

## ORDINANCE NO. 60

AN ORDINANCE TO IMPOSE AND TO REGULATE LICENSES, AND TO REGULATE THE MANNER OF ISSUING AND COLLECTING LICENSES, AND TO REGULATE BOWLING ALLEYS, SHOOTING GALLERIES, SHOWS, MERRY-GO-ROUNDS, AND SIMILAR DEVICES, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

THE COMMON COUNCIL OF THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. (a) Shows. It shall be unlawful for any person, company or corporation to open up, conduct, maintain, deliver, or exhibit for charge, pay, hire, or profit, within the corporate limits of the City of Sweet Home, any circus, menagerie, museum, curiosities, show, exhibition, lecture, concert, theater, phonograph, viatoscope, stereoptican, panorama, mesmeric, or any other public amusement or entertainment without having first obtained a license therefor; Provided, that Sections 1 and 2 shall not apply to any of the therein mentioned things carried on or performed wholly or partly by local talent or when not less than two-thirds of the gross proceeds of such things shall belong to and be retained by such local talent conducting, or delivering or exhibiting the same.

(b) The fee or charge for license for any of the things mentioned in sub-division (a) of this section shall be as follows:

Circus, each exhibition, including parade, \$40.00

Menagerie, per day \$5.00

Museums or curiosities, per day \$5.00

Shows, exhibitions, concerts or lectures, without selling privilege, per day \$10.00

Phonograph, veatoscope, stereoptican, panorama and similar exhibits in public buildings, per day \$5.00

The same on streets or public grounds, or in private buildings, per day \$5.00

Theaters and dramatic performances, charging less than 50 cents admission, per day \$10.00

Theaters and dramatic performances, charging an admission of 50 cents and over, per day \$10.00

Out-door or indoor shows and exhibitions, such as performing animals, athletic or acrobatic performances, balloon ascensions, dancing, singing, or any exhibition or performance when collections are solicited from bystanders or admission charge is made, per day \$2.50

Provided, however, that nothing in this ordinance shall apply to indoor moving picture shows or theaters, or to shows or performances sponsored by educational institutions and conducted in local schools or churches.

Lung Testers, Etc.

Section 2. (a) It shall be unlawful for any person, firm, company or corporation to set up, maintain, conduct or operate for pay, profit, gain or hire, within the corporate limits of the City of Sweet Home, any machine device or game for the trial of strength, skill, or chance, in which bystanders are invited or solicited to participate, or to set up, maintain, conduct, or operate for pay, profit, gain or hire, within the corporate limits of the said city, any swing, merry-go-round, ferris wheel, or similar machine, or device upon which the public is invited to ride, without having first obtained a license therefor.

(b) The fee or charge for a license for any of the things enumerated, mentioned or referred to in sub-division (a) of this section of this ordinance shall be as follows:

Swings and merry-go-rounds, ferris wheels, or any other similar

machines or devices upon which the public is invited to ride, per day \$5.00

Any other machine, device, game or things mentioned or referred to in sub-division (a) of this section, per day \$5.00.

*Stephen*  
Fruit and Cigar Stands

Section 3. It shall be unlawful for any transient person, firm, company,

or corporation to set up, maintain, conduct or operate any refreshment, fruit or cigar stand on any street, alley, public square, park, vacant lot or public ground, or in any building, within the corporate limits of the City of Sweet Home, on days of advertised public gatherings of the people in said city, without having first obtained a license therefor.

(b) The fee or charge for a license to do any of the things mentioned in sub-division (a) of this section shall be the sum of \$15.00 per day.

Fortune Tellers, Etc.

Section 4. (a) It shall be unlawful for any person, within the corporate limits of the City of Sweet Home, to follow or carry on or claim to follow or carry on the business, profession, or occupation of fortune teller, astrologer, or palmist without having obtained a license therefor. Every person who by advertisement, sign, or notices of any kind, or in any other manner, claims to follow or who does follow the business, profession, or occupation of fortune teller, astrologer or palmist shall be deemed a fortune teller, astrologer or palmist under this Ordinance.

(b) The fee or charge for a license for any of the things mentioned in sub-division (a) of this section shall be \$25.00 per day.

Bowling Alleys.

Section 5. It shall be unlawful for any person, firm, company or corporation to maintain or conduct any bowling alley within the corporate limits of the City without having first obtained a license therefor, as in this section provided.

