

Deputy City Clerk's Office
333 S. Washington Street, PO Box 526
Redwood Falls, MN 56283
507-616-7400
Email: ckodet@ci.redwood-falls.mn.us

Procedure to Apply for a Peddlers and Transient Merchants License or Solicitors Certificate of Registration

Peddler Applicants:

- 1. Complete *Peddlers/Transient Merchants/Solicitors Application*.
- 2. Complete *Background Check Form(s)*. (Background Check must be completed for each person going door to door. This form may be copied as needed.)
- 3. Remit \$100 for Daily License or \$175 for Annual License payable to the City of Redwood Falls. (Daily License is valid only during the time period indicated on license and shall not exceed thirty (30) consecutive days with exception of weekends. Annual License is valid for one (1) calendar year from the date of issuance.)
- 4. Remit \$75 payable to the City of Redwood Falls for each Background Check.

Transient Merchant Applicants:

- 1. Complete *Peddlers/Transient Merchants/Solicitors Application*.
- 2. Provide copy of Redwood County Auditor/Treasurer Transient Merchant License.
- 3. Provide Bond pursuant to Minnesota Statute § 329.11. Bond cannot be a bond issued by company that is applying for license.
- 4. Complete *Background Check Form(s)*. (If more than one person conducting the sales event, a Background Check must be completed for each person. This form may be copied as needed.)
- 5. Remit \$100 for Daily License or \$175 for Annual License payable to the City of Redwood Falls. (Daily License is valid only during the time period indicated on license and shall not exceed thirty (30) consecutive days with exception of weekends. Annual License is valid for one (1) calendar year from the date of issuance.)
- 6. Remit \$75 payable to the City of Redwood Falls for each Background Check.

Solicitor Applicants:

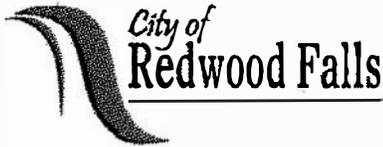
- 1. Complete *Peddlers/Transient Merchants/Solicitors Application*.
- 2. No fee(s) required.

The materials with a box in the left margin should be returned to:

Caitlin Kodet, Deputy City Clerk City
of Redwood Falls
333 S. Washington St., PO Box 526
Redwood Falls MN 56283

Upon receiving all the completed and required materials, applicable fees and completion of successful background check(s), the City of Redwood Falls will issue you the appropriate license/certificate of registration that must be conspicuously posted or carried with you during your sales event.

Enclosures: Peddlers/Transient Merchants/Solicitors Application
Background Check Form (Included with Peddler/Transient Merchant Applications)
City Code §6.24 - Peddlers, Solicitors and Transient Merchants



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Peddlers/Transient Merchants/Solicitors Application

License/Certificate of Registration Applying for:

- Peddler:** A person who offers merchandise or services for sale door-to-door. Delivery and payment occur immediately. *(Registration, Background Check(s) and Fees required; License will be issued if approved.)*
- Transient Merchant:** A person who temporarily sets up business out of any building, structure, motor vehicle, trailer, tent, or other place within the City for the purpose of selling and delivering goods. *(Registration, Background Check(s), County License, Bond and Fees required; License will be issued if approved.)*
- A copy of a valid license from the Redwood County Auditor/Treasurer and Bond is attached to this application.
- Solicitor:** A person who goes door-to-door, who obtains orders for merchandise or services for future delivery. *(Registration required; No Fees; a Certificate of Registration will be issued if approved.)*

Applying for Daily or Annual License:

- \$100 Daily License + \$75 per Background Check(s) Fee** **\$175 Annual License + \$75 per Background Check(s) Fee**
 (Daily License = valid only during the time period indicated on license and shall not exceed thirty (30) consecutive days with the exception of weekends.
 Annual License = valid for one (1) calendar year from the date of issuance.)

