

# RECORD OF ORDINANCES

Ordinance No. 2020-2

February 24, 2020

## City of Bellbrook

### Ordinance No. 2020-2

#### **An Ordinance Repealing Old Section 856.03 and Enacting New Section 856.03 “License Application and Requirements” of the City of Bellbrook Municipal Code.**

WHEREAS, the City of Bellbrook outlines the requirements necessary in obtaining a permit for soliciting in the City of Bellbrook in Section 856.03 “License Application and Requirements” of the Municipal Code; and

WHEREAS, Section 856.03 (c) currently has no limit on the number of individuals an organization may obtain a permit for the application fee of twenty dollars; and

WHEREAS, the current application fee does not adequately cover the staff time involved in performing the background checks of numerous individuals to obtain said permit; and

WHEREAS, Section 856.03 needs to be repealed and replaced in order to limit the number of individuals per organization to five per application fee.

#### **Now, Therefore, The City of Bellbrook Hereby Ordains:**

Section 1. That Section 856.03 “License Application and Requirement” of the City of Bellbrook Municipal Code be and is hereby repealed.

Section 2. A new Section 856.03 “License Application and Requirement” of the City of Bellbrook Municipal Code be enacted to be read as set forth with deletions shown by strikethrough and additions shown by italics and underlined:

#### **Sec. 856.03. - License application and requirements.**

(a) Applications for a license to peddle or solicit within the Municipality shall be filed with the City Manager or the Manager's designee on a form to be furnished by the Manager or the Manager's designee. An application shall require, at a minimum, the information set forth below. An application filed on behalf of any entity or organization shall provide the following information for each and every individual desiring to peddle or solicit on behalf of such entity or organization:

- (1) The name of the applicant;
- (2) A physical description of the applicant;
- (3) The applicant's social security number;
- (4) The applicant's driver's license number with state of issue;

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(5) The name and address of the person or entity, if any, on whose behalf the applicant will be peddling or soliciting and the length of the applicant's service with such person or entity;

(6) All places of residence of the applicant and all employment during the preceding year;

(7) A description of the goods to be sold or services to be furnished by the applicant or the purpose for which funds are being solicited; and

(8) The names of other municipalities in which the applicant has conducted peddling or soliciting activities within the past calendar year.

(b) Applicant shall furnish a photograph of himself or herself taken within one year of the date of the application.

(c) At the time of the submission of a completed application, the applicant shall pay a nonrefundable application fee of twenty dollars (\$20.00) per day or fifty dollars (\$50.00) per six months. If the applicant is an entity or organization, said fee shall be a payment on behalf of ~~all~~ up to five (5) individuals identified in the application who seek to peddle or solicit on behalf of such entity or organization. If an entity or organization wishes to seek a permit for more than five (5) individuals, a separate application and fee must be made.

(d) Any license issued shall be valid for its respective term from the date of its issuance.

(e) If the City Manager or the Manager's designee determines that all information and items required under divisions (a) and (b) of this section have been submitted and is correct and that the applicant proposes to engage in activity permitted by this chapter, he or she shall issue a license to the applicant within five business days of the submission of the application and required fee. This time period shall not commence to run until the required application fee is paid and the application and all required information have been submitted.

(f) Upon receipt of a completed application, the City Police Department will conduct a background check for each individual set forth in the application. Any applicant may be denied a license pursuant to the City's License Disqualification Standards, which are available for review upon request to the City Manager.

Section 3. This ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney