

**ORDINANCE NO. 96A  
CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON,  
ESTABLISHING REQUIREMENTS FOR THE LICENSING OF SOLICITORS AND  
PEDDLERS, REQUIRING A LICENSE FEE, SETTING HOURS DURING WHICH  
PEDDLING OR SOLICITATION IS ALLOWED, PROHIBITING SOLICITATION OR  
PEDDLING ON POSTED PREMISES, AND ESTABLISHING PENALTIES FOR  
VIOLATION OF THIS ORDINANCE AND REPEALING ORDINANCE NO. 96 IN ITS  
ENTIRETY.**

WHEREAS, in the interest of the public health and safety, the City Council adopted Ordinance No. 96 establishing licensing requirements for solicitors and peddlers; and

WHEREAS, the City wishes to repeal Ordinance No. 96 and include additional revisions to said Ordinance in this Ordinance No. 96A; and

WHEREAS, said revisions include Section 3 (Processing Procedure), Section 4 (License – Applicant Investigation), Section 7 (Hours during which peddling is allowed), and Section 11 (Severability) as set forth herein.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

**Section 1.**     Definitions.     Terms used in this Ordinance shall have the following meanings:

- A.     *Peddler* means any person who goes from house to house, or place to place, within the City of Liberty Lake, selling and providing immediate delivery or performance, or offering for sale and immediate delivery or performance, any goods, wares, merchandise, services, or anything of value, to persons not commercial users or sellers of such commodities or services.
- B.     *Solicitor* means any person who goes from house to house or place to place within the City of Liberty Lake, taking or offering to take orders for the sale of goods, wares, merchandise, services, or anything of value for future delivery or performance from person's not commercial users or sellers of such commodities.
- C.     *Master Solicitor* means any person or firm that employs or uses agents or employees to act as solicitors or peddlers.
- D.     The terms *peddler* or *solicitor* shall not include any person making solicitations for charitable or religious purposes or while exercising political free speech.

**Section 2.**     Peddler/Solicitor/Master Solicitor License Required.     No person shall perform peddling or solicitation activities within the City prior to obtaining a peddler/solicitor or master solicitor license, unless such activity is exempt as provided for in this ordinance.

**Section 3.**     Processing Procedure.     The City Clerk shall issue individual peddler and solicitors, or master solicitor licenses in the name of the City to all persons qualified under the provisions of this article and shall:

- A. Adopt all forms and prescribe the information required to implement this Ordinance.
- B. Investigate all applications as set forth in Section 4 of this Ordinance.
- C. Check all applications for their endorsements as to compliance by applicant with all City laws and regulations which they have the duty of enforcing.
- D. Notify any applicant of the acceptance or rejection of this application and shall, upon denial of any registration, state in writing the reason for rejection and the process for appeal.
- E. Deny any application for registration, upon written findings that the granting would be detrimental to public peace, health, or welfare, or that such application for the registration is not in compliance with any applicable City laws and regulation.
- F. When any application for registration is denied, the applicant may appeal such decision to the Hearing Examiner.
- G. When the license is denied, and any action instituted by the applicant to compel its issuance, such applicant shall not engage in the business for which the registration was refused unless or until the registration is issued pursuant to an administrative or judicial order.

**Section 4.** License – Applicant Investigation. It shall be the duty of the City Clerk in consultation with the Chief of Police, and with the applicant’s consent, to investigate each application filed under Section 3 of this Ordinance, to determine:

- A. The existence of the employer or firm of each individual or master solicitor applicant, by confirming the State or Federal Identification Number.
- B. The existence of a Liberty Lake endorsement on the approved business license.
- C. The genuineness of all credentials presented by the applicant.
- D. Whether the applicant or any solicitor agent listed on the application has a conviction for a felony in any state within the ten years preceding the license application.
- E. The truth of the facts set forth in the application.

**Section 5.** License Fee. The fee for obtaining an individual peddler or solicitor or master solicitor license shall be set by Resolution of the City of Liberty Lake.

