

PEDDLER, SOLICITOR, & STREET VENDOR REGISTRATION

Planning & Building Department
PO Box 970, 414 E First St., Newberg, OR 97132
Phone: (503)537-1240 Fax: (503)537-1272

FOR OFFICE USE ONLY - initial as is applicable

Background check
Satisfactory _____ or unsatisfactory _____

Verify that vendor or parent company has a valid
City of Newberg Business License application; _____

OR they can file one for fee of \$25/six months _____

Peddler/Solicitor or Street Vendor Registration = no additional fees

After stamping & initialing, provide customer with copy of front/back of form. Copy to P.D. This document is to be retained

Peddler/Solicitor **Street Vendor**

PLEASE PRINT LEGIBLY

APPLICANT: _____ DATE: _____

HOME ADDRESS (*street, city, state, zip code*): _____

HOME/CELL PHONE: _____ BUSINESS PHONE: _____

SOCIAL SECURITY NUMBER: _____ - _____ - _____ DATE OF BIRTH: _____

DRIVER'S LICENSE STATE/NUMBER: _____ ALTERNATIVE ID: _____

BUSINESS NAME: _____

BUSINESS ADDRESS (*street, city, state, zip code*): _____

NAME AND CONTACT PHONE NO. OF LOCAL AGENT: _____

NATURE OF BUSINESS/PRODUCT/MERCHANDISE: _____

DAYS AND HOURS OF OPERATION (*refer to the standards on the back*): _____

IS A STATE OR COUNTY PERMIT/LICENSE REQUIRED TO OPERATE OR CONDUCT YOUR PROPOSED BUSINESS/ACTIVITY?

IF SO, PLEASE ATTACH A COPY OF EACH PERMIT THAT HAS BEEN ISSUED TO YOU.

NO YES, SEE ATTACHED

DO YOU HAVE A PREVIOUS SALES HISTORY IN THE COMMUNITY WITHIN THE TEN (10) YEAR PERIOD PRIOR TO THE DATE OF REGISTRATION?

NO YES, SPECIFY BELOW

Nature of Permit Product Name Business/Organization Date/Year of Permit

I UNDERSTAND AND WILL ADHERE TO CITY OF NEWBERG CODE CHAPTER 5.15 AS SUMMARIZED ON THE REVERSE SIDE OF THE REGISTRATION FORM. I CONFIRM I HAVE NO PREVIOUS CRIMINAL HISTORY, INCLUDING BUT NOT LIMITED TO A CONVICTION OR INCARCERATION FOR A CRIME SUCH AS THEFT, BURGLARY, ROBBERY, FRAUD, DECEIT, OR ANY OTHER CRIME OF VIOLENCE WITHIN THE 10-YEAR PERIOD PRIOR TO THE DATE OF REGISTRATION. I HEREBY RELEASE THE CITY OF NEWBERG ("CITY"), THE LAW ENFORCEMENT DATA SYSTEM ("LEDS") AND THE DEPARTMENT OF MOTOR VEHICLES ("DMV"), THEIR AGENTS AND ASSIGNS, FROM ANY LIABILITY FOR ACCESS TO MY CRIMINAL HISTORY AND MOTOR VEHICLE RECORDS, INCLUDING, BUT NOT LIMITED TO ANY ARRESTS, WARRANTS, CONVICTIONS AND DISPOSITION OF CHARGES. I UNDERSTAND THAT THESE MATTERS ARE CONFIDENTIAL, AND I GIVE MY FULL RELEASE AND AGREEMENT TO THE CITY TO USE LEDS AND DMV INFORMATION TO DETERMINE MY ELIGIBILITY FOR REGISTRATION AS A PEDDLER OR SOLICITOR WITHIN THE CITY OF NEWBERG.

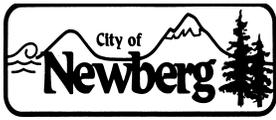
THE CITY SHALL MAKE ALL REASONABLE EFFORTS TO KEEP THIS INFORMATION CONFIDENTIAL. HOWEVER, I RELEASE THE CITY, LEDS AND DMV FROM LIABILITY CONCERNING THE RELEASE OF THIS INFORMATION.

DATED this ____ day of _____, 201__.

Applicant's Signature: _____

FOR OFFICIAL USE ONLY
Registration effective for six months from:

Applicant must carry this while selling in Newberg.



