

ORDINANCE NO. 9 *Repeated by Ord No. 14*

AN ORDINANCE IMPOSING LICENSE TAXES ON BUSINESSES FOR THE OBJECT OF RAISING REVENUE AND FOR THE PURPOSE OF REGULATION, AND FIXING THE RATES THEREFOR, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

The City of Garibaldi does ordain as follows:

Section 1. The word "person" as used in this ordinance shall be deemed to mean and include any person, firm, co-partnership, association or corporation.

The word "business" as used on this ordinance shall be deemed to mean and include all and every kind of lawful business, trade, calling, profession, or occupation as hereinafter specifically listed and mentioned in Section 3 hereof.

Section 2. No person shall engage in, prosecute, or carry on any business within the City of Garibaldi unless or until said person shall have first obtained a license therefor and paid to the City of Garibaldi the license fee therefor as hereinafter by Section 3 hereof provided and prescribed.

Section 3. This ordinance shall apply to the businesses, professions, occupations and pursuits hereinafter in this section specified and listed, and the license fee for each such business shall be shown opposite the same.

Accountant	\$ 10.00	Per Year	
Ambulance	15.00	"	"
Antique, Curio Shop	10.00	"	"
Apartment House	9.00	"	" per unit
Automobile dealer	10.00	"	"
Automobile parts and accessories, Store or Vehicle	10.00	"	"
Automobile paint shop	10.00	"	"
Automobile storage	10.00	"	"
Automobile wrecking	10.00	"	"
Auctioneer	25.00	"	"
Bakery	10.00	"	"
Bank	35.00	"	"
Barber shop	5.00	"	" per chair
Bathhouse	10.00	"	"
Beauty parlor	5.00	"	" per operator
Beer and Wine Distributer	25.00	"	"
Bicycle shop	10.00	"	"
Bill poster	20.00	"	"
Blacksmith shop	10.00	"	"
Boarding house	15.00	"	"
Boats for rent	10.00	"	"
Bookstore	10.00	"	"
Bootblack establishment	5.00	"	"
Beer sale, retail	60.00	"	"
Brick layers	10.00	"	"

Cabin and cottage owner	\$ 9.00	per year, per unit
Cabinet shop	5.00	" "
Cannery	30.00	" "
Card Writer	10.00	" "
Carpenter shop	10.00	" "
Cement and/or building-material dealer	10.00	" "
Chimney sweep	10.00	" "
Chiropractor	10.00	" "
Chiropodist	10.00	" "
Cigar and tobacco dealer	10.00	" "
Cleaning and pressing shop	10.00	" "
Cold storage warehouse and ice	15.00	" "
Confectionery and/or soft drink dealer	10.00	" "
Creamery	10.00	" "
Dehydrating plant	25.00	" "
Delicatessen	10.00	" "
Dentist	10.00	" "
Drug store combination license	25.00	" "
Dry Goods	10.00	" "
Electric shop	10.00	" "
Engineer	10.00	" "
Farm machinery dealer	15.00	" "
Feed store	10.00	" "
Fishing tackle store	10.00	" "
Fish market	10.00	" "
Florist	10.00	" "
Foundry	10.00	" "
Fruit and vegetable market	10.00	" "
Furniture store	10.00	" "
Fuel dealer	10.00	" "
Gas and oil distributor	25.00	" "
Grocery store combination license	25.00	" "
Hardware store combination license	25.00	" "
Harness shop	10.00	" "
Hawker on vehicle	5.00	" day
Hawker on foot	2.50	" day
Hospital	20.00	" year
Hotel	1.50	" " per room
Ice Plant	10.00	" "
Insurance office	15.00	" "
Jewelry store	10.00	" "
Junk dealer	10.00	" "
Ladies apparel shop	10.00	" "
Land locator	10.00	" "
Laundry	10.00	" "
Printer and bookbinder	10.00	" "
Public house	10.00	" "
Lumber yard	10.00	" "
Loan business	10.00	" "
Lunch counter	10.00	" "
Machine shop	10.00	" "
Magazine stand	10.00	" "
Meat market	10.00	" "
Men's clothing store	10.00	" "
Milk distributor	10.00	" "
Milk Producer	10.00	" "
Millinery store	5.00	" "
Naturopath	10.00	" "
Newspaper and printing shop	25.00	" "
Nurseries	10.00	" "
Optometrist	10.00	" "
Orchestra	10.00	" day

