

ORDINANCE NO. 2007-6

AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 9, CHAPTER 1, SECTIONS 9-108 AND 9-110, ESTABLISHING REQUIREMENTS FOR EXHIBITION OF A PHOTO IDENTIFICATION BY PERMITTEES AND GROUNDS FOR REVOCATION OF PERMITS AND TO ADD A NEW SECTIONS 9-113 REGARDING APPROPRIATE HOURS OF SOLICITATION FOR PERMITTEES.

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SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That Title 9, Chapter 1, Section 9-108 is hereby amended by deleting said section in its entirety and substituting in lieu thereof the following:

**9-108. Exhibition of permit.** Each permittee under this Chapter shall wear outside their clothing a photo identification card issued by the Town Manager after approval of the application for permit at all times when any solicitation occurs within the Town. The photo identification shall always be worn by permittee in a visible manner to Town Citizens and any permittee shall exhibit and show the photo identification issued by the Town Manager to any police officer or citizen when requested.

SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That Title 9, Chapter 1, Section 9-110 is hereby amended by deleting said section in its entirety and substituting in lieu thereof the following:

**9-110 Revocation or suspension of permit.**

(1) Any permit issued under the provisions of this chapter may be revoked by the Town Manager subject to the opportunity for an immediate appeal with notice and an opportunity for a hearing before the Town Council within ten (10) days of any revocation. A permit may not be issued by the Town Manager if grounds for revocation exist following receipt of an application which would constitute grounds for revocation or suspension under this section. Immediate suspension and/or revocation may occur by the Town Manager and shall be approved by the Town Council for any of the following reasons:

(a) Fraud, misrepresentation, or any untruthful statement contained in the application for permit or made in the course of carrying on the business of solicitor, canvasser, peddler, transient merchant, itinerant merchant, or itinerant vendor.

- (b) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant, or itinerant vendor in an unlawful manner without exhibiting photo identification as required by this Chapter.
  - (c) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant, or itinerant vendor in an unlawful manner resulting in any disorderly conduct or breach of the peace within the Town or in any manner which constitutes a violation of any laws or ordinances of the Town or the State of Tennessee.
  - (d) Any other violation of this Chapter shall be grounds for suspension and/or revocation.
- (2) Immediate notice of any suspension and/or proposed revocation of a permit shall be given by the Town Manager in writing to any permittee, setting forth the grounds of complaint and the time and place of hearing before the Town Council. Such notice shall be mailed to the permittee at the address provided on the application as soon at least five (5) days prior to the date set for any hearing before the Town Council or it may be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for the hearing.
- (3) The Town Manager may suspend any permit issued under this Chapter pending the revocation hearing to be held by the Town Council when reasonably necessary in the public interest or after the failure of the applicant or permittee to attend any requested meeting.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That Title 9, Chapter 1, is further amended to add a new Section 9-113 entitled Hours of Permitted Solicitation Under this Chapter which shall state as follows:

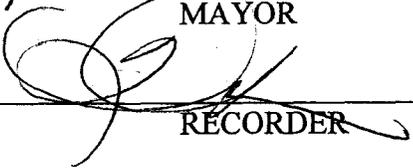
**9-113            Hours of Permitted Solicitation Under this Chapter.**

Any permittee under this Chapter shall not solicit for sale, enter in, or go on, or upon any premises of the any property owner within the Town except as provided in the Chapter. No permittee may enter in, or go on any premises which display a blue circular sticker or decal, supplied by the Town. Hours of permitted solicitation within the Town shall only occur by permittees during normal business hours from 9:00 am through 5:00 pm Monday through Friday. No permitted solicitation or sales may occur outside permitted hours and a copy of this Chapter shall be provided to all applicants for permits by the Town Manager.

SECTION 4. That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading 2-12, 2007.

Passed Second Reading 3-12, 2007.

  
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MAYOR  
  
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RECORDER

PAN/kac