

TITLE XI: BUSINESS REGULATIONS

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CHAPTER 110: AMUSEMENTS

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§ 110.01 BOWLING ALLEY, SKATING RINK, MOVIE THEATER, LICENSE REQUIRED.

(A) No person shall operate or maintain for public use within the city any bowling alley, ten pin alley, roller skating rink, or moving picture show without first procuring a license to do so for which license the person shall pay the sum of \$10 per year. No license shall be granted for a period of time less than one year. The person desiring such license shall pay to the Clerk-Treasurer the amount provided in this section, and the Clerk-Treasurer shall issue the license. The license shall be procured on or before March 15 of each year.

(B) Any person(s), firms, companies, or corporations violating any provisions of this section shall be fined in the sum of \$25 for each offense. ('67 Code, §60.01)

§ 110.02 ITINERANT AMUSEMENTS, LICENSE REQUIRED.

(A) Every person maintaining or conducting any itinerant circus or menagerie, which shall exhibit within the corporate limits of the city, shall first procure a license from the Clerk-Treasurer to do so and shall pay to the city therefor the sum of \$25 per day for each day he so exhibits.

(B) Every person maintaining or conducting an itinerant show, theater, theatrical entertainment, minstrel entertainment or exhibition within the limits of the city shall first procure a license from the Clerk-Treasurer to do so and shall pay to the city therefor the sum of \$25 for each day he so operates or exhibits.

(C) Every person maintaining or conducting an itinerant outdoor carnival in the corporate limits of the city shall first procure a license from the Clerk-Treasurer to do so and shall pay to the city therefor the sum of \$25 per day for each day he so exhibits.

(D) Every person operating, maintaining, or conducting an itinerant roller skating rink in the city shall first procure a license from the Clerk-Treasurer to do so and shall pay to the city therefor the sum of \$25 per day for each day he so operates.

(E) Every person maintaining or conducting any other itinerant amusements not mentioned or provided for in this section shall first procure a license from the Clerk-Treasurer to do so and shall pay to the city therefor the sum of \$10 per day for each day he so operates.

(F) Any person violating any of the provisions of this section shall be fined in any sum not exceeding \$100. ('67 Code, §60.02)

CHAPTER 111: BUSES

Section

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§ 111.01 DEFINITIONS.

For the purposes of this chapter the following words and phrases shall have the following meanings ascribed to them respectively.

- (A) “BUS.” Any vehicle, except one which travels on tracks, which carries persons for hire over the streets of the city, and which has the capacity to carry more than 6 passengers, except school buses, traveling from city to city.
- (B) “BOARD.” Board of public works and safety of the city.
- (C) “COUNCIL.” Common council of the city.
- (D) “OPERATING A BUS.” The act of a bus picking up and discharging passengers in the city.
- (E) “OPERATOR.” One who operates a bus, and has been duly licensed for such operation. ('67 Code, §62.01)

§ 111.02 LICENSE REQUIRED.

No person, firm, or corporation shall operate a bus in the city without first obtaining a license. ('67 Code, §62.02) Penalty, see §111.99

§ 111.03 PROCEDURE FOR OBTAINING A LICENSE.

(A) Any person desiring a license to operate a bus shall file an application with the board setting forth the following information:

- (1) The full name and address of the owner or owners of the buses proposed to be

operated. If a corporation, the names and address of all of the officers of the corporation shall be indicated.

(2) The number of buses proposed to be operated by the applicant, and the model, year, and carrying capacity of each bus.

(3) If there is a mortgage, lien, or any encumbrance on the bus the applicant shall give the full name and address of the mortgagee, lien-holder, or encumbrancee.

(4) The amount and types of insurance carried on the buses.

(5) The proposed route in the city which the applicant desires to operate the bus.

(B) Each applicant shall be accompanied by a certified check or bond payable to the city in the amount of \$25. ('67 Code, §62.03)

§ 111.04 ACTION BY THE BOARD.