APPLICANT INFORMATION:				
Applicant's Full Legal Name (First, Middle, Last):		Height:	Weight:	Date of Birth:
Any and all other names under which Applicant has or does conduct business:				
Home Phone No.:	Cell Phone No.:	Fax No.:	Driver's License# or other form of ID:	State D.L. Issued In:
Permanent Home Address:			<input type="checkbox"/> 2" x 2" Recent photograph of Applicant showing head and shoulders is attached.	
Local Address of Applicant (if applicable):			Email Address:	
BUSINESS INFORMATION:				
Business Name:			Business Address:	
Redwood Falls Location of Event:			Date(s) of Event:	
DESCRIPTION OF BUSINESS AND GOODS TO BE SOLD:				
ITEMIZED LIST OF MERCHANDISE: (ATTACH ADDITIONAL SHEETS, IF NECESSARY):				
DESCRIPTION:	MODEL # OR SERIAL #:	OWNER'S COST OF ITEMS:	SALE ID #:	
NAME AND ADDRESS OF EMPLOYER, PRINCIPAL OR SUPPLIER OF APPLICANT, TOGETHER WITH CREDENTIALS THEREFROM ESTABLISHING THE EXACT RELATIONSHIP:				
Name:			Address:	
Credentials:			Phone No.:	



Release of Information & Background Check Informed Consent for License or Permit

Type of License or Permit Email Address

Printed Name (First, Middle, Last, Maiden,) Telephone Number

Other Names Known by Within the Last Ten (10) Years

Social Security Number Date of Birth Driver's License # Class Issuing State

Current Address (Street, City, State and Zip Code)

Previous Addresses within the Last Ten (10) Years (Street, City, State and Zip Code)

I recognize that any license or permit issued to me by the City of Redwood Falls is conditional upon my successfully passing reference and/or background screenings. I understand that the City of Redwood Falls shall conduct background checks thoroughly and within the confines of all applicable State and Federal laws.

I hereby voluntarily consent to and authorize the City of Redwood Falls, or its agents, designees, or authorized representative(s) bearing this release or copy thereof, in connection with my application for license or permit with the City of Redwood Falls, to obtain the following background information for licensure or permitting purposes including: **Criminal History Records; Motor Vehicle and Driver's License Records; Certification of Licensing; Educational Credentials; Employment Eligibility (Social Security Number verification) Employment Checks; Reference Checks; Predatory Offender Checks; Credit Checks; and all other public records that may be found.**

I realize I am not legally required to sign this form, but if I do not, the City of Redwood Falls will not be able to determine whether my conviction record or other background information is directly related to the occupation or license sought by me. In the event the City of Redwood Falls determines my conviction record or other background information is directly related to the occupation or license sought by me, I will be notified in writing and will be given any rights to processing of complaints or grievances afforded by Minnesota Statute Chapter 364. I understand that all information collected and prepared by the City of Redwood Falls through this background check process may be released only pursuant to the statutory provisions of Minnesota Statute Chapter 13.

I also authorize investigation of any information contained in my application for licensure or permit and/or supplemental materials I have submitted in consideration for licensure or permit. I hereby authorize all persons who may have information relevant to this search to disclose such information to the City of Redwood Falls, or its agents, designees, or authorized representative(s) and I hereby release all persons, entities, and the City of Redwood Falls from all claims or liabilities that might arise from the inquiry into or disclosure of such information, including claims under any Federal, State or Local Civil Rights Law and any claims for defamation or invasion of privacy on account of a true and accurate disclosure. I hereby further authorize that a photocopy of this authorization be considered as valid as the original.

The expiration of this authorization shall be for a period of no longer than one year from the date of my signature.

Signature of Applicant

Date

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____ by _____

Notary Public

My Commission Expires on _____



Exhibit 7-2

**DATA PRACTICES ADVISORY
(Tennessen Warning – Permits and Licenses)**

You are being asked to answer questions and provide information pursuant to the license and application process that is required by Minnesota State law and/or Redwood Falls City Code. The purpose and intended use of the requested data is to verify that applicants meet the requirements of the State statutes and City code provisions and, if the license or permit is approved, to verify that all required data remains current.