PEDDLER, SOLICITOR, & STREET VENDOR REGISTRATION

City of Newberg Code Chapter 5.15, Article II. Peddlers and Solicitors

Definitions: For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- **Peddler:** A person or persons traveling from place to place selling and delivering at the same time. The term “peddler” does not include a person who has been specifically invited to a customer’s residence or business location, or a nonprofit organization as organized under the Internal Revenue Service Code.
- **Person or Persons:** Any natural person and any firm, proprietorship, partnership or corporation.
- **Solicitor:** A person, or persons who travel from place to place not carrying goods, but taking orders for future delivery, or soliciting for money or other things of value. The term “solicitor” does not include a person who has been specifically invited to a customer’s residence or business location, or a nonprofit organization as organized under the Internal Revenue Service Code.
- **Street Vendor:** A person or persons traveling on public streets, public sidewalks, public property or private streets and carrying conveying or transporting such items as food, beverages, flowers, and balloons, offering and exposing the same for sale by hand or from a mobile type device such as a pushcart.

Registration

All peddlers/solicitors and street vendors shall register individually with the city prior to engaging in any activities defined in NMC 5.15.050 the registration shall be filed with the city on a form supplied by the city. Registrations will be accepted only during normal city business hours. Failure to provide complete and accurate information may result in a violation of this section and immediate revocation and/or denial of registration. Registrants must provide the following information:

- Personal identification including date of birth, driver’s license number and/or other appropriate identification.
- Copies of any state or county licenses which are required to operate or conduct activities proposed by the registrant.
- A statement which confirms the registrant has no previous criminal history, including conviction or incarceration for a crime such as theft, burglary, robbery, fraud, deceit, or any other crime of violence, within the 10-year period prior to the date of registration.
- For peddlers and solicitors whose method of sale is to travel door-to-door, the applicant must sign a form provided by the City that authorizes the City to conduct a criminal history background check for arrests, warrants, convictions, incarcerations and/or dispositions of charges that include but are not limited to theft, burglary, robbery, fraud, deceit, or any crime of violence within a ten (10) year period prior to the date of registration. The registrant will be deemed ineligible if the criminal history background check shows any of the above except for arrests and past warrants for arrests, which will be reviewed on an individual basis for determination of eligibility.
- Previous sales history in the community within the 10-year period prior to the date of registration.
- A description of the goods or services offered for sale.

Term of Registration

A peddler, solicitor or street vendor registration is valid for a period of six months. After six months, reregistration is required before further business can be conducted.

Appeal

Any peddler/solicitor (only) who does not meet the eligibility requirements provided in NMC 5.15.060 may appeal to the city manager. The city manager may accept or reject the appeal, waive any requirements imposed, or refer the matter to the city council. The applicant may further appeal the decision of the city manager to the city council. All appeals must be made by submitting a formal request to the city manager, together with a nonrefundable processing fee as established by city council resolution.

Violation

Any peddler/solicitor or street vendor who engages in activities within the corporate city limits without having first registered as provided in NMC 5.15.060 or without having first applied for and obtained the license herein provided for in NMC 5.15.110 or who violates any other of the provisions of this article shall have committed a city Class 2 infraction and shall be processed in accordance with the procedure set forth in the uniform civil infraction procedure ordinance, Chapter 2.30 NMC. Every day of a continuing violation shall be deemed a separate offense for the purposes of these penalties.

Special Standards

A. All peddlers/solicitors (only) shall:

- Limit their hours of operation to only those hours between 9:00 a.m. and 9:00 p.m.;
- Not enter uninvited into a private building, structure or room;
- Not enter uninvited upon private property that is posted “no soliciting” or with a similar sign;
- Within 30 seconds after beginning the conversation with a potential customer:
 - Provide identification of both the person and whom the person represents;
 - Explain the purpose of the person’s call;
 - Provide a description in commonly understood terms of the goods or services offered for sale,
 - Inquire whether the person being solicited is interested in listening to a sales presentation and immediately discontinue the solicitation if the person being solicited gives a negative response.
- During the course of the solicitation, state and total cost of the goods or services offered for sale and the number, timing and amount of installment payments if payment on an installment basis is available to the person being solicited.

B. All Street vendor (only) sales operations shall be:

- Limited to the period from one-half hour before dawn to one-half hour after dusk;
- Limited to not stopping adjacent to any lot in excess of 15 minutes in any one-hour period, except in C-3 Zones, push carts may be located at specific locations on the public rights-of-way or sidewalk subject to approval by the city manager.