

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 86-21

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER AMENDING CHAPTER 8.08, ITINERANT OR TRANSIENT MERCHANT'S LICENSE OF THE HOMER MUNICIPAL CODE BY AMENDING SECTION 8.08.010 DEFINITIONS; SECTION 8.08.030, ITINERANT OR TRANSIENT MERCHANT LICENSE--APPLICATION; SECTION 8.08.040 REFERRAL--FEES; AND 8.08.080 EXHIBITION OF LICENSE.

WHEREAS, there is a need to clarify certain definitions within this Chapter; and

WHEREAS, while making review of a merchant's application, positive identification is needed to assure the correctness of the application; and

WHEREAS, a background check of a person's criminal history record is necessary to protect the health and welfare of the citizens of Homer from fraud, misrepresentation and felonious individuals; and

WHEREAS, a thorough background check by the Department of Public Safety takes approximately 24-48 hours to complete; and

WHEREAS, public display of the Itinerant/Transient Permit is necessary for public scrutiny, information and protection,

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 8.08.010 Definitions of the Homer Municipal Code is hereby amended to add a subsection (c) to read:

c. "Isolated or Casual Sales" shall mean the transfer of personal or real property from one individual to another on an occasional basis, for an agreed upon fee.

Section 2. Section 8.08.030 Itinerant or transient merchant license--Application of the Homer Municipal Code is hereby amended to add the following to subsection (a) and adding a new subsection (1) to read as follows:

a. Name and description of the applicant; (applicant must produce valid identification with photo affixed thereon).

1. Waiver of Objection to Criminal History Check--By the act of filing, applicant waives all claims he may have arising under any act or principal of common law protecting individual privacy, and consents to an investigation from any source or sources as to criminal history.

Section 3. Section 8.08.040 Referral--Fees of the Homer Municipal Code is hereby amended to add to subsection (a), the following:

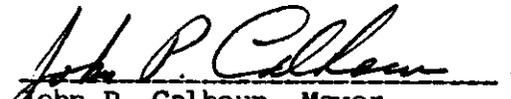
a. Upon receipt of the application described in Section 8.08.030, the

original shall be referred to the Director of Public Safety who shall cause an investigation of the applicant's business responsibility and moral character to be made. The application shall be approved or denied by the Director of Public Safety or his designee within 48 hours of its receipt.

Section 4. Section 8.08.080 Exhibition of License of the Homer Municipal Code is hereby repealed and reenacted to read as follows:

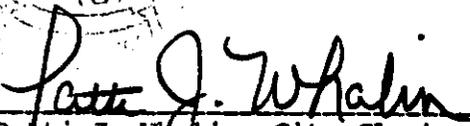
8.08.080 Exhibition of License. Persons licensed under this Chapter shall post their license for public display or wear the license on their person whereby the permit can be readily viewed by any citizen.

CITY OF HOMER

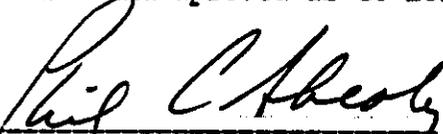

John P. Calhoun, Mayor



ATTEST:


Patti J. Whalin, City Clerk

Reviewed and aproved as to form and content:


Phil C. Shealy, City Manager

DATE: 6/24/86

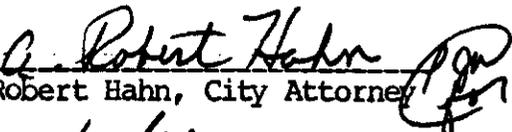
First Reading: 06/09/86

Public Hearing: 06/23/86

Second Reading: 6/23/86

Adoption: 6/23/86

Effective Date: 6/24/86


A. Robert Hahn, City Attorney

DATE: 5/27/86