

ORDINANCE NO. 2354 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 5, ARTICLE I BY ADDING A NEW SEC. 5-13 EXEMPTING CERTAIN FACILITIES AND ACTIVITIES FROM AMUSEMENT LICENSING REQUIREMENTS; AMENDING CHAPTER 21, ARTICLE I, BY AMENDING THE DEFINITION FOR "PEDDLER OR SOLICITOR" AND ADDING A NEW SEC. 21-28 EXEMPTING CERTAIN FACILITIES AND ACTIVITIES FROM SPECIAL REGULATORY LICENSING REQUIREMENTS; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code, Chapter 5, Article I is hereby amended by adding a new Sec. 5-13 to read as follows:

Sec. 5-13. Exempt Facilities and Activities.

Facilities and activities exempt under Chapter 21, Sec. 21-28 that would normally be licensed under this chapter are exempt from the requirements of this chapter except for those set forth in Article I, Secs. 5-8, 5-10 and 5-11; Article II, Division 3 and Article III.

Secs. ~~5-14~~ 5-14 – 5-25. Reserved.

SECTION 2. That Glendale City Code, Chapter 21, Article I, Sec. 21-1 (Definitions) is hereby amended to read as follows"

...

Peddler or solicitor: Any person who:

- (a) Travels by foot, wagon, motor vehicle or any other type of conveyance from place to place carrying or transporting goods, wares or merchandise of any nature and offering the same for sale; or
- (b) Sells or offers to sell goods, wares or merchandise of any nature from a wagon, motor vehicle, railroad car or other vehicle or conveyance; or

- (c) Travels by foot, wagon, motor vehicle or any other type of conveyance from place to place taking or attempting to take orders for the sale of goods, wares or merchandise of any nature for future delivery, or for any services to be furnished or performed immediately or in the future, regardless of whether such person carries or exposes for sale a sample of such goods, wares or merchandise or whether such person collects advance payments on such sales; or
- (d) For himself or herself or for another person hires, leases, uses or occupies any lot, building, structure, tent, railroad car, boat, hotel room, lodging house, apartment, shop or any other place within the city for the purpose of conducting a temporary or transient business of retail sales.

Any person conducting activities otherwise deemed to be those of a peddler or solicitor only under the following circumstances shall not be deemed to be a peddler or solicitor for purposes of this chapter:

- (a) Persons acting solely on behalf of a governmental entity or a non-profit entity which has tax-exempt status under section 501(c)(3) of the Internal Revenue Code, as amended; or
- (b) Persons who are participants at an open-air market or park-and-swap operation licensed under article V of this chapter; **OR**
- (C) **PERSONS WHO HAVE MET THE REQUIRMENTS OF SECTION 7.503, (SEASONAL SALES AND SPECIAL EVENTS) OF THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA.**

SECTION 3. That Glendale City Code, Chapter 21, Article I is hereby amended by adding a new Sec. 21-28 to read as follows:

Sec. 21-28. Exempt facilities and activities.

- (a) Facilities and the activities held at facilities owned by city, county, state or federal governments or quasi-governmental agencies that would normally be licensed under this chapter are exempt from the requirements of articles I and V of this chapter. This exemption does not apply to city parks.
- (b) Activities sponsored by non-profit organizations that would normally be licensed under this chapter are exempt from the requirements of articles I and V of this chapter.
- (c) Any person or entity that holds an event exempt under this section is required to comply with the provisions of article II of this chapter and chapter 21.1, the model city privilege tax code.

Secs. 21-~~28~~29 – 21-40. Reserved.

SECTION 4. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

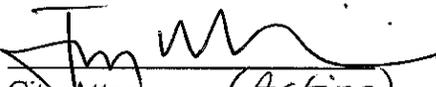
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 25th day of November, 2003.


MAYOR

ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney (Acting)

REVIEWED BY:


City Manager