

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE O-12-494

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING CHAPTER, 5.25, TRANSIENT SALES, WITHIN THE MAPLE VALLEY MUNICIPAL CODE, PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR CORRECTIONS.

WHEREAS, the City Council created a new Chapter 5.25, Transient Sales, within the Maple Valley Municipal Code by adopting O-11-462 on June 27, 2011 and subsequently amended it by adopting Ordinance O-11-470 on September 26, 2011; and

WHEREAS, upon the recommendation of staff the City Council desires to make a further amendment to Ordinance O-11-462.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 5.25.040, Application form, is hereby amended as follows:

5.25.040 Application form.

A. All applicants for a peddler's license, unless exempted by MVMC [5.25.020\(B\)](#), shall provide the following information on the license application form, or attached thereto, with sufficient proof of identification:

1. Name, date of birth and physical description of each peddler;
2. Address and telephone number;
3. A copy of the applicant's driver's license or other government-issued identification, containing a picture of the applicant;
4. A brief description of the nature of the business and the goods or services to be sold;
5. If employed or acting as an agent, the name and address of the employer or principal, together with the description of the exact relationship with the principal or employer (employee, contractor, etc.);
6. If a vehicle is to be used, a description of the same, including the make, model, year, and license number. All vehicles to be used in door-to-door sales within the City must be listed;
7. A photograph of the applicant, shall be taken at City Hall at the time of filing the application showing the head and shoulders of the peddler in a clear and distinguishing manner;
8. A statement as to whether or not the applicant has been convicted of any crime within the last 10 years, including misdemeanors, gross misdemeanors, or violations of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor; and

[Signatures to follow on last page]

9. A statement as to whether the applicant is a registered sex offender, and indicating the jurisdiction in which the applicant is currently registered as a sex offender.

B. All sales proposed to occur on a parcel of land located within the City must be upon property zoned CB or NB. No transient sales proposed to be located upon property zoned CB or NB and to be used as a temporary location for customers to come to the peddler, rather than occurring door-to-door with the peddler going to the customer, shall be allowed for more than two consecutive days in any single location and shall occur no more often than four times annually. If such sales are proposed to occur on a parcel of land zoned CB or NB, the following must accompany the registration:

1. Full name, address, telephone number and signature of the property owner authorizing use of the parcel for the transient sales;
2. A site plan showing the location of the sales area and indicating the nearest driveway and the nearest fire hydrant and describing the set-up for sales: use of tables to display wares, tents, etc.;
3. Such other information as may be required by the City to determine ownership of the parcel, the location of sales on the parcel, and other issues associated with compliance with the City's land use codes and regulations.

C. Unless otherwise exempt under MVMC [5.25.020\(B\)](#), any individual, corporation, partnership or other organization which acts as the principal or employer for individual solicitors or peddlers shall also apply for and obtain a license as provided herein and shall provide the following information on the application form in addition to the information required above:

1. The individual/corporation/partnership/organization name, address and telephone number and the names and addresses of all individuals who are employed by or acting as an agent for the applicant that will be engaged in peddling activities within the City;
2. If a corporation, the state of incorporation and the name and address of the corporation's registered agent;
3. If a partnership or limited liability company, the names, addresses and telephone numbers of all the partners or members with authority to act on behalf of the partnership or company;
4. A statement as to whether or not the individual/officers of the corporation/partners/organization's officers have been convicted of any crime within the last 10 years, including misdemeanors, gross misdemeanors, or violations of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor;
5. Name, address and telephone numbers (business and home) of the individual, if applicable, acting as the manager or supervisor for the peddlers; and
6. A list of all other cities, towns and counties where the individual/corporation/partnership/organization has obtained a peddler's permit or license or similar permit or license within the past two years.

D. At the time of filing the application form, each applicant shall pay a nonrefundable fee of \$10.00 to cover the City's cost of investigation and the issuance of peddler's credentials.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or unconstitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect five days after adoption and a summary thereof has been published.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this resolution, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 27th DAY OF FEBRUARY, 2012.**

CITY OF MAPLE VALLEY

William A. Allison, Mayor

ATTEST/AUTHENTICATED

Shaunna Lee-Rice, CMC, City Clerk

Approved as to form:

Christy A. Todd, City Attorney

Date Published: March 6, 2012
Effective Date: March 11, 2012