

DESCRIPTION OF LEGAL ADVERTISING

Bill No. 805
 3349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 12.60
Extra Proofs _____
Notary Fee 2.00
Total Amt due 14.60

Washoe County Clerk
 Charlotte James
 P. O. Box 11130
 Reno, NV 89520

MONTH

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

December

x

x

PROOF OF PUBLICATION

STATE OF NEVADA,
 COUNTY OF WASHOE

ss.

Doris Mertz

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of County Ordinance

_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 17th day of Dec, 1984 and, Dec 24, the full period of 2 days, the last publication thereof being in the issue of December 24 1984.

Signed Doris Mertz

Subscribed and sworn to before me this

24th day of December, 1984

Alice L. Buffalo
 Notary Public

NOTICE OF COUNTY ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 805, Ordinance No. 632, entitled "An ordinance amending the Washoe County Code by revising procedures for licensing peddlers, solicitors and traveling merchants," was adopted on December 11, 1984, by Commissioners Williams, King, Lillard, McDowell, and Ritter.
 Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
 Judi Bailey, County Clerk
 3349008-Bill #805
 Dec. 17.24-bja133

ALICE L. BUFFALOE
 Notary Public - State of Nevada
 Washoe County
 My Appointment Expires June 5, 1985

SUMMARY: Amends the Washoe County Code by revising procedures for licensing peddlers, solicitors and traveling merchants.

BILL NO. 805

ORDINANCE NO. 632

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING PROCEDURES FOR LICENSING PEDDLERS, SOLICITORS AND TRAVELING MERCHANTS.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 25 of the Washoe County Code is hereby amended by adding thereto a new section which shall be designated as section 25.414 and shall read as follows:

25.414 Findings, purpose and intent.

1. The board finds:

(a) That there exists a danger to the public created by dishonest businessmen commonly referred to as "peddlers," "solicitors," or "traveling merchants" conducting business from door to door or in public places who do not have a fixed location of business to which customers can go for relief of dishonest business practices.

(b) That there is a need for regulating such types of businessmen to insure the safety and welfare of the public.

2. Based upon the findings set forth in paragraph 1, it is the intent of the board that sections 25.414 to 25.433, inclusive, will operate to prevent the operation of dishonest businesses and to provide a means of recourse by victims thereof. It is not the intent of the board to prevent operations of honest businessmen by the enactment of those sections.

3. It is the intent of the board that this ordinance be applied equally to all businessmen, whether residents of this or another state.

SECTION 2. Chapter 25 of the Washoe County Code is hereby amended by adding thereto a new section which shall be designated as section 25.420 and shall read as follows:

25.420 Bond required.

1. As a prerequisite to the issuance of a license to a traveling merchant, peddler or solicitor, the sheriff may require the applicant to post a bond in the amount of \$1,000.00, to be used to satisfy valid claims against the licensee for dishonest or fraudulent practices.

2. The bond may be in cash or by other promise which will assure the ability of an aggrieved person to recover

any loss incurred as a result of the failure of the licensee to provide the goods or services purchased.

3. Upon a showing that the licensee is no longer conducting business in the county and that there are and will be no claims against the bond, the sheriff may return the bond to the licensee.

SECTION 3. Section 25.013 of the Washoe County Code is hereby amended to read as follows:

25.013 Definitions. As used in this chapter, unless the context otherwise requires:

1. "Board" means the board of county commissioners except where, by any other law or section of this code, either the county license board or the county liquor board is granted exclusive jurisdiction, in which cases "board" means the board possessing such exclusive jurisdiction.

2. "Intoxicating liquor" is synonymous with "alcoholic liquor" and "alcoholic beverage," and includes the four varieties of liquor: Alcohol, spirits, wine and beer, and every liquor or solid, patented or not, containing alcohol and intended for consumption by human beings as a beverage.

3. "Restaurant" includes any place where food or drink (other than intoxicating liquor) is prepared or served to the public for consumption on the premises.

SECTION 4. Section 25.415 of the Washoe County Code is hereby amended to read as follows:

25.415 Definitions. As used in sections 25.414 to 25.433, inclusive, unless the context otherwise requires, the following words and terms have the following meaning:

1. "Goods" means tangible wares, merchandise, or other personal property.

2. "Peddler" means any person who sells or attempts to sell services or goods in his possession at a place within the unincorporated areas of the county other than at a fixed location for which a business license has been issued.

3. "Services" means any work performed or to be performed by a peddler, solicitor or traveling merchant, and includes work performed or to be performed in conjunction with a sale of goods.

