

AN ORDINANCE REGULATING PEDDLERS AND HAWKERS, PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ORDINANCE NUMBER 447:

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. Peddlers and Hawkers defined:

Any person who shall sell, offer or expose for sale, or who shall trade, deal or traffic in any personal property or services, either at wholesale or retail in the City of Kirkland, by going from house to house or from place to place or by indiscriminately approaching individuals, or who sell by sample, or for future delivery and executory contracts of sale, other than from a fixed and permanent place of business, or, who, while selling or offering for sale any goods, wares, merchandise, services or other things of value, locates himself in a doorway, any unclosed vacant lot, parcel of land or any other place not used by such a person as a permanent place of business, shall be deemed a peddler or hawker, and engaged in the business of peddling or hawking within the meaning of this Ordinance, PROVIDED HOWEVER, that this section shall not be deemed applicable to any salesman or canvasser who solicits trade from the wholesale or retail dealers in the City of Kirkland, or to any local merchants conducting a bona fide business from a fixed business location who solicits orders therefore in person, or by agent.

Section 2. It shall be unlawful for any person, firm or corporation to engage in or carry on the business of peddling or hawking within the City of Kirkland, without first obtaining a permit so to do.

Section 3. All persons proposing to engage in the business of peddling or hawking within the City of Kirkland shall pay in advance, to the City Clerk of the City of Kirkland, a fee of Fifteen Dollars (\$15.00) per day for such permit or Fifty Dollars (\$50.00) ^{per month (2/10)} therefore, PROVIDED HOWEVER, no farmer, gardener or other person shall be required to pay a fee to sell, deliver or peddle any firewood, vegetables, berries, butter, eggs, fish, milk, poultry, meat, or any other farm product or edibles raised, caught, produced or manufactured by such person in any place in the State of Washington. Any such person must, however, make application at the Office of the City Clerk for a permit to carry on such business, and the City Clerk, upon being satisfied that the applicant falls within the classification afore-said, shall issue to such

applicant a permit, without charge, which permit shall be carried in a conspicuous place upon the vehicle operated by the applicant, and provided further, no permit nor permit fee shall be required for either hawking or peddling newspapers within the City of Kirkland.

Section 4. PENALTIES: Any person, firm or corporation found violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than Three Hundred Dollars (\$300.00) or by imprisonment in the City Jail for a period of not more than 30 days; or by both such fine and imprisonment.

Section 5. INVALIDITY: If any section, sub-section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Each person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of this ordinance is committed, continued or permitted and shall be punishable therefore, as provided by this ordinance.

Section 7. No person holding a permit shall be allowed thereby to commit a nuisance by vexing or annoying any person, while offering any goods, services, or wares for sale, and in the event any such nuisance is committed, upon proof thereof to the satisfaction of the City Council, the City Council may revoke said permit, and any person whose permit has been revoked on the said violation shall be restricted from obtaining another permit for such a time as the City Council may determine, not to exceed five (5) years.

Section 8. Ordinance No. 447 of the City of Kirkland is hereby repealed en toto.

Section 9. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Introduced this 3rd day of November, 1947.

Passed and approved this 24th day of November, 1947.

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Harry M. Everett
Mayor

Attest:

C. J. Jernx
City Clerk

C. J. Jernx

Approved by:

L. M. Chandler
City Attorney