

# TITLE 52

## OCCUPATIONS AND PROFESSIONS

- Chapter 670. Occupations and Professions Generally  
671. Architects; Landscape Architects  
672. Professional Engineers and Land Surveyors  
673. Accountants  
675. Psychologists  
676. Health Professions Generally  
677. Physicians  
678. Nurses and Nursing Home Administrators  
679. Dentists  
680. Dental Hygienists and Auxiliaries  
682. Podiatrists  
683. Optometrists  
684. Chiropractors  
685. Naturopaths  
686. Veterinarians  
687. Masseurs and Massage Businesses  
688. Physical Therapists  
689. Pharmacists and Pharmacies; Drug Manufacturers and Wholesalers  
690. Barbers  
691. Cosmetic Therapists  
692. Funeral Directors and Embalmers; Funeral Establishments  
693. Plumbers  
694. Hearing Aid Dealers  
695. Watch and Clock Makers and Dealers  
696. Real Estate and Business Brokers; Escrow Agents  
697. Collection Agencies; Debt Consolidating Agencies  
698. Auctions and Auctioneers  
699. Innkeepers and Hotelkeepers  
700. Sanitariums

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### Chapter 670

#### 1967 REPLACEMENT PART

### Occupations and Professions Generally

#### EDUCATIONAL REQUIREMENTS

- 670.010 Waiver of educational requirement for admission to examination for license or certificate to practice profession, trade or calling  
670.020 Filing evidence of completion of educational requirement after taking examination

#### REGULATION OF BUSINESS

- 670.210 Definitions for ORS 670.210 to 670.240 and 670.990  
670.220 Regulation of businesses by county ordinances; business licenses  
670.230 Adoption of ordinances; hearings; effective date; referral to voters  
670.240 Revocation of business license; appeal

#### PENALTIES

- 670.990 Penalties

## CROSS REFERENCES

Administrative rules and procedures, Ch. 183  
 Attorneys, Ch. 9  
 Discrimination by race, creed, color or national origin prohibited, 30.670  
 Elevator installation, repairs, operation, 460.045  
 Escrow agents, 696.511  
 Milk handlers and producer-distributors, 583.440  
 Nurserymen, 571.055

Pressure vessel inspectors, 480.570  
 Private vocational schools, agents and salesmen, 345.030  
 Securities dealer, agents and salesmen, 59.310  
 Water well contractors and operators, 537.747 to 537.759  
 Wrecker of motor vehicles, 481.345

## EDUCATIONAL REQUIREMENTS

**670.010 Waiver of educational requirement for admission to examination for license or certificate to practice profession, trade or calling.** Any state board or commission that examines applicants for license or certification to practice a profession or engage in a trade or calling may, in its discretion, waive the educational requirement for admission to such examination, provided that the applicant furnishes evidence satisfactory to such state board or commission that he meets all the following conditions:

(1) That he is probably to be called into service with the Armed Forces of the United States, or any auxiliary corps thereof, within a period of six months from the date of the examination and before the date of the next regularly scheduled examination.

(2) That he is currently enrolled in a school, college or university approved by such state board or commission and that he will satisfy the educational requirement for admission to such examination on satisfactory completion of courses for which he is currently enrolled and that this educational requirement will be met not later than two calendar months from the first day of the month following the month in which the examination is given.

[1953 c.103 §1]

**670.020 Filing evidence of completion of educational requirements after taking examination.** (1) Evidence of completion of the educational requirement waived as provided in ORS 670.010 shall be filed with such state board or commission not later than two calendar months from the first day of the month following the month in which the examination is taken. State boards and commissions shall withhold official certification of the successful completion of the examination until such evidence is furnished. The affidavit of the registrar or administrative

head of the school, college or university shall be deemed satisfactory evidence.

(2) If any candidate admitted to an examination as provided in ORS 670.010 shall fail or neglect within said period to present satisfactory evidence of the completion of the educational requirement for such examination, then the completion of the examination by such candidate shall be null and void, and of no effect. The state board or commission which examined him, however, shall retain any examination fee paid by the candidate.