Some of the information you provide on this application is considered private data under the Minnesota Government Data Practices Act (the “Act”). This information will be used by the City and its agents involved in the review of this application. You are not required by State law or City Code to answer questions or provide the information requested. However, a refusal to answer questions or provide the information requested will prevent the City from processing the permit or license for which you are applying.

The following data collected, created, or maintained is classified under the Act as public data once a license has been approved (Minn. Stat. § 13.41, subd. 5):

1. Data submitted by applicants (including name, email, telephone numbers, and addresses).
2. Orders for hearing, findings of fact, conclusions of law, and specification of any final disciplinary action.
3. Entire record concerning any disciplinary proceeding.
4. License numbers and status.

The following data collected, created, or maintained is classified under the Act as private and/or confidential data (Minn. Stat. § 13.41, subd. 2; Minn. Stat. § 13.37, subd. 1):

1. Active investigative data relating to complaints against any license.
2. The identity of complainants who have made reports concerning licenses or applicants which appear in inactive complaint data unless the complainant consents to disclosure.
3. The information related to unsubstantiated complaints when it is not maintained in anticipation of legal action.
4. Inactive investigative data relating to violations of statutes or rules.
5. Record of disciplinary proceedings, except as limited by the provisions above.
6. Trade secrets, as defined under Minnesota law.
7. Sensitive security and safety information.

The City of Redwood Falls may make any private or confidential data accessible to an appropriate person or agency if the City determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

Certification: I have read and certify the information in this application is true and correct. I further understand that the giving of false information in this form and/or the failure to give requested information may be cause for immediate revocation of any and all licenses and/or permits issued hereunder. I understand the above information regarding my rights as a subject of government data and applicant for a license or permit from the City of Redwood Falls.

Note: Proper signature is required. If a corporation owns this establishment, an officer of the corporation must sign below; if a partnership, the managing partner; if an individual, the owner.

Date

Signature

Print Title

Print Name

Establishment Name (DBA) or Trade Name



Chapter 6: Other Business Regulation and Licensing / Chapter 6: Other Business Regulation and Licensing / Specific Businesses / §6.24 Peddlers, Solicitors and Transient Merchants.

§ 6.24 PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS.

Subd. 1. *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. The term "non-commercial door-to-door advocate" means a person who goes door-to-door for the primary purpose of disseminating religious, political, social, or other ideological beliefs. For purpose of this section, the term "door-to-door advocate" includes door-to-door canvassing and pamphleteering intended for non-commercial purposes.

B. The term "peddler" means a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement, for the purpose of offering for sale, displaying for exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personal property that the person is carrying or otherwise transporting. It does not include vendors who, at a customer's request, distribute their products to regular customers on established routes.

C. The term "regular business day" means any day during which City Hall is normally open for the purpose of conducting public business. Holidays defined by state law shall not be considered regular business days.

D. The term "solicitor" means a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above or whether or not he or she is collecting advance payments on the orders.

E. The term "transient merchant" means a person, firm or corporation, whether as owner, agent, consignee or employee, who engages in temporary business of selling and delivering goods, wares and merchandise within the city, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, trailer, tent, railroad boxcar, boat, public room in hotels, lodging houses, apartments, shops or any street, alley or other place within the city for the exhibition and sale of the goods, wares and merchandise, either privately or at public auction. Any person, firm or corporation that is so engaged is relieved from complying with the provisions of this section merely by reason of associating temporarily with any local dealer, trader or merchant, or by conducting the transient business in connection with, as a part of, or in the name of any local dealer, trader or merchant. Any local merchant allowing such a transient merchant to temporarily associate with him or her shall become liable for the actions of the transient merchant on an agency theory.

