ORDINANCE NO. 1585

AN ORDINANCE of the City of Kent, Washington, repealing Kent City Ordinance 0.686 s 11 -- 1937 (codified Ordinance 6.6.32); and establishing an Ordinance defining a "Solicitor", license requirements therefor, fees therefor, requirements for issuance of Solicitor's licenses and revocation thereof, establishing penalties for violation of this Ordinance, and defining those exempt from the provisions of this Ordinance.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Kent City Ordinance 0.686 s 11 -- 1937 (codified Kent City Ordinance 6.6.32) is hereby repealed.

Section 2. Definitions. A Solicitor within the meaning of this Ordinance is defined to be:

(a) any person who shall sell, offer for or expose for sale, or who shall trade, deal or traffic in any services, magazines, periodicals or any other personal property at retail in the City of Kent, by going from house to house or from place to place or by indiscriminately approaching individuals; sales by sample or for future delivery and executory contracts of sale are embraced within this subdivision; provided, however, that this section shall not be deemed applicable to any salesman or canvasser who solicits trade from wholesale or retail dealers in the City of Kent;

(b) any person who while selling or offering for sale any goods, wares, merchandise or anything of value, stands or is otherwise present in a doorway, any unenclosed vacant lot, parcel of land, any street or public way, or in any other place not used by such person as a permanent place of business;

(3) A master solicitor is a person or firm which employs or uses agents or employees who act as solicitors.

Section 3. License required. It shall be unlawful for any person to act as solicitor within the meaning of this Ordinance unless he or she, or his or her employer, shall have first secured
a license therefor in the manner provided by this Ordinance.

Section 4. License -- fees-- transferability. The license fees for solicitors and Master Solicitors hereunder shall be as follows: Ten Dollars ($10.00) for each calendar year or fraction thereof, payable in advance, for each Master Solicitor; Two Dollars ($2.00) for each calendar year or fraction thereof, payable in advance, for each solicitor listed and identified by such Master Solicitor; Five Dollars ($5.00) for each calendar year or fraction thereof, payable in advance for each solicitor not certified under a Master Solicitor license application. License application. Licenses issued hereunder shall not be transferred.

Section 5. License application. Any person desiring to secure a solicitor's license shall apply therefor in writing over his or her signature to the Chief of Police and such application shall include or state as to each applicant:

1. The name and address of the applicant;
2. The length of service of such applicant with such employer;
3. The place of residence and nature of the employment of the applicant during the last preceding year;
4. The nature or character of the goods, wares, merchandise or services to be offered by the applicant;
5. The personal description of the applicant;
7. Wherever applicable, a copy of applicant's Food Handler's permit issued by King County;
8. A full face, 2" x 2", photograph of the applicant;
9. Fingerprints of the applicant;
and such credentials and other evidence of good moral character and identity of the applicant as may be reasonably required by the Chief of Police.

Any person or firm desiring to secure a Master Solicitor's license shall apply therefor in writing over his or her signature,
or in the case of a corporation over the signature of any two
officers thereof accompanied by an impression of the corporate seal
of the applicant, to the City Clerk, and such application shall
contain as to each applicant:

1. Name and address of applicant;

2. Whether applicant is corporation, partnership or
proprietorship;

   (a) if corporation, names and home addresses of
two principal officers thereof; name and home
address of managing agent of corporation office
within State of Washington nearest to City of Kent;
State of incorporation; if foreign corporation, name
and mailing address of resident agent for State of
Washington;

   (b) if copartnership, name and home address of
each partner;

3. Nature or character of the goods, wares, merchandise,
or service to be offered by the applicant;

4. Names and addresses of each solicitor agent of the
applicant employed or active in the City of Kent and a complete
physical description of such agent;

5. A statement that applicant will be fully responsible
for all agreements and acts of its solicitor agents listed in
the application or subsequently certified to the City Clerk as
being one of its solicitor agents;

6. Attached thereto shall be the individual solicitor's
license application of each agent listed on the Master Solicitor's
application;

Section 6. Remittance of license fee. All applications
shall be accompanied by the requisite license fee in cash, money
order, bank draft or certified check.

