

ORDINANCE NO. 726

AN ORDINANCE

AMENDING SECTION 3, 4, 5 AND 6 OF CHAPTER 7, TITLE 5 OF THE CITY CODE OF THE CITY OF PAYETTE, STATE OF IDAHO, BY DELETING PROVISIONS EXEMPTING HUCKSTERS AND SALES OF MERCHANDISE IN ORIGINAL PACKAGES OF OTHER STATES, BY CHANGING THE PENAL SUM OF THE BOND REQUIRED IN 5-7-4 TO \$1,000.00; BY SETTING A FIXED LICENSE FEE OF \$10.00 IN 5-7-5 AND PROVIDING THAT THE ESTABLISHMENT OF A BUSINESS FOR A PERIOD OF ONE YEAR WILL RELIEVE A PEDDLER OR MERCHANT OF THE RESPONSIBILITY OF KEEPING A BOND IN FORCE.

Be It Ordained by the Mayor and Council of the City of Payette, State of Idaho:

That Sections 3, 4, 5 and 6 of Chapter 7, Title 5 of the City Code of the City of Payette, State of Idaho, are hereby amended as follows:

5-7-3 EXEMPTIONS: The provisions of this Chapter shall not apply to commercial agents selling to merchants in the usual course of business, ~~nor to the sale of goods, wares or merchandise in original packages from other states, as permitted by law,~~ nor to the sale of farm produce by the grower or producer thereof, nor to any ~~huckster~~ or other person coming within the terms or provisions of any special licensing regulations of the City; nor to any person who by the State statutes is expressly permitted to operate as a peddler without meeting the requirements of this Chapter.

5-7-4 APPLICATION FOR LICENSE; BOND: Any person desiring to engage in the business of an itinerant merchant or peddler, shall apply in writing to the Clerk, at least ten (10) days prior to the time that he desires to commence such business. Such application shall state the name and residence of the applicant, the nature of the business, kind of goods to be sold and where the sales are to be made at, the length of time for which the license is desired, the place where the goods are grown, manufactured, or produced, and the firm or corporation and its address, represented by the applicant. Such application shall be accompanied by a bond in the penal sum of ~~two hundred and fifty dollars (\$250.00)~~ one-thousand dollars (\$1,000.00), executed by a surety company or by two (2) freeholders of real estate within the City, whose financial responsibility to the amount of the bond is approved by the Clerk, or that sum may be deposited with the Clerk. Upon filing such bond and payment of the license fee herein provided for, the Clerk shall give a license to the applicant for the period and purpose requested. The bond shall be required to be effective for a period of at least one year from date of license, or the sum of one-thousand and no/100 (\$1,000.00) dollars shall remain on deposit for a period of one year from date of license.

5-7-5 LICENSE FEES: The license fee to be paid to the City by the applicant for such license shall be ~~as follows:~~ \$10.00

~~Peddlers: For each and every day of such license ----- \$5.00~~
~~Itinerant Merchant: \$100.00 for thirty (30) days.~~

The license shall expire at the end of a period of one (1) year.

5-7-6 CLAIMS OF EXEMPTIONS; BOND REQUIRED: ~~Where any person claims to be exempt from the provisions of this Chapter by reason of intention to establish or maintain a permanent as opposed to itinerant business with this City, such person shall file with the Clerk a bond with surety approved by the Clerk, in the penal sum of three hundred dollars (\$300.00) and conditioned upon the continuous maintenance of said business for a period of not less than three (3) months.~~

5-7-6 MAINTAINING A PERMANENT BUSINESS: Where any person establishes a business within the City for a period of one (1) year, the bond mentioned in Section 5-7-4 shall no longer be required.

PASSED and APPROVED by the Mayor and Council this 18th day of November, 1968.

J. J. Johnson
Mayor of the City of Payette, Idaho

WITNESS:

M. L. Hutchinson
Clerk of the City of Payette, Idaho