

ORDINANCE NO. 48

AN ORDINANCE REGULATING AND LICENSING BUSINESSES, TRADES, CALLINGS, PROFESSIONS, PURSUITS AND OCCUPATIONS IN THE TOWN OF TROUTDALE, PROVIDING PENALTIES, REPEALING ORDINANCE NO. 5, ORDINANCE NO. 18 AND ORDINANCE NO. 42, AND ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF TROUTDALE:

SECTION 1. In order that business be conducted in the Town of Troutdale in a peaceful and law-abiding manner, it is necessary that the Town provide such services as police and fire protection, streets, sidewalks, water and lighting. For the efficient administration of such services, it is necessary that business in the Town be regulated and licensed, and that license fees be fixed and levied for the purpose of providing and financing such licensing and regulation.

SECTION 2. As used herein, the term "person" shall include any person, firm, partnership, corporation, or association. The term "business subject to license" shall include any business, trade, calling, profession, pursuit or occupation mentioned in Section 4 of this Ordinance.

SECTION 3. No person shall engage in or pursue a business subject to license in the Town of Troutdale unless he shall have first obtained a license therefor as herein provided, and paid to the City Recorder the license fee herein prescribed.

SECTION 4. The license fee shall be as follows:

<u>Business Subject to License</u>	<u>Fee per Year</u>
Apartment house	\$ 10.00
Auto camp	10.00
Bank	10.00
Barber shop	5.00
Beauty shop	5.00
Building materials dealer	10.00
Card room	10.00
Cleaning and pressing	10.00
Drug store	10.00
Electric store or shop	10.00
Flower bulb shipper	10.00
Food and confectionary vendor	10.00
Garage, and service station	10.00
Grocery store	10.00
Hotel	10.00
Ice cream and sandwich shop	5.00
Meat market	10.00
Plumbing shop	10.00
Restaurant	10.00
Sand and gravel dealer	10.00
Service station	10.00
Sheet metal shop	10.00
Shoe shop	5.00
Tavern	10.00
Variety store	5.00
Vegetable processer	10.00
Wool pullery	10.00

SECTION 5. The agent of a non-resident person engaged in a business subject to license shall be liable for the license fees levied and penalties provided by this Ordinance to the same extent as such non-resident person. Any person representing himself as engaged in a business subject to license in the Town shall be deemed to be actually engaged in such business for the purpose of this Ordinance.

SECTION 6. If a person is engaged in more than one business subject to license in the Town, then he shall first obtain a license for each such business subject to license.

SECTION 7. Licenses shall be issued to be effective on a calendar year basis. The license for a calendar year may be obtained on or before February 1 of the year of the license without penalty. The license fee for any portion of a year shall be the same as for a full year. Application for a license shall be made to the City Recorder, who shall issue a license upon a proper application and upon receipt of the license fee. The application shall be signed by the applicant or his agent, and shall set forth the following:

- a. Business sought to be licensed;
- b. Name of applicant;
- c. Name of agent making application, if any;
- d. Location of principal place of business in Town.

The license, when issued, shall be signed by the City Recorder, and shall state the name of the licensee, the business subject to license, the effective dates of the license, and the license fee paid.

SECTION 8. The person licensed shall display his license in a convenient place at the location of his business subject to license, and shall exhibit the same upon demand to any officer of the Town. A license shall not be assignable or transferable.

SECTION 9. The various officers and agents of the Town are hereby empowered and directed to investigate and examine the places of business of businesses subject to license within the Town, at reasonable times, to determine whether such place of business is a menace to public health, safety or morals. Any officer finding such a condition shall immediately report the same to the Common Council.

SECTION 10. Nothing herein shall be deemed to vest any right in any licensee. Any license fee may be decreased or increased, and businesses may be reclassified, by appropriate action of the Common Council. If a licensee operates his business in violation of any law or Ordinance, he shall be subject to penalty to the same extent as if no license had been issued him.

SECTION 11. The license fees provided in this Ordinance shall be in addition to any general taxes now or hereafter levied.

SECTION 12. Any person who shall violate any provision of this Ordinance, or who shall make any knowingly false statement in the application provided in Section 7 of this Ordinance, shall upon conviction thereof be punished by a fine not to exceed \$50.00, or by imprisonment not to exceed 10 days, or by both such fine and imprisonment. Each day of unlicensed operation of a business subject to license shall be a separate violation of this Ordinance.

SECTION 13. In addition to the penalties provided in Section 12 of this Ordinance, a person who violates Section 3 of this Ordinance shall be and remain liable to the Town for the license fee applicable to his business for the period for which he failed to obtain a license, and in any action for the recovery thereof, he shall be liable also for costs, interest and reasonable attorney fees.

SECTION 14. As of the effective date of this Ordinance, Ordinance No. 5, adopted June 15, 1943; Ordinance No. 18, adopted March 16, 1949; and Ordinance No. 42, adopted December 13, 1955, and any other Ordinances or parts thereof in conflict herewith are hereby repealed; provided, however, that any license fees or penalties provided in any of said Ordinances for periods prior to the effective date of this Ordinance, remaining unpaid, shall be and continue to be an obligation of the Town and enforceable by it. Nothing herein shall be deemed to repeal any provision of Ordinance No. 6 or Ordinance No. 19 of the Town of Troutdale.

SECTION 15. This Ordinance shall take effect January 1, 1958.

SECTION 16. If any part of this Ordinance is declared invalid, such judgment shall not effect any of the other provisions hereof.

Passed by the Common Council of the Town of Troutdale this 2<sup>th</sup> day of July, 1957.

YEAS: 3

NAYS: 0

Signed by the Mayor this 2<sup>th</sup> day of July, 1957.

Walter McVernon  
MAYOR

ATTEST:

Jessie Overstad  
RECORDER