

ORDINANCE NO. 80

AN ORDINANCE LICENSING CERTAIN BUSINESSES, PROFESSIONS, PURSUITS AND OCCUPATIONS, DOING BUSINESS WITHIN THE CORPORATE LIMITS OF THE CITY OF BROOKINGS, OREGON, FOR REGULATORY AND REVENUE PURPOSES; FIXING THE FEES THEREFOR; PROVIDING THE PROCEDURE FOR MAKING APPLICATION FOR A LICENSE CERTIFICATE; PROVIDING FOR THE METHOD OF THE ISSUANCE OF A LICENSE CERTIFICATE; REPEALING SECTION 6 OF ORDINANCE 6, AND ENACTING A NEW SECTION IN LIEU THEREOF; REPEALING SECTION 7 OF ORDINANCE 6 AND ENACTING A NEW SECTION IN LIEU THEREOF; REPEALING SECTION 14 OF ORDINANCE 6 AND ENACTING A NEW SECTION IN LIEU THEREOF; REPEALING SECTION 15 OF ORDINANCE 6 AND ENACTING A NEW SECTION IN LIEU THEREOF; AMENDING SECTION 26 OF ORDINANCE 6; AND DECLARING AN EMERGENCY.

The City of Brookings, Oregon, does ordain as follows:

SECTION 1. REPEAL OF SECTIONS OF ORDINANCE 6. SECTIONS 6, 7, 14 and 15 of Ordinance 6 of the City of Brookings are hereby repealed as of midnight on December 31, 1955.

SECTION 2. DATE OF EFFECTIVENESS OF NEW SECTIONS CREATED AND AMENDMENTS. The effective date of each of the hereinafter set forth sections which are herein adopted and enacted to take the place of the sections of Ordinance 6, repealed in Section 1 hereinabove, shall be January 1, 1956.

SECTION 3.

In lieu of and to replace Section 6 of Ordinance 6 repealed by this ordinance a new section of said ordinance is hereby enacted to read:

Section 6. Annual fees: There are hereby imposed upon all businesses doing business in the City of Brookings, Oregon, unless exempted as provided by Section 5 hereof, annual license fees in the following amounts specified opposite the respective businesses hereinafter listed:

Abstract and Title Insurance or Escrow	\$ 20.00
Accountants	20.00
Advertising Agencies	20.00
Antique, and Curio Shops, Art Goods and Myrtlewood Shops	20.00
Apartments, Hotels, Motels, Cottages, Rooms, Trailer Coach Space: For one (1) to five (5) units Plus \$1.00 for each rental unit in excess of five (5) not to exceed a maximum sum of	10.00 50.00
Attorney at Law	20.00
Automobile Dealers	20.00
Automobile Accessories	15.00
Automobile Storage	15.00
Automobile Repairs	20.00
Automobile Service and Gasoline	20.00
Automobile Wreckers	15.00
Bakeries	20.00
Barbershops	15.00
Beauty Shops	15.00
Bicycle Shops	15.00
Bill Posters	15.00
Bootblacks	5.00
Bowling Alleys	35.00
Bus Stations	15.00

Canneries	\$ 20.00
Cabinet Makers	15.00
Card Games, per table	150.00
Chiropractors	20.00
Cleaning and Dyeing	20.00
Cement and/or Building Material Dealers	20.00
Cigar and Tobacco Dealers	15.00
Cold Storage and/or Ice	15.00
Clothing Stores	20.00
Confectioners and Soft Drinks	15.00
Contractors:	
General	20.00
Subcontractors	15.00
Dairies, Milk Dealers	20.00
Dairy Products Manufacturing	20.00
Dance Halls	25.00
Dentists or Dental Laboratories	20.00
Dress Shops	15.00
Drug Stores	20.00
Dry Goods	20.00
Cleaning and Dyeing Solicitors	35.00
Electric Shops, Appliances	20.00
Electric Signs Neon, etc.	20.00
Engineers	15.00
Farm Machinery Dealers	20.00
Feed Stores	20.00
Fish Stores, Markets	15.00
Fishing Tackle Shops	15.00

Florists	\$ 15.00
Fruit and Vegetable Markets	15.00
Fuel Dealers	15.00
Funeral Directors	20.00
Furniture, New and Secondhand	20.00
Garages	20.00
Garage, storage	15.00
Garbage Collectors	15.00
Grocery Stores, Business District	20.00
Grocery Stores, Residential District	15.00
Grocery and Meat Market Combined	40.00
Hardware	20.00
Hospital Association and/or Rest Homes	20.00
Jewelry and/or Watch Repair	15.00
Junk Dealers	15.00
Laundries, self service	15.00
Laundries, delivery service	20.00
Liquefied Gas and Appliances	20.00
Lumber Manufacturing	25.00
Machine Shops	20.00
Magazine Stands	15.00
Meat Retailers	20.00
Meat Wholesalers	20.00
Moving Picture Theatres	45.00
Music Boxes	15.00
Music Stores	15.00
Nurseries	20.00
Oil Burners, sales or service	20.00

