

ORDINANCE NO. 135.

An ordinance providing for licensing and regulating the carrying on of certain professions, trades, calling or occupation carried on within the corporate limits of Canby, Oregon, and providing a penalty for the violating of this ordinance; and repealing all ordinances or parts of ordinances in conflict herewith.

Canby Does ordain as follows:

Section 1. It shall be unlawful for any person or persons, whether as principal or principals, agent or agents, clerk or clerks, employee or employees, either for themselves or for any other person or persons or bodies, corporate or otherwise, or as officers of corporations, to carry on any trade, calling, profession or occupation in this ordinance specified, without first having procured a license from said City so to do, and each and every day or fractional part of a day that said trade, calling, profession or occupation in this ordinance specified is conducted or carried on without said license shall constitute a violation of this ordinance, and such person, persons, agent, or agents, clerk or clerks, employee or employees, who shall for themselves or for any other person or persons or body, corporate or otherwise, conduct or carry on any trade, calling, profession or occupation aforesaid, without first having procured a license, shall for each violation of this ordinance be deemed guilty of a misdemeanor and upon conviction before the Recorder or Mayor, shall be fined therefor in a sum not exceeding two hundred dollars, or be imprisoned for a term not to exceed one hundred days, or by both fine and imprisonment, and the amount of such license shall be deemed a debt to Canby, and such persons, agents, clerks, employees and bodies corporate or either of them, shall be liable to said Canby for the amount of such license.

Section 2. Every person, firm, company or corporation required by any ordinance to obtain a license to engage in any trade, calling, business, profession or occupation, for which license shall be required in Canby, shall pay the Chief of Police the sum or sums required by ordinance to be paid therefor; upon payment to the Chief of Police, said Chief of Police shall issue a receipt which shall set forth the kind of business for which said license is required, the time for which it is given and the date or its expiration; which said receipt shall be a license for the said person, firm, company or corporation to carry on the business of the kind and the time for which the said payment was made. The Chief of Police shall keep a record of all such licenses issued and shall promptly pay the money received therefor to the treasurer of Canby, giving the treasurer a statement of kind of license issued and the time for which granted; such receipt issued by the Chief of Police, if for a peddler, shall state whether said peddler is authorized to travel on foot or one or two or more animals. Any person exercising or carrying on any trade, calling, business, profession or doing any act, for which a license is required, shall upon demand of any City Officer, at his place of business, produce such license, and, unless he do so may be taken and deemed to have no license; those whose business takes them from house to house, shall produce his or her license upon demand from any City Officer, or he or she shall be deemed to have no license; and any person or party having no license provided for in this ordinance, shall be liable to arrest, fine or imprisonment as provided in this ordinance.

Section 3. That in every case where more than one of the pursuits, trades, callings, business, professions or occupations for which a license is required, shall be pursued or carried on at the same place by the same person

at the same time, license must be taken out for each, according to the rates separately proscribed.

Section 4. All licenses shall be paid in advance in the legal currency of the United States.

Section 5. The license for three months in this ordinance provided shall be due and payable to the Chief of Police on the first days of January, April, July and October; and all such licenses for three months shall end with the last day of March, June, September and December of each year, but the first license for three months issued to any person, agent, firm or corporation, as herein provided, may be issued for the unpaid one-third or two-thirds to be issued to cover a period of three months, no license shall be issued to cover a period less than one month; when the license herein provided is for a week the same shall be due and payable each week in advance; when the license herein provided is for one day, the same shall be due and payable each day in advance; no greater or less amount of money shall be charged or received for license so issued than is provided in this ordinance, and no license shall be sold or issued for any period of time other than is provided in this ordinance.

Section 6. If any person shall furnish such evidence as shall satisfy the Mayor that he or she, by reason of misfortune or physical infirmity, merits exemption from the payment of any license herein required, the Mayor may remit such license for a period of not longer than one day, and shall give said person a written permit, stating why such permit is granted, a copy of which shall be filed with the City Recorder, before such permit shall be operative.

Section 7. Pawnbrokers, second hand dealers and junk dealers defined: Every person whose business or occupation is to take or receive by way of pledge, pawn or exchange any goods, wares or merchandise, or any kind of personal property

whatever for the payment or security of any money let thereon, shall be deemed a pawnbroker under this ordinance. Any person who shall keep a store, office or place of business for the purchase or sale of second hand goods, wares, or merchandise, or engaged in the business of bidding for or dealing in second hand goods is hereby defined to be a second hand dealer. Any person or parties who shall be engaged in the business of buying and selling old junk, old lead, old metal, bottles, broken glass, old cans, old clothes, old paper, old rags, or other second hand goods, either at a store or place of business or traveling, shall be deemed to be a junk dealer.

Section 8. That the rates for licenses for the pursuits, trades, callings, businesses, professions and occupations hereinafter named be and the same are hereby established for and within Canby and the same shall be paid by all persons from whom the same shall be due as in this ordinance provided;

For every astrologer, seer, fortune teller, clairvoyant, spiritualist or spirit medium who demands or receives a fee for his or her services, or gives an exhibition at any place where an admission is charged three dollars per day, or ten dollars per week or twenty-five dollars per quarter.

Auctioneers--For every auctioneer or person who sells jewelry, watches and plated ware at public auction, on commission or otherwise, either for himself or any other person, \$15.00 per day.

