

ORDINANCE NO. 786

AN ORDINANCE PROVIDING FOR THE CONTROL AND LICENSING OF THE BUSINESS OF SELLING, SOLICITING, OR PEDDLING GOODS FROM VEHICLES, TRAILERS OR ANY OTHER TEMPORARY OR MOVABLE STANDS IN THE CITY OF PRINEVILLE; AND PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF.

The City of Prineville ordains as follows:

Section 1. The Council hereby finds and determines that the practice of selling goods, services, or contracts from vehicles, trailers, or any other temporary or movable stands creates special problems of enforcing regulations for the protection of the public health, safety, morals, and welfare within the City of Prineville; that the mobility and temporary nature of the businesses affect the enforcement of traffic, sanitation, building, and zoning regulations in the City of Prineville; and that such businesses should be licensed, regulated, and controlled.

Section 2. As used in this ordinance, the business of selling, soliciting, or peddling goods from vehicles, trailers or any other temporary or movable stands shall not include the delivery of goods, services, or contracts previously purchased or ordered, nor shall it include sales by wholesalers to retailers.

Section 3: It shall be unlawful for anyone to offer for sale, sell, vend, solicit the sale of, or peddle goods, wares, or other merchandise from vehicles, trailers or any other movable stands within the corporate limits of the City of Prineville, unless and until there shall have been obtained for such business a license as provided for in this ordinance.

Section 4. All applicants for a license, under this ordinance, shall file with the City Recorder a statement containing names and addresses of the owners and operators of the business, the exact location or locations proposed to be used for the conduct of such business, the names and addresses of owners and persons in possession of the property where such business will be located, a description of the utility services which will be used at such location together with the proposed manner and method of collecting and disposing of any waste materials resulting from the operation of such business, and a description of the proposed methods of handling vehicular and pedestrian traffic created by such business together with the proposed on-street and off-street parking proposed for the customers of such business.

The application statement shall be reviewed by the City Administrator, Chief of Police and Planning Director to determine whether the proposed business will comply with the zoning, building, sanitation, and traffic laws of the City of Prineville, and whether operation of the business will be hazardous or injurious to the public or adjoining property by reason of traffic, or sanitation, and whether or not such business will be unsightly, having reference to the condition and standards of the neighborhood.

If the City Administrator, Chief of Police, and Planning Director shall not file any objection to the issuance of such license, and if it shall be determined that such business would not be in violation of any of the laws of the City of Prineville, then after payment of the fees provided herein, the City Recorder shall issue a license for such business stating therein the location or locations of such business

and the time during which such business shall be operated. The fees for the license provided herein shall be in the sum of \$30.00 for each vehicle, trailer, or any other temporary or movable stand at which the applicant proposes to do business. The license and fees paid therefor shall be valid for a period not to exceed one year from the date of issuance provided that for just cause the City of Prineville reserves the right to revoke said license at any time.

Section 5. In the event that an applicant for a license under this ordinance shall be denied such license by the City Recorder or revoked after issuance, the applicant may file notice with the Recorder of intent to appeal to the Council of the City of Prineville; and the Council shall hear and determine such appeal at it's next regular Council meeting, held not less than 10 days after the filing of the said notice of intent to appeal; and the decision of the Council at such hearing shall be final and conclusive.

Section 6. Violation of or failure to comply with any provisions of this ordinance is punishable, upon conviction, by fine not to exceed \$300.00; and each day that such violation shall continue and persist after due notice thereof shall constitute a separate and distinct violation of this ordinance.

Section 7. It is hereby declared to be necessary for the immediate preservation of the peace, health, safety, and welfare of the City of Prineville that this ordinance shall take effect immediately upon its passage by the City Council and approval by the Mayor.

Passed by the City Council this 12th day of July, 1977.

Approved by the Mayor this 14th day of July, 1977.



Nello Giovanini, Council President



Patrick J. Lynch, City Administrator