LICENSE FEES AND TAXES ON AMUSEMENTS

Amusement park	\$ 5.00	Per Day
Animal show	25.00	" "
Bicycles for rent	.25	" "
Bowling alley	5.00	" "
Boxing and/or wrestling match	5%	per match, of gross take
Carnival	25.00	Per Day
Circus	25.00	" "
Dance hall	2.50	" Dance
Fortune teller	50.00	" Day
Merry-go-round	5.00	" "
Motion picture theatre	20.00	" Year
Rodeo	25.00	" Day
Skating rink	5.00	" Year
Shooting gallery	5.00	" Quarter

Section 4. This ordinance shall become effective January 1, 1947, and the license fees above provided for shall be paid for licenses to cover the period January 1, 1947, to and inclusive of June 30, 1947, or any part thereof. Beginning July 1, 1947, said license fees as above provided shall be paid for licenses covering each fiscal year beginning July 1, or the unexpired part thereof.

Section 5. The license fees imposed hereby shall be in addition to all general ad valorem taxes now or hereafter levied pursuant to law, and shall be in addition to any and all other license fees otherwise imposed by the City of Garibaldi under existing ordinances, it being hereby specifically declared that the foregoing license fees are imposed and the said licenses to be granted with the object of raising revenue, as well as for the purpose of regulation, and that any and all license fees required hereby shall be considered reasonable and legal for the purposes of raising revenue, regardless of costs of regulation.

Section 6. MORE THAN ONE BUSINESS. If a person be engaged in carrying on in the City of Garibaldi more than one of said businesses above classified, then such person shall pay the license fee herein required for each of said businesses so carried on, regardless of the number of such businesses so carried on in one establishment or one place of business.

Section 7. Any person representing by sign or advertisement that he is engaged in any business in the City of Garibaldi for which a license is required by this ordinance shall be deemed to be actually engaged in such business and shall be liable for the payment of the license fee required therefor. The agent or agents in Garibaldi or non-resident proprietors, engaged in any business for which a license is required by this ordinance shall be liable for the license fee required hereby and subject to the penalties hereof for the failure to pay the same, to the same extent as if they were themselves the proprietors of the business.

Section 8. It shall be unlawful for any person to carry on or conduct any business, trade, profession or occupation, or transact any business in Garibaldi, Oregon, for which a license is required hereby, without first paying to the City of Garibaldi the license fee hereby required and obtaining licenses as hereby required. It shall be unlawful and a violation hereof for any person or agent of a non-resident owner or proprietor to operate or conduct any business in Garibaldi, Oregon, for which a license is required hereunder, unless a license has been obtained for said business hereunder as herein required.

Section 9. Forthwith after this ordinance goes into effect every person conducting any business in Garibaldi for which a license is required hereby shall make application to the City Recorder for license to carry on such business until July 1, 1947, and make payment of the license fee required hereby. Annually, beginning July 1, 1947,

such application shall be made and the license fees paid. The City Recorder shall issue receipt therefor when payment of such license fee is made and issue license pursuant thereto, which shall be displayed by the licensee on the premises where the business covered thereby is conducted, and the licensee shall exhibit the same to the Chief of Police or any police official of the City of Garibaldi upon demand.

Section 10. No transfer or assignment of any license issued hereunder shall be valid or permitted, except that whenever any person shall sell or transfer in whole a business for which such license has been issued, then the purchaser thereof shall not be required to pay any additional license on said business for the balance of the period covered by said previously issued license.

Section 11. Nothing herein contained shall be taken on construed as vesting any right in the licensee as a contract obligation on the part of the City as to the amount or character of license fee or license hereunder, and said license fees may be increased or decreased in any or all instances at any time by the City.

Section 12. Any person violating any provision hereof shall upon conviction thereof in the Recorder's Court of the City be punished by a fine not exceeding Two Hundred (\$200.00) Dollars, or by imprisonment in the City Jail for a period not exceeding ten (10) days, or by both such fine and imprisonment in the discretion of the City Recorder.

Section 13. In addition to the penalties above provided for, and as separate and distinct remedies, the City of Garibaldi may sue in any court of competent jurisdiction to obtain judgment and force payment of any license fee due under this ordinance.

Section 14. PROVISIONS OF ORDINANCE SEVERABLE. If any provision, section, sentence, or phrase of this ordinance shall for any reason be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment or decision shall not effect the validity of the remaining portions of this ordinance, and, in case an injunction may be issued as against the City of Garibaldi for the collection of any tax for any specified business, trade, occupation, or professions, as with respect to any or all other businesses, trades, occupations or professions to which such injunction shall not apply.

Passed by the Common Council this
23rd day of December, 1946.

Approved by the Mayor this
23rd day of December, 1946.

Attest:

B. J. Spencer
City Recorder

E. J. Fessler
Mayor