For every auctioneer or any person who sells real estate at auction, five dollars per quarter.

For every auctioneer or person who sells horses or cattle at auction, one dollar per day.

For every auctioneer or person who sells at auction goods, wares and merchandise, ten dollars for day or night, or fifteen dollars for day and night.

The provisions of this section, however, shall not apply to judicial or executive officers making auction sales by virtue of any decree of any court, or to public sales by executors and administrators or property of estates of people dying in Canby, or to residents of Canby selling out their household goods and furniture.

Meat Peddler--For every person or firm, whether the said person or firm has a butcher shop or stall or not, who engages in the business of peddling meat, for each man ten dollars, per quarter, but this clause shall not be construed to apply to such person or firms who have butcher shops or stalls using wagons for the purpose of taking orders and delivering meat only from such stall or shop, or to persons selling meat from stock raised by themselves in this City or County.

Billards--For every person conducting a billard, bagatelle or pool table, excepting only such as are used in private houses or private rooms, for each and every table \$2.00 per quarter, and further no other games shall be played and conducted in any pool room, except the games of billards and bagatelle or pool; and further more, no other games of any kind shall be carried on or played in said pool room.

Bowling--For every person conducting a bowling alley, five dollars each for every table or alley, per quarter; every place where bowls are thrown, open to the public with or without price, shall be regarded as a bowling alley.

Shooting Gallery--For each shooting gallery, ten dollars per quarter, Every place or building where guns or pistols are kept for shooting at targets, whether for hire or not, shall be considered shooting galleries.

Pawnbrokers; For every pawnbroker, three dollars per quarter.

Second hand Dealers--For each second hand store, three dollars per quarter.

Junk Dealers: For each junk dealer, three dollars per quarter.

Skating Rink: For each skating rink, five dollars per quarter.

For every traveling exhibition, such as telescopes, microscopes, lung tester, muscle testers, ball or knife or ring throwing, galvanic batteries, and all similar in character not otherwise fixed, eight dollars per week, or two dollars per day.

For every patent medicine peddler using music or other device to attract crowds, \$75.00 per month, or \$30.00 per week, or \$10.00 per day. For all other patent medicine peddlers, five dollars per day.

Agent--For every person acting as artist, agent or canvasser, who solicits for paintings, retouching or furnishing pictures of any description, or who solicits for orders for, or sells books, albums or maps, five dollars, per week, or two dollars per day, except persons selling bibles, newspapers and magazines.

Solicitor-- For every person who shall sell or contract to sell any goods, wares, chattels or merchandise, by sample or order, for himself or any other person, or upon commission, two dollars per day, or ten dollars per week; provided, that this shall not apply to persons selling goods or taking orders for same from stores in Canby, or to persons in the employ of storekeepers in Canby, taking orders for goods in said stores.

Fish Peddler--For every peddler of fresh fish, \$3.00 per quarter.

Jugglers--Jugglers shall pay a license of \$5.00 for each performance, and every person who performs by sleight of hand shall be deemed a juggler under this ordinance.

All theatricals, shows and entertainments and lecturers and readings and concerts given to public assemblies where money is charged and received for same, shall pay a license fee of one dollar for each day or night, save and except whenever the receipts of any concert, exhibit, lecture or entertainment or otherwise is to be, or will be appropriated to any church, school or religious or benevolent purpose within Clackamas County; there will be no license charged to the person or persons about to conduct the same.

Section 9. Hawkers shall pay a license of ten dollars per day each, and every person who shall offer any article for sale from a stand or wagon (except patent medicine) upon any street, alley, highway, public or private grounds, within the limits of the City, shall be deemed a hawker under this ordinance, and whenever any more than one person shall sell or offer to sell from the same stand or wagon, each of said persons shall be required to take out the license herein required.

Section 10. Peddlers shall be classified and rated as follows: When traveling with two or more animals, first class; when traveling with one animal, second class. when traveling on foot, third class. Peddlers of the first class shall pay seventy-five dollars per quarter, or twelve dollars per week; peddlers of the second class shall pay a license of sixty dollars per quarter, or ten dollars per week; peddlers of the third class shall pay a license of ten dollars per week, of three dollars per day.

Section 11. Any person or persons or parties keeping a temporary restaurant, eating stand, or eating house, within Canby, shall pay a license fee of five dollars per week, and no such license shall issue for less than one week.

Section 12. Circuses shall pay a license fee of five dollars per day. Each license fee shall only cover the exhibition of said circus.

Section 13. That any person, company or corporation who shall as a temporary or transient dealer offer for sale or sell at retail any goods, wares and merchandise in Canby, shall pay a daily license of Ten Dollars (\$10.00) per day; which said license shall be paid to the Chief of Police in advance before any such property is sold or offered for sale.

Section 14. Any person, persons, company or corporation or agent who brings a stock of goods, wares and merchandise in Canby and who shall or offer the same for sale at retail in said City, without making the same a continuous and permanent stock and without establishing a continuous and permanent business or who shall advertise that he is bringing into the City a bankrupt stock shall be deemed a transient and temporary dealer under this ordinance.

Section 15. All ordinances or parts of ordinances, in so far as they are in conflict herewith are hereby repealed.

affirmed Jan 15 - 1917
Mayer