(b) The fee or charge for a license for a bowling alley shall be the sum of \$5.00 per quarter of three months; for each room and \$1.50 per quarter for each alley therein; and no license for such purpose shall be issued for a less period than three months.

Shooting Galleries

Section 6. (a) It shall be unlawful for any person, firm, company, or corporation to maintain, or conduct any shooting gallery within the corporate limits of the City without having first obtained a license therefor as in this section provided.

(b) The fee or charge for a license for a shooting gallery shall be the sum of \$5.00 per quarter.

Bill Posting

Section 7. It shall be unlawful for any person, firm, company or corporation either with or without license, to post any bill, sign, placard, or paint or make the same, on any building, wall, or part thereof, awning, or awning post, hitching post, barrel, box, cross-walk, curb or curb-stone, hydrant, gate, gatepost, tree, tree-box, fence, sidewalk, telegraph pole, telephone pole, or electric light pole within the corporate limits of the City without having first obtained permission so to do from the owner or lawful possessor of such property or premises.

Section 8. That every person, firm, company or corporation required by this Ordinance to obtain a license to engage in any trade, business, profession or occupation for which a license to engage in any trade, business, profession or occupation for which a license is required, shall pay to the City of Sweet Home, in the manner provided hereafter, such sums as are in this ordinance provided.

Duty of Officers.

Section 9. It is hereby made the duty of the Recorder and Police Judge of the City of Sweet Home to collect the fees or charges for all licenses required to be taken out by this Ordinance, and to issue the licenses upon compliance with the provisions hereof.

Such license shall contain and set forth the purpose, trade, business or profession for which such license is granted, the name and place of abode of the one taking out the same; the time for which it is to run; and the date or time of granting it.

Every person exercising or carrying on any trade, business or profession, or doing any act for which a license is required shall, on de-

mand of any City Officer, produce such license, and unless, he, she, or they shall do so, he, she, or they may be taken and deemed to have no license. And it shall be the duty of every police or peace officer of the City to arrest any person or persons who shall be guilty of any violation of any of the provisions of this Ordinance and forthwith take such person or persons before the Recorder and Police Judge to be dealt with according to law.

The Recorder and Police Judge shall, within ten days after the same are collected, turn over to the City Treasurer all sums of money collected under the provisions of this Ordinance, and shall make due report thereof to the City Council, in his regular reports.

License not Transferable.

Section 10. No license granted or issued under any of the provisions, of this Ordinance shall be in any manner assignable or transferable, or authorize any person other than ~~it~~ therein mentioned or named to do business, or authorize any business to be done, other than is therein mentioned to be done or transacted at any other place than is therein mentioned or named. Provided, also, that no license shall be issued to any person under the provision of this Ordinance, to operate anything required to be licensed by this ordinance, during the time in which the Community Fair as sponsored by the Union High School District # 2, shall be conducted.

Penalty

Section 11. That if any person, firm, company or corporation shall exercise or carry on any trade, business, or profession, or do any act heretofore mentioned, for the exercising, carrying on or doing any trade, business or profession for which a license is required by this Ordinance, without first taking out such license, or who shall violate any of the provisions of this Ordinance, he, she, or they, in case the offender be a person, firm or company, and in case the offender be a corporation, then the clerk, manager or person conducting or having charge of such trade, business or profession in the City of Sweet Home, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in the Police Court of the City of Sweet Home, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10.00 nor more than \$50.00, or imprisoned in the city jail for a period not to exceed 25 days, or both such fine and imprisonment in the judgement of the court. Or upon the non-payment of any fine to be imprisoned in the city jail at a rate of one day for each \$2.00 of said fine unpaid, besides being liable to the payment of the license and penalties herein provided.

Section 12. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 13. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the public peace, health, and safety, and an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect from and after it is approved by the Mayor.

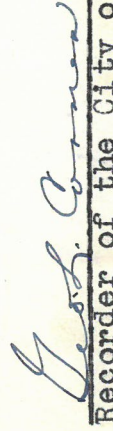
Yeas 4

Nays 0 Absent 2

Passed by the Council this 19<sup>th</sup> day of September, 1939.

Approved by the Mayor this 19<sup>th</sup> day of September, 1939.

Attest:

  
Recorder of the City of Sweet Home.

  
Mayor of the City of Sweet Home