AN ORDINANCE of the City of Kent, Washington, defining and regulating merchant patrol business, merchant patrolmen, providing for license applications and fees, prohibiting certain practices, and prescribing penalties for violations.

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

Section 1. License Required. It is unlawful for any person, firm or corporation to act as a merchant patrolman or merchant patrol agency without being a holder of a valid and subsisting license issued under the provisions of this Ordinance.

Section 2. Definitions. "Merchant patrol business" means the business of, or the representation of being engaged in the business for hire or reward, and as an independent contractor of guarding or protecting persons or property or patrolling buildings, streets or districts for such purposes.

"Merchant patrolman" means any person engaged in a merchant patrol business who does not employ or use any employees, assistants, clerks or operatives.

Section 3. Agency and License Fee. The fee for a merchant patrol agency shall be $50.00 per year. The fee for a merchant patrolman's license shall be $25.00 per year. All licenses shall expire on the 31st day of December of the year of issue. No license shall be transferable.

Section 4. License Application-Issuance. Application for licenses shall be made to the City Clerk on such form as the City Clerk may require, which shall show thereon the applicant's name, age, present and previous residence and occupation for a period of not less than five (5) years immediately prior to such application, the address of his place of business and name of his employer, if any, and shall state whether or not the applicant has ever been convicted of a felony. Such application shall be signed and verified by the applicant. If the applicant is a firm
or corporation, the application shall be made by the manager, who
shall meet the qualifications herein set forth.

All applications for licenses shall be forwarded to the
Chief of Police for investigation and report. The Chief of Police
shall require that each applicant be fingerprinted, his photograph
taken and a full investigation made into the character, reputation
and ability of the applicant.

If the Chief of Police finds that the applicant is a
proper person to hold a license, he shall direct the City Clerk
to issue a license, otherwise, he shall direct the City Clerk to
deny said license. Licenses may be renewed from year to year by
the City Clerk without referral to the Chief of Police, unless the
Chief of Police advises the City Clerk in writing that an application
requires further investigation, which application for renewal shall
then be handled in the same manner as original applications. No
license required herein shall be issued to any person unless he is
of good moral character and has never been convicted of a felony.
If the issuance of any license hereunder is denied, the applicant
shall have the right of hearing before the City Council by filing
an appeal with the City Clerk within ten days after such license
is denied. The findings of the City Council on such appeal shall
be final and conclusive.

Section 5. Bond. No license shall be issued until the
applicant has filed with the City Clerk a bond in the sum of $5,000.00 running to the City in form approved by the City Attorney
conditioned upon the faithful and honest conduct of such business
by the applicant, the compliance with the requirements of this
chapter and further conditioned that any person who has been injured
by the wilful, malicious or wrongful act of such licensee may bring
an action on said bond in his name to recover damages suffered by
reason of such wilful, malicious or wrongful act.

Section 6. Identification Card Required. Every merchant
patrolman and employee of a merchant patrolman agency shall at all
times have in his possession an identification card in a form
approved by the Chief of Police and having thereon, in addition
to such information as may be required by the Chief of Police, the
licensee's photograph, thumbprint and signature. Upon the
revocation or expiration of any license, such identification card shall be surrendered to the Chief of Police.

Section 7. False Report - Relating Information. It is unlawful for any licensee hereunder to knowingly make or cause to be made any false report to his client or permit to be divulged or divulge any information acquired from or for his client to any person other than his client except when so authorized by his client or when so required by law.

Section 8. License - Revocation. Any license issued hereunder may be revoked by resolution of the City Council at any time for cause deemed to be sufficient, provided that before such revocation is made a public hearing shall be held before the City Council, of which hearing the licensee shall be given notice and at which he shall be entitled to be heard.

Section 9. Exemptions. Nothing in this Ordinance shall apply to any person or employee of any department or agency of the United States or any state, county, city or municipal corporation while engaged in the performance of his official duties. This Ordinance shall also not apply to private police or watchmen acting solely as employees of a person, firm or corporation other than one engaged in the merchant patrol business.

Section 10. Uniforms and Badges. No merchant patrolman or employee of a merchant patrolman agency shall wear any uniform or wear or display any badge unless such uniform and/or badge has been approved by the Chief of Police. Each application for a merchant patrolman or merchant patrolman agency license shall be accompanied by color photographs showing in clear detail the type of uniform and badge proposed to be worn or displayed. No license shall be issued until such photographs have been reviewed by the Chief of Police and he had approved the proposed uniform and/or badge.

Section 11. Violations; Penalties. Any person, firm, association, partnership or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a mis-
demeanor, and upon conviction thereof, shall be punished by a fine of not more than $300.00, or by imprisonment for a period of not more than ninety (90) days in the City jail, or by both such fine and imprisonment. Each person, firm, association, partnership or corporation shall be deemed guilty of separate offense for each day during any portion of which any violation of the provisions of this Ordinance is committed, continued or permitted by such person, firm, association, partnership or corporation, and shall be punishable therefor as provided by this Ordinance.

Section 12. Effective Date. This Ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, City Clerk

APPROVED AS TO FORM:

DONALD E. MIRK, City Attorney

Passed the 25th day of December, 1970.
Approved the 28th day of December, 1970.
Published the 11th day of December, 1970.

I hereby certify that this is a true copy of Ordinance No. 1693, 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