Optometrists	\$ 20.00
Osteopaths	20.00
Painters and/or Paper Hangers	20.00
Petroleum Products	20.00
Photographers	15.00
Physicians and/or Surgeons	20.00
Planing Mills	25.00
Plumbing and Heating	20.00
Plywood Plants	50.00
Pop Corn Wagon or Store	15.00
Poultry Dealers	15.00
Publishers, Printers	20.00
Radio Service Store or Shop	15.00
Real Estate Dealers	20.00
Ready-Mix Concrete	20.00
Restaurants	20.00
Refrigeration Services	20.00
Rock Crushers	20.00
Septic Tank and Cesspool Cleaners	15.00
Second Hand Stores	15.00
Shoe Repairs	15.00
Shoe Stores	20.00
Shuffle Boards	15.00
Shooting Galleries	20.00
Tailor Shops	15.00
Taxis, each	15.00

Television:	
Retail	\$ 20.00
Wholesale	20.00
Tire Shops	20.00
Tractors, for lease	20.00
Truck Dealers	20.00
Truckers	20.00
Upholstery	15.00
Variety Stores	20.00
Veterinarians	20.00
Wholesale Delivery Trucks	25.00
Woodyards	5.00

Any trade, profession, calling, business or employment not otherwise classified	20.00
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SECTION 4. In lieu of and to replace Section 7 of Ordinance No. 6 repealed by this ordinance, a new section of said Ordinance No. 6 is hereby enacted to read:

SECTION 7. DAILY FEES. There is hereby imposed upon all of the following listed businesses within the corporate limits of the City of Brookings, Oregon, unless exempted as provided by Section 5 hereof, or unless an annual license fee has been issued as provided in Section 6, as said Section 6 has been repealed, amended and re-enacted by Ordinance No. 80, daily license fees in the amounts specified opposite the respective businesses listed, to-wit:

Carnival and Circus

SECTION 5. In lieu of and to replace Section 14 of Ordinance No. 6, repealed by this Ordinance, a new section of said Ordinance No. 6 is hereby enacted to read:

SECTION 14. REQUIRED APPLICATION STATEMENTS. The license application form to be provided by the City, under the provisions of Section 12 of Ordinance No. 6, shall require a statement in writing signed by the applicant, describing the type of business for which the license is sought, the name of the business, the name of the true owner or owners thereof, the location of the said business, the postoffice address at which the said business received its mail, together with such other and further information as the City shall reasonably require in its said application form prior to the issuance of a license-certificate by the City, as provided in Section 16 of Ordinance No. 6, to be issued. Any and all license certificates issued by the City prior to January 1, 1955 may be renewed, prior to February 1 of any calendar year commencing January 1, 1956, for the full calendar year by the full payment by the person or persons to whom said license certificate has been issued by the City and in such event the said person or persons shall not be required to prepare and file with the City the license application form hereinabove set forth and referred

to, and to such effect the said person or persons shall be conclusively presumed to have renewed their application form when they so pay their license fee for said calendar year. In the event any said person, or persons, shall not have fully paid to the City each and every license fee required thereof to be paid to the City prior to January 1, 1956, or if the license certificate sought to be renewed, as above provided, after January 1, 1956 shall have expired, been revoked or shall have ceased to exist, for any reason or reasons, or if any said person, or persons, shall either fail or refuse to, prior to the aforesaid date of February 1, pay the full sum of the license fee required of each of them to be paid as hereinabove provided, then and there upon the happening of such events, or either of them, a new license application, as hereinabove provided, shall be filed and approved by the City before a license certificate shall be issued to said person, or persons to conduct a business within the corporate limits of the City of Brookings, and to such effect said person, or persons, shall be considered to be making a new and initial application irrespective of their prior business status within the said City.

