

ORDINANCE NO. 1542

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the control of soliciting and the registration of solicitors, and amending DMMC 5.08.030.

WHEREAS, the City's solicitor's code, chapter 5.08 DMMC, was enacted on August 27, 1979, and

WHEREAS, the code currently requires all applicants for solicitors licenses to be fingerprinted as part of the background check, and

WHEREAS, the State of Washington does not allow criminal justice agencies to process fingerprints for this purpose, and

WHEREAS, the City is unable to comply with this portion of the code; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 5.08.030 and section 3 of Ordinance No. 471 are amended to read as follows:

Certificate of registration--Application

(1) Application for a certificate of registration shall be made upon a form provided by the City. The applicant shall truthfully state in full the information requested on the application, as follows:

(a) Name and address of present place of residence and length of residence at such address; also business address if other than present address;

(b) Address of place of residence during the past three years if other than present address;

(c) Age of applicant;

(d) Physical description of the applicant;

(e) Name and address of the person, firm, or corporation or association whom the applicant is employed by or represents; and the length of time of such employment or representation;

(f) Name and address of employer during the past three years if other than the present employer;

(g) Description sufficient for identification of the subject matter of the soliciting in which the applicant will engage;

(h) Period of time for which the certificate is applied;

(i) The date, or approximate date, of the latest previous application for certificate under this chapter, if any;

(j) Whether the applicant has ever been convicted of a violation of a felony under the laws of this state or any other state or federal law of the United States;

(k) Names of magazines, journals, or books;

(l) Names of the three most recent communities where the applicant has solicited house to house;

(m) Proposed method of operation;

(n) Signature of applicant;

(o) Social Security number of applicant.

(2) All statements made by the applicant upon the application or in connection therewith shall be under oath.

(3) The City Clerk shall cause to be kept in his office an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this chapter, and of the denial of applications. Applications for certificates shall be numbered in consecutive order as filed, and every certificate issued, and any renewal thereof, shall be identified with the duplicate number of the application upon which it was issued.

(4) No certificate of registration shall be issued to any person who has been convicted of the commission of a felony under the laws of the state or any other state or federal law of the United States within five years of the date of the application, nor to any person who has been convicted of a violation of any of the provisions of this chapter, nor to any person whose certificate of registration issued under this chapter has previously been revoked as provided in this chapter.

Sec. 2. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

Sec. 3. Effective date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this 14th day of June, 2012 and signed in authentication thereof this 14th day of June, 2012.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

Published: June 19, 2012

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1542, Adopted June 14, 2012.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to the control of soliciting and the registration of solicitors, and amends DMMC 5.08.030.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC
City Clerk

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