

ORDINANCE NO. _____

An Ordinance to Regulate Door to Door Solicitation

BE IT ORDAINED by the Hammond City Council that Chapter 23 (Peddlers and Hawkers), Article III, section 23-37 and 23-40 shall be amended as set forth below regarding permits for solicitors as follows:

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ARTICLE III SOLICITORS

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Sec. 23-37. - Same—Application; bond.

(a) Any person desiring to engage in business as a solicitor within the city shall make application therefore to the city tax collector or designee stating the name and address of the applicant, the name and address of the person, firm or corporation which he represents, and the kind of goods offered for sale, or the kind of services to be ~~performed~~performed.

(b) A permit application must contain the following information:

a. Name, telephone number, date of application, physical address and email address of the applicant.

b. A brief description of the product or service to be peddled.

c. Name, telephone number, cellular phone number, email address, and physical address of each solicitor.

d. Criminal background information on each solicitor.

e. Date(s) of activity in the city.

f. Location and schedule of solicitation.

g. Number of solicitors per day.

h. Staff: name of local coordinator or manager, cellular phone number, local address, number of individuals who will be performing licensed/permitted services in the city.

i. If a vehicle is being used, a description of the make and model vehicle and a license plate number.

(~~c~~b) Such application shall be accompanied by a bond in the penal sum of one thousand five hundred dollars, (\$1,500.00) executed by a surety company authorized to do business in Louisiana in a form approved by the city. Any person aggrieved by the action of any such solicitor shall have a right of action on the bond for the recovery of money or damages, or both.

(~~d~~e) Such bond shall remain in full force for a period of ninety (90) days after the expiration of any such license, unless sooner released by the city tax collector.

(e) Hours of solicitation must be between 8:00 a.m. and 5:00 p.m. when standard time is in effect or between 8:00 a.m. and 7:00 p.m. when daylight saving time is in effect.

(f) Permittee shall wear a visible identification badge displaying the company name (as applicable), individual name, and photo identification.

(g) Permittee shall display on his or her person any object provided by the city to clearly and readily identify the individual to other citizens and law enforcement as a permittee.

(h) Solicitation shall immediately cease upon observation of a "no solicitation" sign at the location.

(i) Adverse permit action.

a. Generally. Any permit issued under this section may be suspended or revoked, or otherwise subject to adverse permit action, at the discretion of the City, for any of the following:

1. Subsequent knowledge by the city of any false or misleading statements provided by an applicant on the application form.

2. Fraud, misrepresentation or false statements made during the course of the permitted activity.

3. Subsequent conviction of any offense to which the granting of the permit could have been denied under this chapter.

4. Engaging in any activity prohibited under this chapter.

5. Violation of any law relating to zoning, health, fire, building or safety requirements, or any other Louisiana or federal law or statutory or City ordinance provision.

(j) Upon submission of the application, a permit shall not issue if any of the information contained therein is incomplete, false, misleading or for any of the following reasons:

a. Any person listed on the application is registered on the National Sex Offender Registry.

b. Any person listed on the application has been convicted of a crime of violence as defined by R.S. 14:2 et seq. within the past ten years.

c. Any person listed on the application has been convicted of an offense involving burglary, theft, trespass, criminal damage, mail fraud or wire fraud within the past ten years.

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Sec. 23-40. - Violations; penalty.

Any person, whether acting for himself or for another, who shall engage in or attempt to engage in the business of soliciting within the corporate limits of the city without first furnishing bond and securing a solicitor's license in the manner provided in this article, and in addition thereto paying the license tax due the city for engaging in such business, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to punishment as provided in [section 1-8](#) of this Code. However, nothing in this section shall be construed to limit the city's available legal remedies for any violation of the law, including without limitation, licensing, sanctions, criminal, civil and injunctive actions. In addition, violations or failure to pay civil fines may result in future permit ineligibility.

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The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on _____, 2018 of the Hammond City Council and discussed at a public meeting held on _____, 2018 after motion and second was submitted to the official vote of the Hammond City Council.

On motion by _____ and a Second by _____, the foregoing ordinance was hereby declared adopted on _____, 2018 by the following roll call vote:

Votes: Johnny Blount () Jason Hood () Janice Carter Beard () Lemar Marshall () Mike Williams ()

WHEREFORE the above and foregoing ordinance was declared duly adopted on this ____ day of _____, 2018, at Hammond, Louisiana.

ATTEST:

Tonia Banks Clerk,
Hammond City Council

Johnny Blount, President
Hammond City Council

INTRODUCED: _____, 2018

PUBLISHED: _____, 2018

ADOPTED: _____, 2018

DELIVERED TO MAYOR: _____, 2018

APPROVED BY MAYOR: _____, 2018

RECEIVED FROM MAYOR: _____, 2018