

By Wilson
Introduced 7-23-14
P.H. 8-13-14
8-27-14
9-10-14
10-8-14

ADOPTED
METROPOLITAN COUNCIL

OCT 08 2014

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ORDINANCE 15790

Casey Cash
COUNCIL ADMINISTRATOR TREASURER

AMENDING THE CODE OF ORDINANCES FOR THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE, TITLE 12, NUISANCES, CHAPTER 3, TRESPASS, PART II, HOUSE-TO-HOUSE PEDDLERS, SO AS TO INCREASE THE PERMIT FEE AND TO REQUIRE EACH APPLICANT FOR A PERMIT TO OBTAIN A CRIMINAL RECORDS BACKGROUND CHECK FROM THE LOUISIANA STATE POLICE AND THE CERTIFICATE OF CLEARANCE FROM THE OFFICE OF THE CITY CONSTABLE AND PROVIDING FOR OTHER RELATED MATTERS.

BE IT ORDAINED by the Metropolitan Council for the City of Baton Rouge and Parish of East Baton Rouge that:

Section 1. Title 12, Nuisances, Chapter 3, Trespass, Part II, House-to-house Peddlers, of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended as follows:

"Sec. 12:200. House-to-house peddling as nuisance.

(c) Permit requirements.

(1) Applicants for a permit under this section shall complete a written application, for a fee of ten dollars (\$10.00), with the finance department. The permit application must contain the following information:

- a. Name and address of applicant.
- b. Name and address of company, employer, or other commercial enterprise represented.
- c. A brief description of the nature of the peddling.
- d. If a vehicle is being used, a description of the make and model vehicle and a license plate number.
- e. A Criminal Records Background Check (Right to Review) should be attained from the Louisiana State Police (at the Applicant's cost) and taken to the Office of the Constable. Upon

verification of sections i, ii, and iii below, the Office of the City Constable will issue a certificate of clearance at the applicant's cost.:

- i. That the applicant is not registered on the National Sex Offender Registry.
- ii. That the applicant has not been convicted of a crime of violence as defined by La. R.S. 14:2 et seq. within the past seven (7) years.
- iii. That the applicant has not been convicted of an offense against property as defined by La. R.S. 14:51 et seq. within the past seven (7) years.

- (2) Applications must include a copy of a valid state or federal identification card, passport, or official school identification (for minors).

(d) Issuance of permit.

- (1) Upon receipt of the completed application, including the certification of clearance from the Office of the City Constable, the finance department shall issue a permit to the applicant. After issuance of the permit by the Finance Department, the Office of the Constable shall produce a photo identification badge for each permit holder, at the permit holder's cost.
- (2) All those issued a permit under this section shall have said permit available upon request by any person or law enforcement officer or agent at all times during the door-to-door peddling, whether on the premises or while in transit from one location to another for purposes of peddling. In addition, effective November 1, 2015, the photo identification badge must be worn on the permit holder's person in a conspicuous place while the permit holder is engaging in house-to-house peddling.

Sec. 12:202. Penalty.

Any person perpetrating a nuisance as described and prohibited in this part, upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00), or confinement in the jail for not more than

sixty (60) days, or both, at the discretion of the judge, and revocation of the peddlers permit for a period of two (2) years for each and every violation."

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.