(A) The board, upon receiving the application, shall, within a reasonable time, inspect the bus of the applicant to see if it is adequately equipped, painted, and clean so that the operating of each and every bus would promote the health, safety, and general welfare of the city.

(B) The board shall further inspect the proposed operating route set out in the application to determine whether the route is adequately serviced by bus service, and whether the granting of the license would be for the public convenience and necessity.

(C) If the board in its discretion determines that the applicant is responsible, that the applicant's buses are in a good, clean, and safe condition, that they are adequately insured, and that the persons living on the proposed route are adequately served, the board may in its discretion issue a license to the applicant to operate on the route as set out in the application. ('67 Code, §62.04)

§ 111.05 APPEAL.

(A) In the event the board denies the application of an applicant for a license, the board shall notify the applicant by first class United States mail of its decision and return the certified check to the applicant.

(B) No later than 10 days from the date of mailing the denial, the applicant may appeal from the action of the board to the council of the city.

(C) The appellant shall file a copy of his application along with any pertinent information with the Clerk-Treasurer of the city who shall certify the appeal to council.

(D) The council shall hold a public hearing on the appeal not later than 30 days from the date the appeal is filed with the Clerk-Treasurer.

(E) The council shall duly notify the appellant and the board, by first class mail, of the hearing date not less than 5 days before the date of the hearing.

(F) At the hearing, the city attorney shall represent the board and the appellant may appear in person and/or by attorney, duly admitted to the practice of law in the state.

(G) Within 20 days from the date of the hearing, council shall notify the appellant and the board, by mail of its decision.

(H) The action of the council is deemed discretionary and its action deemed final. ('67 Code, §62.05)

§ 111.06 FEES.

In the event the board or council deems the applicant is entitled to a license, as hereinabove provided, the applicant shall pay \$25 for each route for a yearly license. ('67 Code, §62.06)

§ 111.07 REVOCATION OR SUSPENSION OF LICENSE.

(A) In the event that any duly licensed operator fails to keep his buses in a clean and safe operating condition, or in the event that the operator fails to render adequate service, the board shall notify the operator of such condition.

(B) In the event the operator does not correct or alleviate the condition set out in the board's complaint within 10 days, his license shall be suspended, and the board shall notify the operator of the suspension.

(C) In the event the operator does not correct or alleviate the condition within 10 days from the suspension, he shall appear before the board at a date and hour designated by the board to show cause why his license should not be revoked.

(D) If the board, after the hearing, determines that the license should be revoked, the board shall, by resolution, revoke the license, setting out its reason therefor.

(E) A copy of the resolutions should be recorded in the minute book of the board and copies sent, by mail, to the suspended operator and to the police chief.

(F) From and after the date of the revocation it shall be unlawful ad a violation of this chapter for the operator to operate his buses on his former licensed route. ('67 Code, §62.07)

§ 111.08 APPEAL FROM THE REVOCATION.

(A) Any operator having his license revoked may, by filing appeal papers not later than 10 days after the revocation, appeal the revocation to the council.

(B) The appellant shall file a copy of the board's resolution, along with any pertinent information, with the Clerk-Treasurer of the city who shall certify the appeal to the council.

(C) The council shall hold a public hearing on the appeal not later than 30 days from the date the appeal is filed with the Clerk-Treasurer.

(D) The council shall duly notify the appellant and the board, by mail, not less than 5 days before the date of the hearing.

(E) At the hearing, the city attorney shall represent the board, and the appellant may appear in person and/or by an attorney duly admitted to the practice of law in the state.

(F) Within 20 days from the date of the hearing, the council shall duly notify, by mail, the appellant and the board of its decision.

(G) The action of the council is deemed discretionary and its action deemed final.

(H) In the event council shall overrule the revocation of the board, and deem that the operator should be granted a license, the operator shall file an application for a license as hereinabove provided. ('67 Code, §62.08)

§ 111.09 ASSIGNABILITY.

