

AN ORDINANCE LICENSING AND REGULATING MERCHANT)
POLICE AND THOSE IN BUSINESS AS MERCHANT POLICEMEN;)
REQUIRING REGISTRATION OF WATCHMEN AND GUARDS;)
REGULATING UNIFORMS FOR MERCHANT POLICEMEN;)
PROVIDING PENALTIES FOR THE VIOLATION OF THIS)
ORDINANCE; DECLARING AN EMERGENCY; AND REPEALING)
ORDINANCES NO. 927 and 1423.)

ORDINACE BILL NO. 46
for 1980

ORDINANCE NO. 1812

THE CITY OF LEBANON ORDAINS 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 term 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. License Required. 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. Application. Before any license is issued pursuant to this ordinance, the applicant shall submit to the City Administrator or his designate, a written application for the license, which application shall include the following information:

(1) 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 (5) 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 all previous criminal convictions.

(2) 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.

(3) The license may be denied if the Chief of Police finds that:

- (a) The applicant is under 21 years of age;
- (b) The applicant has been convicted of a crime involving any of the following: assault, disorderly conduct, theft, fraud, illegal gambling, narcotics, sex violations, civil disorder, liquor law violations, or crimes related to dangerous weapons.
- (c) The applicant has presented any false or misleading information in relation to his application for the license.

Section 4. License Fees. The annual license fees for merchant police business and those in business as merchant policemen shall be Ten Dollars (\$10.00) per fiscal year or part thereof, and shall expire on the 30th day of June of each fiscal year.

Section 5. Bond Required. The licensee, or applicant, shall, before receiving the license, furnish a good and sufficient surety bond in the sum of \$1,000.00, 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 6. Revocation of License. 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 City Administrator 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 City Administrator in determining whether or not said license should be continued in force and effect.

Section 7. Identification. 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 8. Uniforms to be Approved. 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 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 9. Penalty. A violation of this ordinance shall constitute a Class C misdemeanor and shall be punished as provided by ORS 161.545 through 161.685.

Section 10. Repeal. Ordinances No. 927 and 1423 are hereby repealed.