

**ORDINANCE BILL NO. 2 FOR 2026**

**ORDINANCE NO. \_\_**

**AN ORDINANCE REPEALING SWEET HOME MUNICIPAL CODE (SHMC) 5.08 BICYCLE DEALERS & AMENDING SHMC 5.24 SOCIAL GAMES, SHMC 5.28 TAXICABS & SHMC 5.32 SECONDHAND DEALERS**

**WHEREAS**, the City of Sweet Home desires to reduce regulations and provide timely guidance through its Municipal Code where possible; and

**WHEREAS**, the City staff determined that there are existing code provisions that are no longer necessary or require changes due to current local, state, and national conditions;

**NOW, THEREFORE, THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:**

Section 1. SHMC Chapter 5.08 Bicycle Dealers is hereby repealed in its entirety.

Section 2. SHMC Chapter 5.24 Social Games is hereby amended as follows:

**CHAPTER 5.24 SOCIAL GAMES**

5.24.010 PURPOSE

5.24.020 AUTHORIZATION

5.24.030 PROHIBITED CONDUCT

5.24.040 ADMINISTRATIVE PERMIT

5.24.050 ENFORCEMENT

**5.24.010 PURPOSE**

The purpose of this Chapter is to allow lawful social games consistent with Oregon law.

**5.24.020 AUTHORIZATION**

Social games may be conducted within the City in accordance with state law, as currently enacted or hereafter amended.

**5.24.030 PROHIBITED CONDUCT**

No person shall conduct or allow a social game that includes:

- A. A house player, house bank, or house odds;
- B. A house income, fee, percentage, or other profit from operations of the game; or
- C. Participation by any person under 18 years of age.

**5.24.040 ADMINISTRATIVE PERMIT**

The City Manager or designee may require an administrative permit for organized or recurring social gaming events in a private business, private club, or place of public

accommodation. The permit process, if used, shall be limited to information reasonably necessary to determine compliance with this chapter and Oregon law.

#### **5.24.050 ENFORCEMENT**

Violation of this Chapter constitutes a civil violation and may be enforced under Chapter 9.36. Any permit issued under this Chapter may be suspended or revoked administratively for noncompliance, subject to appeal to the City Council.

Section 3. SHMC Chapter 5.28 Taxicabs is hereby renamed For-Hire Transportation and amended as follows:

### **CHAPTER 5.28 FOR-HIRE TRANSPORTATION SERVICES**

5.28.010 PURPOSE

5.28.020 DEFINITIONS

5.28.030 APPLICABILITY

5.28.040 COMPLIANCE WITH STATE LAW

5.28.050 LOCAL LICENSING

5.28.060 INSURANCE

5.28.070 PROHIBITED CONDUCT

5.28.080 ENFORCEMENT

5.28.090 RATES

5.28.100 SEVERABILITY

#### **5.28.010 PURPOSE**

The purpose of this chapter is to establish minimal standards to protect public health and safety while allowing flexible and efficient operation of for-hire transportation services within the City.

#### **5.28.020 DEFINITIONS**

“For-hire transportation service” means the transportation of passengers for compensation within the City, including taxicabs, limousines, shuttle services, and transportation network companies.

“Transportation network company” or “TNC” means a company that uses a digital platform to connect passengers with drivers who provide transportation services.

#### **5.28.030 APPLICABILITY**

This chapter applies to all for-hire transportation services operating within the City, except where preempted by state or federal law.

#### **5.28.040 COMPLIANCE WITH STATE LAW**

Operators shall comply with all applicable provisions of Oregon law related to insurance, driver eligibility, and vehicle safety.

#### **5.28.050 LOCAL LICENSING**

No City-issued license or permit shall be required to operate a for-hire transportation service within the City, unless otherwise required by state or federal law.

#### **5.28.060 INSURANCE**

Operators shall maintain insurance coverage consistent with applicable Oregon law. Proof of insurance shall be provided upon reasonable request related to an investigation or enforcement action.

#### **5.28.070 PROHIBITED CONDUCT**

Operators shall not:

- A. Refuse service in violation of applicable nondiscrimination laws;
- B. Operate unsafe vehicles; or
- C. Engage in conduct that endangers public safety.

#### **5.28.080 ENFORCEMENT**

This Chapter shall be enforced on a complaint basis or in response to observed violations affecting public safety, with an emphasis on voluntary compliance.

#### **5.28.090 RATES**

The City shall not regulate fares or pricing for for-hire transportation services.

#### **5.28.100 SEVERABILITY**

If any provision of this chapter is held invalid, such invalidity shall not affect the remaining provisions.