**Section 6.** License, or Facsimile Copy, must be carried on person while peddling or soliciting.

- A. It shall be unlawful for any individual to peddle or solicit without having in their possession the license issued by the City Clerk pursuant to the provisions of this Ordinance.
- B. Each master solicitor licensee which employs, hires or engages others to act as peddlers or solicitors shall furnish as credentials to each employee, agent, independent contract, or other person peddling or soliciting for or on behalf of such licensee, a facsimile copy of its license upon which shall appear the typed or printed name and address, and the signature of the person to whom such facsimile copy is issued. Such facsimile copies will be issued by the City Clerk, who will maintain a listing of all persons to whom facsimile copies are issued. A master solicitor’s licensee shall be responsible for the conduct and acts performed within the scope of employment or contract of any person peddling

or soliciting for or on behalf of the licensee, and shall maintain a list of all persons to whom facsimile copies of its license have been issued. It shall be unlawful for any licensee or any person to peddle or solicit without having in their possession such license, or a facsimile copy thereof, which shall be shown to all persons contacted, and to any police officer, deputy sheriff or license officer of the City upon the request of such officer. Such facsimile copies shall be nontransferable and shall at all times remain in the possession of the person to whom issued. Whenever any person to whom a facsimile copy has been issued ceases to act as a peddler or solicitor for or on behalf of the master solicitor licensee, notification shall be given to the City Clerk by the licensee and the facsimile copy issued to such person shall be surrendered to the licensee.

**Section 7.** Hours during which peddling is allowed. It is unlawful for any person to peddle or solicit, except during the following hours, without the specific prior consent of the prospective buyer:

between 10:00 a.m. and 8:00 p.m. or dusk (whichever is earlier) of any day.

**Section 8.** Unlawful to peddle or solicit on posted premises. It is unlawful for any peddler or solicitor to ring the bell, or knock on the door, or otherwise attempt to contact an occupant for the purpose of peddling or soliciting any residence or dwelling at which a sign bearing the words "No Peddlers or Solicitors" (or words of similar import indicating that peddlers or solicitors are not wanted on said premises) is painted, affixed, or otherwise exposed to public view; provided, that this section shall not apply to any peddler or solicitor who rings the bell, knocks on the door, or otherwise attempts to contact an occupant of such residence or dwelling at the invitation or with the consent of the occupant thereof.

**Section 9.** Exemptions. The following shall be exempt from the provisions of this Ordinance.

- A. Any instrumentality of the United States, State of Washington, or any political subdivision thereof, with respect to the exercise of governmental functions.
- B. Non-profit organizations, including but not limited to religious, civil, charitable, benevolent, non-profit, cultural or youth organizations. Activities of any non-profit organization must be reported to the City Clerk for notification purposes only.
- C. Farmers, gardeners, or other persons who deliver or peddle any agricultural, horticultural, or farm products which they have actually grown, harvested, or produced, provided that this exemption does not apply to the sale of firewood.
- D. Any persons selling or delivering door-to-door or on an established route, milk, or milk products, bakery goods, laundry, dry-cleaning services, or baby diapers.
- E. Newspaper carriers who deliver door-to-door on an established route(s).
- F. Any person who is specifically requested to call upon others for the purpose of displaying goods, literature, or giving information about any article, service, or product.
- G. Bona fide candidates, campaign workers, and political committees campaigning on behalf of candidates or on ballot issues and persons soliciting signatures of registered voters on petitions to be submitted to any governmental agency.

**Section 10. Penalties and Violations.** Any person found in violation of any of the provisions of this Ordinance shall be guilty of a misdemeanor.

- A. **Criminal Penalties.** Any person who fails to comply with the provisions of the article shall be guilty of a misdemeanor and upon conviction thereof, be punished as provided in RCW 9A.20.021(3). Any person violating or failing to comply with any of the provisions of this article may be punished by a fine of not more than \$250.00 or imprisoned for not more than ninety (90) days, or both, for each day or part of a day during which the unlawful or violation occurs. The person may also be ordered to discontinue the unlawful act or correct the violation.
- B. **Civil Penalties.** Any person who fails to comply with the provision of this article is, in addition to any criminal penalties, subject to a maximum civil penalty of \$500.00 for each day or portion of the day that the violation continues pursuant to RCW 7.80.
- C. **Other Legal Remedies.** Nothing in this Ordinance limits the right of the City to pursue other lawful, criminal, civil or equitable remedies to abate, discontinue, correct or discourage unlawful acts under or in violation of this article.

**Section 11. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase.

**Section 12. Repealer.** Upon the effective date of this Ordinance, Ordinance No. 96 shall be repealed in its entirety and shall have no further force or effect of law.

**Section 13. Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. The Ordinance shall take effect five days after publication.

PASSED by the City Council this 20th day of April, 2022.

Cris Kaminskas  
Mayor, Cris Kaminskas

ATTEST:

Kelsey Wright  
City Clerk, Kelsey Wright

APPROVED AS TO FORM:

Sean P. Boutz  
City Attorney, Sean P. Boutz

Date of Publication: 4/29/2022  
Effective Date: 5/4/2022