Subd 2. *Exceptions to Definitions.* For the purpose of this section, the terms "peddler", "solicitor", and "transient merchant" shall not apply to:

A. Any person engaging in non-commercial door-to-door advocacy shall not be required to register under Subd. 7. Nothing within this section shall be interpreted to prohibit or restrict non-commercial door-to-door advocates.

B. Any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a retail seller of the items being sold by the wholesaler.

C. Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of any goods, wares, products, merchandise, or perishable food and dairy products.

D. Any person making deliveries of goods, wares, products, merchandise, or perishable food and dairy products to the customers on his or her established delivery route.

E. Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.

F. Any person or organization going door-to-door for charitable and/or fundraising purposes.

G. Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales.

H. Any person participating in an organized multi-person bazaar or flea market.

I. Any person conducting an auction as a properly licensed auctioneer.

J. Any person selling personally produced farm or garden products so long as they obtain permission from the owner of the premises upon which the seller intends to sell.

K. Any officer of the court conducting a court-ordered sale.

L. Any sale governed by Minnesota Statute, as amended from time to time. Exceptions from these definitions shall not, for the scope of this section, excuse any person from complying with any other applicable statutory provision or requirement provided by another city ordinance.

Subd. 3. **Licensing.**

A. *County License Required.* No person shall conduct business as a transient merchant within the city limits without first having obtained the appropriate license from the county as may be required by M.S. § 329, as it may be amended from time to time.

B. *City License Required.* Except as otherwise provided for by this section, no person shall conduct business within this jurisdiction as a peddler or a transient merchant without first obtaining a city license. Solicitors need not be licensed, but are required to register with the city pursuant to Subd. 7 of this section.

C. *Application.* An application for a city license to conduct business as a peddler or transient merchant shall be made at least 15 regular business days before the applicant desires to begin conducting a business operation within the city. Applicants under this section shall file with the City Administrator a sworn application in writing on a form to be furnished by the City Administrator. All applications shall be signed by the applicant. All applications shall include the following information:

1. The applicant's full legal name.
2. Any and all other names under which the applicant has or does conduct business, or to which the applicant will officially answer.
3. A physical description, phone number, date of birth and driver's license number of applicant or other acceptable form of identification.
4. Permanent home address and local address (if applicable) of the applicant and, in the case of transient merchants, the address from which proposed sales will be made.

5. A brief description of the nature of the business and the goods to be sold which shall include an itemized list of the merchandise for sale with the description, model number or serial number (if available), the owner's actual cost of each item and a designation by number corresponding with a number to be affixed to each item by a visible tag.

6. The name and address of the employer, principal or supplier of the applicant, together with credentials therefrom establishing the exact relationship.

7. Whether the applicant is applying for an annual or daily license:

a. An annual license granted under this section shall be valid for one calendar year from the date of issuance.

b. A daily license granted under this section shall be valid only during the time period indicated on the license and shall not exceed 30 consecutive days of conducting business within the city with the exception of weekends.

8. The source of supply of the goods or property proposed to be sold or orders taken for the sale thereof, where the goods or products are located at the time the application is filed, and the proposed method of delivery.

9. A recent photograph of the applicant which picture shall be approximately two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner.

10. The names, addresses and phone numbers of at least two references who will certify as to the applicant's good character and business respectability, or, in lieu of the names of references, such other available evidence as to the good character and business respectability of the applicant as will enable an investigator to properly evaluate the character and business respectability.

11. The license number(s) and description of the vehicle(s) transporting applicants and their goods.

12. A statement as to whether or not the applicant has been convicted within the past five years of the date of application of any federal or state statute or regulation, or of any local ordinance, other than traffic violations, the nature of the offense and the punishment or penalty assessed therefor.

13. The last municipalities, not to exceed three, where applicant carried on business immediately preceding the date of application and the addresses from which the business was conducted in those municipalities.

14. A copy of a valid license concerning the intended activities of the transient merchant applicant from the County Treasurer.