Section 4. SHMC 5.32 Secondhand Dealers is hereby amended as follows:

### **CHAPTER 5.32 SECONDHAND DEALERS**

5.32.010 PURPOSE

5.32.020 DEFINITIONS

5.32.030 APPLICABILITY

5.32.040 COMPLIANCE WITH STATE LAW

5.32.050 TRANSACTION RECORDS

5.32.060 HOLDING PERIOD

5.32.070 INSPECTION BY LAW ENFORCEMENT

#### 5.32.080 PROHIBITED CONDUCT AND REQUIRED RECORDS

#### 5.32.090 LICENSING

#### 5.32.100 ENFORCEMENT

#### 5.32.110 SEVERABILITY

#### 5.32.160 VIOLATION--PENALTY

#### **5.32.010 PURPOSE**

The purpose of this Chapter is to deter the sale of stolen property and support law enforcement investigations.

#### **5.32.020 DEFINITIONS**

“Secondhand dealer” means any person or business engaged in purchasing or receiving previously owned property for resale in the ordinary course of business.

“Regulated property” means used goods commonly associated with theft or resale markets, including tools and power equipment, electronics, precious metals and jewelry, firearms to the extent not preempted by state or federal law, and bicycles. The City may further define regulated property by Resolution.

#### **5.32.030 APPLICABILITY**

This Chapter applies only to secondhand dealers engaged in the purchase of regulated property within the City.

This Chapter does not apply to charitable organizations primarily engaged in donation-based resale, occasional, or incidental sales by individuals not engaged in the business of resale, or businesses that accept goods solely on consignment and do not take ownership.

#### **5.32.040 COMPLIANCE WITH STATE LAW**

Secondhand dealers shall comply with all applicable provisions of Oregon law, including requirements related to seller identification, transaction records, and law enforcement access. Nothing in this chapter is intended to duplicate or conflict with state law.

#### **5.32.050 TRANSACTION RECORDS**

Secondhand dealers shall maintain a record of transactions involving regulated property that includes a description of the item, date of transaction, and seller identification information consistent with state law. Records may be maintained electronically and must be retained for a minimum period consistent with Oregon law.

#### **5.32.060 HOLDING PERIOD**

Secondhand dealers shall not resell regulated property for a period of seven (7) days following acquisition, unless otherwise authorized by law enforcement.

#### **5.32.070 INSPECTION BY LAW ENFORCEMENT**

Upon reasonable request, secondhand dealers shall make transaction records available to law enforcement for inspection in connection with an investigation. Inspection shall occur during normal business hours or at another mutually agreed time.

### **5.32.080 PROHIBITED CONDUCT AND REQUIRED RECORDS**

A secondhand dealer shall not:

- A. Knowingly purchase or receive stolen property;
- B. Purchase regulated property from a person under 18 years of age without consent of a parent or guardian;
- C. Falsify or fail to maintain required records; or
- D. Engage in conduct that obstructs a lawful investigation.

Every secondhand dealer shall keep a record of each purchase and/or acceptance transaction of secondhand goods, which is initiated, conducted or concluded at the secondhand dealer's place of business. Each such transaction shall record:

1. The date of the transaction;
2. The serial number, if applicable, of the property purchased, sold or taken as a pledge;
3. Name and address of the seller, pledgor and if the sale or pledge is made by a person acting as agent for a disclosed principal, the name and address of principal and agent;
4. A detailed identifying description of the article or articles purchased, pledged or held; and
5. The amount of the purchase or pledge loan.

All records of purchase shall be made legible in the English language and shall be open to the inspection of any public official, police officer, or any other person who is duly authorized or empowered by the laws of the state, county or city to make the inspection.

Every secondhand dealer shall maintain an alphabetical file from which can be determined the total sales or obligations of any one seller or pledgor.

All records shall be preserved and available for at least two years after making the final entry of any sale or pledge loan recorded therein.

### **5.32.090 LICENSING**

No City-issued license specific to secondhand dealers is required under this chapter. Secondhand dealers remain subject to any generally applicable business registration requirements of the City.

### **5.32.100 ENFORCEMENT**

This chapter shall be enforced on a complaint basis or in connection with law enforcement investigations. The City shall prioritize education and voluntary compliance.

**5.32.110 SEVERABILITY**

If any provision of this chapter is held invalid, such invalidity shall not affect the remaining provisions.

**5.32.160 VIOLATION--PENALTY**

A violation, or participation in the violation, of this chapter by any secondhand dealer or any director, agent, member, officer, or employee thereof, or any other person is punishable, upon conviction by a fine of not more than \$500 or by imprisonment in jail of not more than six months, or both.

**PASSED** by the Council and approved by the Mayor this \_\_\_ day of \_\_\_\_\_, 2026; and effective the \_\_\_ day of \_\_\_\_\_, 2026.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder