

ORDINANCE NO. 671
2ND SERIES

**AN ORDINANCE AMENDING ALEXANDRIA CITY CODE SECTION 4.35, SUBD. 3 AND
SUBD. 6.B. REGARDING PEDDLER'S LICENSE**

The City Council of the City of Alexandria does **ORDAIN**:

SECTION I. That Section 4.35, Subdivision 3 of the Alexandria City Code be hereby amended by adding the following after the end of the paragraph:

To be eligible to be licensed as a peddler, a person must:

- A. Be at least eighteen (18) years old.
- B. Not be under sentence or have been discharged for any gross misdemeanor or felony conviction within the ten (10) years immediately preceding application for a license for any offense that would indicate that the applicant has a history of physical abuse or unfair acts or dealings, including, but not limited to:
 - i) murder, assault, domestic assault, any crime against a vulnerable adult, robbery, kidnapping or criminal sexual conduct;
 - ii) sexual abuse, physical abuse, malicious punishment or maltreatment of a child;
 - iii) neglect or endangerment of a child;
 - iv) the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minnesota Statutes chapter 152;
 - v) the possession of a controlled substance as defined in Minnesota Statutes chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others;
 - vi) theft, fraud, or any related crime;
 - vii) trespass, arson, damage to property;
 - viii) forgery; or
 - ix) disorderly conduct, terroristic threats, harassment, stalking;
- C. Not have shown by the abuse of alcohol or other drugs that the person is not of the good moral character or fitness required to engage in peddling

SECTION II. That Section 4.35, Subdivision 6.B. of the Alexandria City Code be hereby amended by deleting the existing language and replacing it with the following:

- B. **Practices Prohibited.** It is unlawful for any person, licensed under this Chapter, to:
 - i) call attention to their business or to their merchandise by crying out, blowing a horn, ringing a bell, or by any loud or unusual noise, or by use of any amplifying device;
 - ii) conduct their activities in a manner that creates a serious danger to the public health, safety or welfare; or
 - iii) conduct their activities in a way that unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public.

Commission of any of the foregoing, or of any offense listed in Subdivision 3 of this Section, shall be grounds for revocation of any license granted hereunder.

SECTION III. All other provisions of Section 4.35 shall remain in full force and effect.

SECTION III. This Ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED by the City Council of the City of Alexandria this 11th day of October, 2011, by the following vote:

YES: BATESOLE, CARLSON, MILLER, BENSON, FRANK

NO: NONE

ABSENT: NONE

/S/ H. Dan Ness, Mayor

ATTEST: _____
/S/ Jim Taddei, City Administrator