SECTION 6. In lieu of and to replace Section 15 of said Ordinance No. 6, a new section of said Ordinance No. 6 is hereby enacted to read:

SECTION 15. LICENSE CERTIFICATE. When application for a license has been made by any person or persons as is provided in Ordinance No. 6, or as the same may be amended, the City Recorder may, upon the payment of the fee therefor having been made by the applicant, issue to the applicant a license certificate which shall evidence the applicant's privilege to engage in the business for which the said application was made during the calendar year for which the license shall be issued. Said license certificate, when issued, shall bear the printed signature of the Mayor and be countersigned by the City Recorder. If it shall appear to the City Recorder that the application does not fully conform to the provisions of Ordinance No. 6, required of the applicant to be made prior to the issuance of such license certificate, the City Recorder shall not issue such license certificate and shall notify the applicant that the license applied for will not be issued. The said applicant may appeal from said decision of the City Recorder by filing a written appeal with the City Recorder not later than ten (10) days from and after the date of the receipt of notice from the City Recorder that such license certificate will not be issued. This appeal shall contain a statement of facts upon which the appeal is based and shall be addressed to the City Council of Brookings, Oregon. The City Council shall

hear the arguments of the applicant in the matter of said appeal at its next regular meeting convened after the date of the filing of said appeal providing, however, the City Council shall not hear said appeal until thirty (30) days shall have elapsed after the filing thereof with the City. In the event, upon said hearing, the Council shall find for appellant the Council shall have entered upon its minutes of its said meeting its order directing and authorizing the City Recorder to, within thirty (30) days after the date of entry of said order in the minutes, issue the license certificate to the applicant as applied for, and the City Recorder shall within said thirty (30) day period of time cause the said license certificate to be issued to the applicant thereof. Otherwise such license certificate applied for shall not be issued by the City Recorder.

SECTION 7. Section 26, Ordinance No. 6, is hereby amended to read as follows:

SECTION 26. COMBINATION OF CERTAIN BUSINESSES---MAXIMUM FEE THEREFOR. Where a person is conducting two or more of the businesses listed in Section Six (6) of this Ordinance, in the same building, the City Recorder may issue a single license certificate covering such combination of businesses and the maximum annual fee to be paid therefor by such person shall not exceed the sum of Forty-five (\$45.00) Dollars; provided, however, that no such combination shall include, and there is hereby excepted from the operation of this section the following listed businesses whether or not the same are conducted in conjunction with any other business:

- Card Table
- Moving Picture Theatre
- Sawmills
- Planing Mills
- Plywood Plants
- Apartments, hotels, motels, cottages, rooms,
trailer coach space.

SECTION 8. Each and every word, clause, sentence, paragraph and section of Ordinance No. 6 of the City of Brookings, except as each and all thereof has been amended, repealed and re-enacted in this Ordinance No. 80, is hereby reaffirmed and adopted and as if each and all thereof were in full here set forth, it here being the intention of the City Council, in this Ordinance No. 80, to make certain changes in the amount of license fees and to clarify procedure in the making of applications for license certificates and the issuance thereof by the City. Except as Ordinance No. 6 of the City of Brookings shall be affected by this Ordinance No. 80, each and all of the provisions of Ordinance No. 6, its sections and subsections, are hereby declared to exist and be in full force and effect.

SECTION 9. If any word, paragraph, sentence or section of this Ordinance No. 80 shall be held to be unconstitutional or invalid, the unconstitutionality or invalidity of such word, paragraph, sentence or section shall not affect the validity of any other portion of this ordinance, it being the intent of the City Council of Brookings, Oregon, to enact the remainder of this ordinance notwithstanding such word, paragraph, sentence or section of this ordinance so declared unconstitutional or invalid.

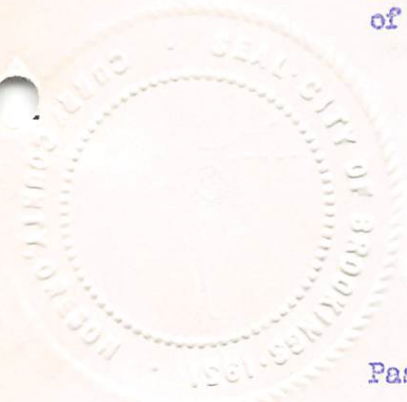
SECTION 10. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Brookings, Oregon, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Read by title and in full this 13 day of December, 1955.

Read a second time by title this 13 day of December, 1955.

Read a third time by title and passed by the Council this 13 day of December, 1955.

Authenticated this 13 day of December, 1955.

A circular seal of the City of Brookings, Oregon, is embossed on the left side of the page. The seal features a central emblem surrounded by the text "SEAL CITY OF BROOKINGS OREGON" and "INCORPORATED 1884".
Byron L. Brimm
Byron L. Brimm, Mayor

Passed by the Council December 13, 1955.

Mae D. Smith
Mae Smith, City Recorder