(A) Any license granted under this chapter is not assignable.

(B) In the event the licensee voluntarily abandons his operation, or in the event his license is revoked, the operator is not entitled to any refund of his license fee. ('67 Code, §62.09)

§ 111.99 PENALTY.

Any person, firm, or corporation violating the provisions of this chapter shall, on conviction, be fined any sum not to exceed \$50. Each day a violation exists shall be deemed a separate violation of this chapter. ('67 Code, §62.99)

CHAPTER 112: (RESERVED)

CHAPTER 113: PAWNBROKERS

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§ 113.01 DEFINITION.

Any person who loans money on deposit or pledge of personal property, bonds, notes or other securities, or who deals in the purchasing of personal property, or chooses, in the action on condition of selling the same back again at a stipulated price, is hereby defined and declared to be a “PAWNBROKER.” (‘67 Code, §64.02)

§ 113.02 PAWNBROKER; LICENSE REQUIRED.

No person or persons shall carry on or conduct the business of a pawnbroker within the city without having first obtained a license. (‘67 Code, §64.01) Penalty, see §113.99

§ 113.03 ISSUANCE OF LICENSE; FEE.

The Mayor is authorized to grant a pawnbroker’s license to any person of good character who may apply therefor on the following conditions: The person so applying shall first pay the Clerk-Treasurer a sum of \$25 per annum, for the time such license shall be granted and shall execute a bond to the city in the sum of \$500, conditioned that the applicant will, in every particular, conform to the requirements of this chapter and with the requirements of any ordinance that may hereafter be passed concerning pawnbrokers. Thereupon, the Mayor shall issue a license in due form under the corporate seal signed by the Mayor and countersigned by the Clerk-Treasurer. The applicant shall pay a fee of \$1 before the Mayor issues the license. (‘67 Code, §64.03)

§ 113.04 EXPIRATION OF LICENSES.

All licenses issued under this chapter shall expire on the first day of June next after the time of issuance. (‘67 Code, §64.04)

§ 113.05 RECORD OF LICENSES.

The Mayor shall keep a record of all licenses granted under this chapter in which he shall record the name of the person licensed, the time of issuing, and the place of business of the person so licensed. ('67 Code, §64.05)

§ 113.06 LICENSEE TO KEEP RECORDS.

Every person so licensed shall keep at his place of business a substantial and well-bound book, in which he shall enter, in writing, a minute description of all personal property, bonds, notes, or other securities received on deposit, or by purchase as aforesaid, the time when they were so received and particularly mentioning any prominent or descriptive marks that may be on such property, bonds, notes, or other securities, together with the names and residences of the person(s) by whom they were left. The book shall be kept clean and legible and no entry therein shall be erased, obliterated, or defaced, and all the entries shall be made with ink. ('67 Code, §64.06) Penalty, see §113.99

§ 113.07 INSPECTION OF RECORDS.

Every person or persons so licensed shall, during the ordinary hours of business when requested by Mayor or any police officer of the city, submit and exhibit the book required by §113.06 for inspection by the Mayor or officer of the police department, and shall also exhibit any personal property, bonds, notes, or other securities that may be left with such licensed person for inspection by the Mayor or officer of the police department. ('67 Code, §64.07)

§ 113.08 DEALING WITH MINORS.

No licensed person shall knowingly take or receive in pawn or pledge for money loaned, or shall take, receive, or purchase within the line of business of pawnbroker any article, property or thing from or belonging to any minor. ('67 Code, §64.08)

§ 113.09 REVOCATION OF LICENSE.

Any person so licensed violating any of the provisions of this chapter or any ordinance hereafter passed concerning pawnbrokers shall be subject, at the discretion of the Mayor, to have his license revoked. ('67 Code, §64.09)

§ 113.99 PENALTY.

Any person violating any of the provisions of this chapter shall on conviction be fined in any sum not exceeding \$100. ('67 Code, §64.99)