Section 7. Investigation of applicants. It shall be
the duty of the Chief of Police to investigate each application
made under Section 5 above in which investigation the Chief of
Police shall determine:

1. The existence of the employer or firm of each indivi-
dual applicant;

2. The genuineness of all credentials presented by the
applicant;

3. Whether the applicant or any solicitor agent listed on
the application has a criminal record;

4. The truth of the facts set forth in the application;
5. Whether the applicant proposes to engage in a lawful and legitimate commercial or professional enterprise; and such investigation must be completed within a reasonable time.

Section 8. License issuance - Expiration date. If the Chief of Police shall determine within a reasonable time from his investigation that the facts set forth in the application are true, that the application is reliable and of good moral character, that his, her, or its purpose is to engage in a lawful and legitimate commercial or professional enterprise, he shall then approve the application and issue the license applied for. Such license shall expire on the thirty-first of December of the year in which such license shall have been issued, except as hereinafter provided, no license shall be issued until the conclusion of the aforesaid investigation.

Section 9. Carrying and exhibition of license. Such solicitor's license shall be carried by the solicitor at all times when soliciting or canvassing in the City, and shall be exhibited by any such solicitor wherever he or she shall be requested to do so by any police officer or any person solicited.

Section 10. License revocation. Any such license may be revoked by the City of Kent for the violation of any of the Ordinances of the City or any State or Federal law, or whenever such solicitor shall in the judgment of the City Council cease to possess the character and qualifications required by this Ordinance for the issuance of such permit.

Section 11. Expedition of applicant investigation. If any applicant for a license, including solicitor or his employer, shall be unwilling to wait for an investigation by the Chief of Police through the regular procedure, and desires that the Chief of Police expedite such investigation by the use of toll telephone calls or telegrams, then in that event the Chief of Police shall make the necessary toll telephone calls and send such telegrams
as the investigation shall require, but only after the cost for
such services shall have been paid by the applicant.

Section 12. Order taking requirements. All orders taken
by licenses solicitors shall be in writing, in duplicate, stating
the name of the solicitor, as it appears on the license, the
solicitor's permit number as issued hereunder, the address of
both the solicitor and his employer, the terms of the order or
agreement and the amount of money or checks paid to the solicitor.
One copy of such order or agreement shall be given to the purchaser.

Section 13. Violations--Penalty. Any person, firm or
corporation violating the terms of this Ordinance shall upon con-
viction, be fined in a sum not to exceed $300.00 and shall be sub-
ject to a maximum jail sentence of 90 days in jail, or both such
fine and imprisonment for each offense. Every day upon which such
violation shall occur or during which violation shall continue,
shall constitute a separate offense.

Section 14. Exemptions from Ordinance regulations. This
Ordinance shall not apply to the selling of personal property at
wholesale to dealers in such articles or commodities; shall not
apply to newsboys; and shall not apply to any organization, asso-
ciation, or corporation desiring to solicit or have solicites in
its name, donations of money or property, or financial assistance
of any kind, or desiring to sell or distribute any item of
literature or merchandise for a charitable, religious, patriotic
or philanthropic purpose. Any person or organization claiming
the exemption of this section shall file with the Chief of Police
an affidavit setting forth facts sufficient to show the applica-
tion of this section and the right to such exemption.

Section 15. If any phrase, section clause or sentence
or other part of this Ordinance shall be held invalid or uncon-
stitutional for any reason, such decision shall not affect the
validity of the remaining parts hereof.
Section 16. This Ordinance shall take effect and be
in force five days from and after its passage, approval and pub-
lication, as provided by law.

ALEX THORNTON, Mayor

Attest:

MARIE JENSEN, City Clerk

Approved as to form:

JOHN B. BERETI, City Attorney

PASSED the 17th day of February, 1969
APPROVED the 18th day of February, 1969.
Published the 19th day of February, 1969.

I hereby certify that this is a true and correct copy
of Ordinance No. 1746, passed by the City Council of the City
of Kent and approved by the Mayor of the City of Kent as hereon
indicated.

MARIE JENSEN, City Clerk