4. "Solicitor" means any person who, at a place other than at a fixed location for which a business license has been issued, takes or attempts to take orders for goods to be delivered at a later time or services to be performed at a later time at any place other than at a fixed location for which a business license has been issued authorizing the sale of such goods or services.

5. "Traveling merchant" means a peddler or a solicitor.

SECTION 5. Section 25.417 of the Washoe County Code is hereby amended to read as follows:

25.417 License required; exception.

1. Except as provided in subsection 2, it is unlawful to operate as a peddler or solicitor within the unincorporated areas of the county without having first obtained a license therefor.

2. The provisions of sections 25.414 to 25.433, inclusive, do not apply to:

(a) Any person who is employed by or engaged or participating in a business which has a licensed fixed location authorizing the display or sale of such goods or services and which business delivers goods or services at a place outside the licensed location.

(b) Any person who is participating in a special event sponsored and sanctioned by a bona fide charitable organization, provided that the person provides personal identification and the name of the charitable organization to each person to whom an offer or solicitation is made.

SECTION 6. Section 25.419 of the Washoe County Code is hereby amended to read as follows:

25.419 Application for license, issuance.

1. Application for a license shall be made to the sheriff on such form as he shall prescribe. The application may require the applicant to furnish information concerning the applicant's business and criminal background, his permanent address, his physical description, a description of any vehicles to be used in the operation of the business, the type of goods to be sold, the location or area in which he intends to operate and any other data or information which the sheriff deems necessary.

2. Upon receipt of an application and the fee required by section 25.025, the sheriff shall conduct an investigation under section 25.023 to the extent necessary to determine whether the issuance of a license to the applicant would present a threat to the safety and welfare of the public.

3. The licensee shall designate at least one responsible resident of the county upon whom any notices may be served and a permanent location within the county where such notices may be left or posted if the licensee or his agent are not found at the addresses specified in the application.

4. Upon a determination that the issuance of a license will not present a threat or danger to the safety and welfare of the public, and after receipt of the bond required by section 25.420, the sheriff may issue a license and an identification card containing the name, address, physical description and a photograph of the

licensee. This card must be kept in the personal possession of the holder at all times, and must be shown to any offeree, customer or peace officer upon demand.

5. Any change of a licensee's address must be reported to the sheriff within 10 days after the change.

6. The license will be valid for a period of 1 year after the date of issuance.

SECTION 7. Section 25.423 of the Washoe County Code is hereby amended to read as follows:

25.423 Place of business; limitations. A peddler, solicitor or traveling merchant shall not conduct business on any public street, sidewalk, park, parkway or other public place unless his license specifies that such activity in such public place is permitted thereunder. If the license allows his business to be conducted in public places, the business shall not be conducted in a manner which interferes with the flow of vehicular or pedestrian traffic.

SECTION 8. Section 25.427 of the Washoe County Code is hereby amended to read as follows:

25.427 Hours of business. Unless requested or authorized by a customer, a licensee shall not conduct business between the hours of 9:00 p.m. and 9:00 a.m.

SECTION 9. Section 25.431 of the Washoe County Code is hereby amended to read as follows:

25.431 Suspension, revocation of license.

1. In addition to any grounds specified in this code for suspension or revocation of a general business license, a license issued to a peddler, solicitor or traveling merchant may be suspended or revoked if the licensee has:

- (a) Misrepresented his goods;
- (b) Violated any ordinance of the county or of any city within the county in which he is operating;
- (c) Entered upon the premises of any person without the permission or consent of that person;
- (d) Committed any criminal act involving dishonesty or moral turpitude; or
- (e) Concealed or misrepresented any material fact on his application.

2. A license may be suspended or revoked in accordance with the provisions of sections 25.038 to 25.041, inclusive, except that service of any required notices may be made upon the licensee or his designated agent or posted upon the designated premises without need for mailing or publishing.

SECTION 10. Section 25.433 of the Washoe County Code is hereby amended to read as follows:

25.433 Penalties.

1. A violation of sections 25.414 to 25.431, inclusive, shall be punished by a fine of not less than \$50 nor more than \$1,000 for each offense.


Proposed on the 20th day of November, 1984.
Proposed by Commissioners/ Ritter:
Passed on the 11th day of December, 1984.

Vote:

Ayes: Commissioners: Williams, King, Lillard, Ritter & McDowell

Nays: Commissioners: None

Absent: Commissioners: None



Chairman of the Board

ATTEST: AILEY, CLERK



Betty Lewis - Chief Deputy
County Clerk

This ordinance shall be in force and effect from and after the 24th day of December, 1984.