[1953 c.103 §2]

## REGULATION OF BUSINESS

**670.210 Definitions for ORS 670.210 to 670.240 and 670.990.** As used in ORS 670.210 to 670.240 and 670.990, unless the context requires otherwise:

(1) "Business" is limited to the following occupations or trades:

- (a) Peddlers or itinerant merchants who sell goods, wares or merchandise.
- (b) Entertainment businesses.
- (c) Drive-in restaurants.
- (d) Garbage dumps.
- (e) Junk dealers or secondhand dealers.

(2) "Board of county commissioners" or "board" includes county court.

(3) "Peddler" or "itinerant merchant" means:

(a) Every person who, for himself or as agent of another, goes from place to place or from house to house, carrying for sale and offering or exposing for sale any goods, wares or merchandise.

(b) Every person who, for himself or as agent of another, goes from place to place or from house to house, selling or offering to sell for future delivery, by sample or catalog, at retail, to individual purchasers who are not dealers in the articles sold, any goods, wares or merchandise.

[1967 c.344 §1]

**670.220 Regulation of businesses by county ordinances; business licenses.** For the protection of the public health, welfare, safety and morals, the board of county commissioners of any county may enact ordinances regulating any business or businesses set forth in paragraphs (a) to (e) of subsection (1) of ORS 670.210 which are doing business outside the limits of cities. An ordinance may:

(1) Provide reasonable requirements for the conduct or operation of a business considered by the board to be desirable for the protection of the public health, welfare, safety and morals, including the requirement that persons conducting or operating such business shall comply with applicable state and federal laws and regulations.

(2) Require a person conducting or operating such business to obtain a license in the manner provided by ordinance.

(3) Prohibit the conduct or operation of any such business without first obtaining a license from the county.

(4) Prescribe the period of time for which a license is issued and the procedure for application, issuance, renewal, suspension or revocation of a license and fix license fees at reasonable rates to provide for the cost of administering the licensing ordinance.

(5) ORS 670.210 to 670.240 and 670.990 does not apply to:

(a) Any business that is licensed by a state agency.

(b) An auction mart operator or other person subject to ORS 698.510 to 698.770.  
[1967 c.344 §2, 3]

**670.230 Adoption of ordinances; hearings; effective date; referral to voters.** (1) An ordinance authorized by ORS 670.220 may be adopted only after a hearing conducted by the board, and shall take effect 30 days after the date of enactment unless a later effective date is specified in the ordi-

nance. Notice of such a hearing shall be published for two successive days, not less than 10 days before the hearing, in a newspaper considered by the board to be of general circulation within the county. The board may also cause the notice to be published by radio and television stations located within the county, or heard or viewed in the county.

(2) The board may refer an ordinance adopted under ORS 670.220 to the voters of the county for their approval or rejection. An ordinance adopted under ORS 670.220 is a local law within the meaning of, and subject to, ORS 254.310, relating to initiative and referendum.

[1967 c.344 §4]

**670.240 Revocation of business license; appeal.** (1) The board, after reasonable notice to a licensee and a public hearing, if requested, may revoke a business license in the manner provided by ordinance if the board finds that the licensee has violated the ordinance.

(2) Any licensee whose license is revoked may, within 30 days from the date of the order revoking the license, appeal the decision to the circuit court, in which case the respondent shall have the burden of proof. In event of an appeal, the revocation shall be stayed until determination of the matter by the circuit court.

[1967 c.344 §5]

## PENALTIES

**670.990 Penalties.** Any person who conducts or operates a business in violation of an ordinance enacted pursuant to ORS 670.220 is punishable, upon conviction, by imprisonment for not more than 30 days or by a fine of not more than \$1,000, or both. A failure from day to day to comply with such an ordinance shall be a separate offense for each such day.

[1967 c.344 §6]

## CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,  
on December 1, 1967.

Robert W. Lundy  
Legislative Counsel