D. *Bond Requirement.* No license under this section shall be issued for a transient merchant unless and until the applicant filed with the City Administrator a bond, the maximum amount of which is permitted pursuant to M.S. § 329.11, as it may be amended from time to time, with sufficient sureties, and in favor of the city, but for the benefit of any residents who may sustain individual loss by means of fraud, artifice, trick or other means of theft practiced by the licensee on the resident. Provided, however, that, certificate evidencing the bond coverage and the availability of the penalty for the uses and purposes herein expressed, shall be sufficient to satisfy this subdivision without a separate bond, in order that the applicant might be spared the necessity for duplicate bonding. Applicants shall provide evidence of when the bond expires.

E. *Fee.* All applications for a license under this section shall be accompanied by the fee established in the city fee schedule, as it may be amended from time to time.

F. *Review of Application.* Once the application is completed in full and filed with the City Administrator, the City Administrator shall stamp and date a copy of the application as officially being received. After the application has been officially received by the City Administrator, the city shall conduct an investigation of the applicant as follows:

1. Upon receipt of the application, the application shall be referred to the City Attorney who shall cause an investigation of the applicant and its employees' criminal and business character to be made as he or she deems necessary for the protection of the public.

2. If, as a result of the investigation of the applicant or his or her employees' criminal record, character or business respectability is found to be unsatisfactory, the City Attorney shall endorse on the application his or her reasons for the disapproval of the application and return the application to the City Administrator who shall send a copy to applicant.

3. If, as a result of the investigation of the applicant or his or her employees' criminal record, character or business respectability is found to be satisfactory, the City Attorney shall endorse on the application his or her approval and return the application to the City Administrator.

4. After the investigation is complete, the City Administrator shall then cause the application to be approved or disapproved.

G. *License.* If the application is approved by the City Administrator, the City Administrator shall issue a license upon receipt of the license fee, copy of the bond and county license if required, and any other additional information as requested.

Subd 4. *License or Certificate of Registration Ineligibility.* The following shall be grounds for denying a peddler or transient merchant a license and a solicitor a certificate of registration:

A. The failure of a transient merchant applicant to obtain and demonstrate proof of having obtained a county license and bond.

B. The failure of an applicant to truthfully provide any information requested by the city as part of the application process.

C. The failure of an applicant to sign the application.

D. The failure of an applicant to pay the required fee, if applicable, at the time of application.

E. A conviction within the past five years of the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, other than traffic violations, which adversely reflects upon the person's ability to conduct the business for which the license or certificate of registration is being sought in a professional, honest and legal manner. Such violations shall include, but are not limited to: burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.

F. A revocation or suspension within the past five years of any license or registration issued to an applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.

G. *A bad business reputation.* Evidence of a bad business reputation shall include, but is not limited to, the existence of more than three complaints against an applicant with the Better Business Bureau, the Office of the Minnesota Attorney General or other state attorney general's office, or other similar business or consumer rights' office or agency, within the preceding 12 months, or three complaints filed with the city against an applicant within the preceding five years.

Subd. 5. *Revocation or Suspension.*

A. *Generally.* Licenses or certificates of registration issued under the provisions of this section may be revoked or suspended by the City Administrator for any of the following causes:

1. Fraud, misrepresentation or incorrect statement contained in the application.

2. Fraud, misrepresentation or incorrect statement made in the course of carrying on his or her business as peddler, solicitor or transient merchant.

3. Subsequent conviction of any offense to which the granting of the license or certificate of registration could have been denied under Subd. 4.

4. Engaging in any prohibited activity as provided under Subd. 8 of this section.

5. Violation of any other provision of this section.

B. *Multiple persons under one license.* The revocation or suspension of any license issued for the purpose of authorizing multiple persons to conduct business as peddlers or transient merchants on behalf of the licensee shall serve as a revocation or suspension of each authorized person's authority to conduct business as a peddler or transient merchant on behalf of the licensee whose license is revoked or suspended.

C. *Notice.* Prior to revoking or suspending any license or certificate of registration issued under this section, the city shall provide a license or registration holder with written notice of the alleged violations and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the application, or if no residential address is listed, to the business address provided on the application.

