

ORDINANCE #353

AN ORDINANCE AMENDING REVENUE SECTION 3.130 TO REQUIRE TEMPORARY MERCHANTS TO OBTAIN PERMITS; AND DECLARING AN EMERGENCY.

THE CITY OF DRAIN ORDAINS AS FOLLOW:

Section One. Section 3.100 of the City of Drain Revenue Code, which was adopted by Ordinance No. 295, is amended to add the following definition:

Temporary Merchant is a person who at a fixed but temporary location within the City of Drain, offers for sale goods, wares, merchandise or services, or sells or offers to sell for future delivery by sample, catalog or description, at retail, goods, wares, merchandise or services, to persons who are not merchants. It is intended to apply to persons who expect to act as a merchant in the City of Drain for a limited period of time without establishing a permanent place of business within the City.

Section Two. Subsection (1) of Section 3.105 of the City of Drain Revenue Code, which was adopted by Ordinance No. 295, is amended as follows:

(1) No person shall engage in business as a peddler, itinerant merchant, or temporary merchant without first obtaining a permit from the City Administrator.

Section Three. Section 3.115 of the City of Drain Revenue Code, which was adopted by Ordinance No. 295, is amended as follows:

3.115 Application for Permit to Engage in Business as Peddler, Itinerant Merchant, or Temporary Merchant. An applicant for a permit to engage in business as a peddler, itinerant merchant, or temporary merchant shall submit an application to the City Administrator. The application shall include the following information:

(a) The applicant's true name, permanent address, and an address which the city may use for purposes of notifying the applicant.

(b) The true name and address of any person for whom the applicant is acting as agent. If the applicant is acting as the agent of a corporation:

(1) The address of the registered office of the corporation in Oregon; and

(2) The name and address of the registered agent of the corporation in Oregon.

(c) A description of the nature of the business operation the applicant will conduct.

(d) A description of the goods, wares, merchandise or services the applicant will offer for sale.

(e) The location, if any, from which the applicant will operate, or a statement of the applicant's intention to operate by going from place to place or house to house.

(f) The length of time the applicant will conduct the business and the hours of operation.

Section Four. The provisions contained herein affect the public welfare and safety, and therefore, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage by the City Council and approval by the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY, OREGON, THIS 9TH DAY OF OCTOBER, 1995.

Margrette Sparks  
Margrette Sparks, Mayor

ATTEST:

Rance Pilley  
Rance Pilley Council President

ORDINANCE NO. 350

AN ORDINANCE AMENDING REVENUE SECTION 3.130 BY  
ADOPTING NEW TIME LIMITATION ON TEMPORARY  
BUSINESS PERMITS; AND DECLARING AN EMERGENCY.

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

Section One. Section 3.120 and Section 3.130 of the City of Drain Revenue Code, which was adopted by Ordinance No. 295, is amended to provide as follows:

3.120 Application Fee. An applicant for a permit shall pay a fee of \$ 50.00. No permit shall be issued until this fee is paid.

3.130 Conditions of Permit. Conditions of operation that are necessary to protect the public health, safety, morals and general welfare of the citizens of the City of Drain may be imposed on a permit. All permits shall also be subject to the following conditions:

- (a) The permit shall be valid only for the period of time for which it is issued, and both the beginning and ending of the period shall be stated on the permit. No permit shall be valid for a period of longer than 30 days. Permit renewals shall have a non renewal period of 30 days following the last day of original permit period. Permittee shall be entitled to a maximum of 60 days in any calendar year.
- (b) The permit is not transferable.
- (c) Conduct of the permittee shall conform with the statements made in the application and any special conditions of operation imposed on the permit.
- (d) The permittee shall carry, and upon request, display the permit when engaged in activities permitted under the permit.
- (e) The permittee shall abide by all applicable city, state and federal laws, rules and regulations.

Section Two. The provisions contained herein affect the public welfare and safety, and therefore, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage by the City Council and approval by the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY,  
OREGON, THIS 13TH DAY OF JUNE, 1994.

Margrette Burruss  
Margrette Burruss, Mayor

ATTEST:

Bill Ewing  
Bill Ewing, City Administrator