

ORDINANCE NO. 1455

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 5, CHAPTER 5.15, SECTION 5.15.040, TO FOREGO BACKGROUND INVESTIGATION FOR RENEWAL OF LICENSE IF NO COMPLAINT OR ALLEGATION, AND AMENDING SECTION 5.15.120 TO CHANGE EXPIRATION OF LICENSE TO (1) ONE YEAR; PROVIDING A PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

BE IT ORDAINED BY THE PAYETTE CITY COUNCIL AS FOLLOWS:

Section 1. Title 5, Chapter 5.15, Section 5.15.040 and Section 5.15.120 of the Payette Municipal Code is hereby amended to read as follows:

5.15.040: INVESTIGATION AND ISSUANCE:

The city clerk shall refer the application to the chief of police or his/her representative, who shall make a criminal history background investigation of the applicant. Upon completion, the chief of police, or his/her representative, shall forward the results of the investigation to the city clerk. If, as a result of the investigation, the applicant is not found to have committed any of the acts requiring denial as listed below, the city clerk shall, upon payment of the prescribed fee, issue the license to the applicant. The city clerk shall deny the applicant the license if the applicant has:

- A. Committed any act consisting of fraud or misrepresentation;
- B. Committed any act which, if committed by a licensee, would be grounds for suspension or revocation of a license;
- C. Within the previous ten (10) years, been convicted of a misdemeanor or felony directly relating to his or her fitness to engage in the occupation of peddler, solicitor or street vendor and including, but not limited to, those misdemeanors and felonies involving moral turpitude, fraud or misrepresentation;
- D. Been charged with a misdemeanor or felony of the type defined in subsection C of this section, and disposition of that charge is still pending;
- E. Ever been charged of any crime involving sexual abuse against a child;
- F. Been refused a license under the provisions of this chapter; provided, however, that any applicant denied a license under the provisions of this chapter may reapply if and when the reasons for denial no longer exist; and
- G. Made any false or misleading statements in the application.

Where application for renewal of a license is involved, and the City Clerk has received no complaint or allegation of any violation of this Chapter or other laws by the applicant, the City Clerk or his/her designee may waive payment of the investigation fee and issue the renewal license.

5.15.120: EXPIRATION OF LICENSE:

All licenses issued under the provisions of this chapter shall expire ~~ninety (90) days~~ (1) one year after the date of issuance thereof unless a prior date is fixed therein.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

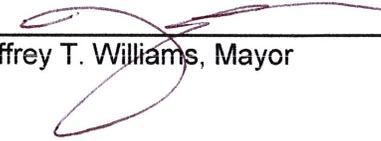
Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

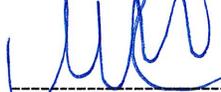
Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 6th day of November, 2018.

CITY OF PAYETTE, IDAHO

BY 
Jeffrey T. Williams, Mayor

ATTEST:



City Clerk