

AN ORDINANCE REPEALING ALBANY MUNICIPAL CODE CHAPTER 5.44, FUNERAL ESCORT SERVICE, AND ESTABLISHING ALBANY MUNICIPAL CODE CHAPTER 13.24, FUNERAL ESCORT SERVICE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Albany since 1972 has required an application and license for individuals providing funeral escort service, and

WHEREAS, persons engaged in the business of providing escorts to funeral processions are governed by the same laws and regulations as the public at large, and

WHEREAS, the cost of processing the application, conducting investigations and inspections for funeral escort service applicants exceeds the amount of the license fee.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Albany Municipal Code Chapter 5.44, Funeral Escort Service is hereby repealed and established as chapter 13.24.

Chapter 13.24

FUNERAL ESCORT SERVICE

Sections:

- ~~5.44.010 Defined.~~
- ~~5.44.020 License required.~~
- ~~5.44.030 Application, form, contents.~~
- ~~5.44.040 Proof of liability.~~
- ~~5.44.050 Uniforms.~~
- ~~5.44.060 Employment of assistants.~~
- ~~5.44.070 Identification cards and badges.~~
- ~~5.44.080 Authority.~~
- ~~5.44.090 Approval of chief of police.~~
- ~~5.44.100 Application and license fee.~~
- 13.24.010 Defined.
- 13.24.020 Authority.
- 13.24.030 Responsibility.
- 13.24.040 Equipment.

13.24.010 ~~5.44.010~~ Defined. The term "funeral escort service" means any person, firm or corporation employed by a funeral establishment for the purpose of providing vehicular escort for a funeral procession.

~~5.44.020 License required.~~ Any person, firm or corporation who engages in the business of or provides a funeral escort service within the city limits shall first obtain a license required by this chapter.

~~5.44.030 Application, form, contents.~~ Application for a funeral escort service license shall be in duplicate to the city recorder on such forms as he may prescribe. The application shall be accompanied with an application fee as provided in this chapter. In addition to such other information as the city recorder may require, the application shall contain the following information:  
(a) The full name, age, residence for the preceding ten years, present occupation and occupation during the five years immediately preceding the date of the application;

~~(b) A description of each vehicle that will be used for providing a funeral escort service, including the equipment contained thereon. It shall also be the responsibility of the licensee to keep the descriptions current;~~

~~(c) The address and location of the principal place of business of the applicant;~~

~~(d) A full set of fingerprints taken by the Albany Police Department and a recent photograph;~~

~~(e) That the applicant has been a bona fide resident of the State of Oregon for a period of six months immediately preceding the filing of the application;~~

~~(f) The applicant shall declare any and all roving traffic violations with which he has been charged;~~

~~(g) The application shall show whether or not the applicant has been convicted of a felony or any offenses against the decency and morals of the community;~~

~~(h) Application shall show whether or not the applicant has ever been discharged from employment as a police officer or discharged from a position of trust;~~

~~(i) The application shall be signed and verified;~~

~~(j) The application shall be accompanied with the written request of at least one funeral establishment requesting the services of the applicant.~~

~~5.44.040 Proof of liability. The applicant must provide proof of liability in the amount of twenty five thousand dollars/fifty thousand dollars personal liability insurance and ten thousand dollars property damage insurance for all vehicles used in the service.~~

~~5.44.050 Uniforms. Any person, while providing funeral escort service, shall wear a uniform that does not closely resemble the uniforms worn by the Albany city police, Linn County sheriff's deputies or the state police and which has been approved by the chief of police of the city.~~

~~5.44.060 Employment of assistants. The holder of a funeral escort license may employ to assist him in his work as many persons as he may deem necessary and shall at all times during such employment be accountable for the good conduct of each and every person so employed. The licensee shall, immediately upon such employment, notify the chief of police and city recorder, identifying such person employed and the nature of the employment. Before acting as a funeral escort, any employee of the licensee must have obtained the identification card and/or badge provided for by Section 5.44.070.~~

~~5.44.070 Identification cards and badges. (a) It is unlawful for any person under the provisions of Sections 5.44.010 to 5.44.060 hereof, or any employee thereof, to engage in the business of providing funeral escort service without having in his possession an identification card and/or badge in a form to be provided by the chief of police.~~

~~(b) The identification card and badge referred to herein shall be surrendered to the city recorder upon revocation or expiration of the license, or in the care of any employee of the licensee, upon termination of the employment of the employee.~~

~~13.24.020 5.44.080 Authority. Any person or persons employed acting as a funeral escort while service, shall, for the purpose of carrying out the function duties of a funeral the escort service, have the same power as a police officer in matters related to traffic control and shall be under the supervision and control of the chief of police. may direct traffic as necessary to allow the safe and expeditious travel of a funeral possession.~~

~~5.44.090 Approval of chief of police. No license, identification card~~

~~or badge shall be issued under this chapter without first having obtained the approval of the chief of police.~~

~~5.44.100 Application and license fee. The fee to accompany an application for a funeral escort service shall be twenty five dollars. The initial application shall constitute the annual license fee for the first year. The annual renewal of the license fee shall be required and payment thereof shall be at the rate of ten dollars per year.~~

**13.24.030 Responsibility.** The authority granted in Section 13.24.020 does not relieve a person acting as a funeral escort from the duty to operate in a manner that insures the safety of all persons or property.


**13.24.040 Equipment.** Vehicles used to escort funeral processions may display warning lights as permitted in Oregon Revised Statutes while actually engaged in escorting a funeral procession.

**Section 2. Emergency Clause.** Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

Passed by Council: February 13, 1991

Approved by Council President: February 14, 1991

Effective Date: February 13, 1991

  
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Council President

ATTEST:

  
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Deputy City Recorder