January 2024.


Mayor Hank Williams

ATTEST:


City Recorder