D. *Appeal.* Any person aggrieved by the action of the City Administrator in the revocation or suspension of a license or certificate of registration as provided in this section, may appeal to the City Council. Upon receiving the notice provided in Subd. 5.C. of this section, the licensee shall have the right to request a public hearing. If no written request for a hearing is received by the City Administrator within ten days following the service of the notice, the city may proceed with the revocation or suspension. For the purpose of a mailed notice, service shall be considered complete as of the date the notice is placed in the mail. If a public hearing is requested by the licensee within the stated time frame, Council shall set a time and place for a hearing on the appeal and notice of the hearing shall be given to the licensee five days prior to the date of the hearing. The request for a public hearing must be in writing and must contain the grounds for the appeal. Within three regular business days of the hearing, the City Council shall notify the licensee of its decision.

E. *Emergency.* If, in the discretion of the City Administrator, imminent harm to the health or safety of the public may occur because of the actions of a peddler, transient merchant, or solicitor licensed or registered under this section, the City Administrator may immediately suspend the person's license or certificate of registration and provide notice of the right to hold a subsequent public hearing as prescribed in Subd. 5.C. of this section.

F. *Re-application.* No licensee whose license or certificate of registration has been revoked or suspended shall make further application until one year has elapsed since the last previous revocation or suspension.

Subd. 6. *License Transferability.* No license or certificate of registration issued under this section shall be transferred to any person other than the person to whom the license or certificate of registration was issued.

Subd. 7. *Registration.* All solicitors shall be required to register with the city prior to engaging in those activities. Registration shall be made on the same form required for a license application, but no fee shall be required. Upon approval of the registration application, the City Administrator shall issue to the registrant a certificate of registration as proof of the registration. Certificates of registration shall be non-transferrable.

Subd. 8. *Prohibited Activities.* No peddler, solicitor, transient merchant, noncommercial door-to-door advocate, or other person engaged in other similar activities shall conduct business in any of the following manner:

A. Calling attention to his or her business or the items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise, so as to be unreasonably audible within an enclosed structure.

B. Obstructing the free flow of traffic, either vehicular or pedestrian, on any street, sidewalk, alleyway, or other public right-of-way. No licensee or registration holder shall have any exclusive right to any location

thereon, nor shall any be permitted to operate in a congested area where the operation might impede or inconvenience the public use of the streets.

1. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced.

C. Conducting business in a way as to create a threat to the health, safety, and welfare of any specific individual or the general public.

D. Conducting business before 9 a.m. or after 8 p.m.

E. Failing to provide proof of license, registration or identification when requested.

F. Using the license or registration of another person.

G. Alleging false or misleading statements about the products or services being sold, including untrue statements of endorsement. No peddler, solicitor, non-commercial door-to-door advocate or transient merchant shall claim to have the endorsement of the city solely based on the city having issued a license or certificate of registration to that person.

H. Remaining on the property of another when requested to leave.

I. Otherwise operating their business in any manner that a reasonable person would find obscene, threatening, intimidating or abusive.

Subd. 9. *Exclusion by Placard.*

A. Unless specifically invited by the property owner or tenant, no peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in other similar activities shall enter onto the property of another for the purpose of conducting business as a peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or similar activity when the property is marked with a sign or placard stating:

1. "No Peddlers, Solicitors or Transient Merchants"
2. "Peddlers, Solicitors, and Transient Merchants Prohibited"
3. Any other comparable statement.

B. No person other than the property owner or tenant shall remove, deface, or otherwise tamper with any sign or placard under this section.

Subd. 10. *Penalty.* Any person found in violation of any provision of this section, shall be guilty of a misdemeanor level offense.

Subd. 11. *Severability.* If any provision of this section is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

(Am. Ord. 27, Fourth Series, passed 10-2-2012; Am. Ord. 48, Fourth Series, passed 10-6-2015)