

AN ORDINANCE LICENSING AND REGULATION MERCHANT POLICE AND THOSE IN BUSINESS AS MERCHANT POLICEMEN, REQUIRING REGISTRATION OF WATCHMEN AND GUARDS AND REGULATING UNIFORMS FOR MERCHANT POLICEMEN; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, DECLARING AN EMERGENCY AND REPEALING ANY ORDINANCES IN CONFLICT HEREWITH.

ORDINANCE BILL NO. 2  
for 1956  
ORDINANCE NO. 927

WHEREAS, the Common Council of the City of Lebanon believes the Character and responsibility of those engaged in the business of watching, guarding and protecting the property of others should be investigated and regulated, and

WHEREAS, regulation, investigation and supervision of those engaged in the merchant police business can best be achieved through licensing by the City of Lebanon, now, therefore,

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. DEFINITION OF MERCHANT POLICE. The Term "Merchant Police" means any person, firm or corporation engaged in the business of watching, guarding or protecting any premises, property or persons; provided, however, that the terms shall not include any individual who has only one employer, and who is employed to watch, guard or protect only the premises, property or person of that employer, or any common carrier engaged in interstate commerce, or any individual employed by any such carrier or carriers to watch, guard or protect premises, property or persons for such carriers.

Section 2. It shall be unlawful for any person, firm or corporation to own or operate a merchant police business, or engage in business as a merchant policeman, except as provided in and authorized by this ordinance, and without first having obtained a license from the City of Lebanon.

Section 3. Before any license is issued pursuant to this ordinance, the applicant shall submit to the City Recorder a written application for the license, which application shall include the following information;

(a) An Affidavit signed and sworn to before a Notary Public, setting out the full name, age, residence, present occupation and occupations for the preceding five years of said applicant shall be submitted by any such person proposing to engage in the business of merchant policeman. Said Affidavit shall be referred to the Chief of Police for investigation and shall show facts



sufficient to prove to the satisfaction of the Chief of Police the good character, competency and integrity of each such affiant, and shall list any previous arrests or convictions of or for a crime.

(b) Each Affidavit shall be supported by statements in writing from not less than two reputable citizens, each of whom shall certify that he has personally known the affiant for a period of at least five years prior to the filing of the aforesaid Affidavit, and that he believes the affiant is competent, honest and of good character, and that he would recommend to the City Council that the affiant is suitable to engage in a merchant police business.

Section 4. If the Chief of Police shall find after investigation that the character, competency and integrity of the applicant are such as to command the confidence of the public, that all other requirements have been met, he shall thereupon submit a written report to the Common Council of the City of Lebanon and recommend that the license be issued or denied.

Section 5. The license shall be issued by the Common Council of the City of Lebanon through the City Recorder, who shall only issue said license upon motion made and passed by the Common Council. If the Common Council authorizes and directs the issuing of said license, the applicant shall thereupon pay unto the City Recorder the annual license fee, as hereinafter set forth.

Section 6. The annual license fees for merchant police businesses and those in business as merchant policemen shall be as follows:

- (a) Merchant Police Businesses who participate in watching, protecting or guarding activities, \$10.00 per year.

Section 7. The licensee, or applicant, shall before receiving the license furnish a good and sufficient surety bond in the sum of \$ 1,000.<sup>00</sup>, conditioned on the faithful performance and honest conduct of himself and his employees, who will be engaged in watching, guarding or protective undertakings of the person, firm or corporation licensed hereunder. Such bonds shall be payable to the City of Lebanon, and/or any other affected person, business or corporation, and shall guarantee the payment of any judgment secured against said licensee for his negligence, default or breach of conduct in the performance



of his duties authorized by said license, up to the sum of \$ 1,000.00.

Section 8. If, at any time, the activities of said licensee or employees shall be such that the best interests of the citizens of Lebanon are not fully protected, then upon recommendation of the Chief of Police, the Common Council of the City of Lebanon may revoke the license granted hereunder. It shall be the duty of the Chief of Police to make periodic investigations of the activities of any licensee hereunder, and to ascertain any and all information which may be of benefit to the Common Council in determining whether or not said license should be continued in force and effect.

Section 9. The Common Council may issue and promulgate from time to time rules and regulations to protect the health, safety and peace of the citizens of Lebanon in relation to the Merchant Police Business. Such rules may require reports to be furnished to the Chief of Police concerning the licensee and those employed by said licensee.

Section 10. Any individual who has only one employer and who is employed to watch, guard or protect the premises, property or person of that employer shall register with the Chief of Police and carry identification furnished by the Chief of Police while on duty. The City of Lebanon shall require a reasonable deposit on all identification and badges furnished such registrants.

Section 11. It shall be unlawful for any merchant policeman, guard or other licensee regulated by this ordinance and not a member of the police or fire department to wear a uniform, cap, badge, or buttons similar to or in imitation of the official uniform, cap, badge, or buttons at the time in use by the members of the police and fire departments. Any person, firm or corporation desiring to provide merchant police, watchmen, guards or other licensees regulated by this ordinance shall use no distinctive uniform cap, badge, or buttons, to be worn by such persons or employee thereof until the form, design and color thereof shall have been first submitted to and approved by the Chief of Police.

Section 12. In addition to the suspension or revocation of any license issued hereunder, or the rescission by the Common Council of approval of any person whose name appears on the application for license, any person, firm or corporation who violates any provisions of this ordinance or any rule or




regulation lawfully promulgated in accordance with this ordinance shall, upon conviction, be fined in the amount not to exceed \$200.00 or imprisoned not to exceed 20 days, or both so fined and imprisoned.

Section 13. Any merchant policeman or merchant police business now operating or doing business within the corporate limits of the City of Lebanon shall have twenty (20) days within which to comply with this ordinance.

Section 14. Inasmuch as there is a merchant policeman operating within the city limits of the City of Lebanon at this time and there is no Ordinance regulating the licensing or conduct of merchant policeman, or merchant police business, it is hereby declared that conditions are such that this Ordinance is necessary for the immediate preservation of the peace, health and safety of the citizens of the City of Lebanon, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately after its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor on this 3rd day of January, 1956.

  
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Mayor

ATTEST:

  
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City Recorder