

July 15, 1920

ORDINANCE NO. 319  
By Gaulding

AN ORDINANCE PROVIDING FOR RAISING A REVENUE BY PLACING A LICENSE ON VARIOUS KINDS OF AMUSEMENTS, BUSINESS, AND PROFESSIONS AND REQUIRING A LICENSE OF PEDDLERS, HAWKERS, DRAYMEN, CONFECTIONERY DEALERS, AUCTIONEERS, BILL POSTERS, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

Be it ordained by the Mayor and Council of the City of Payette, Idaho:

Section 1. No person, firm or corporation shall engage in, prosecute or carry on any business or vocation within the City of Payette, for which a license is required by this ordinance, until such license shall have been obtained.

Section 2. All applications for license shall be made to the City Clerk. All licenses issued shall be signed by the Mayor and attested by the City Clerk under the seal of the city. All licenses shall be numbered consecutively beginning with each fiscal year of said city. Every license shall specify the name of the person, firm or corporation to whom it is issued and the amount paid for the same. The Clerk shall keep a list of the licenses issued, stating the number, name, time, kind of business and the amount paid with such remarks as he may consider necessary.

Section 3. No license issued or granted under the provisions of this ordinance shall in any manner be assignable or transferable, or authorize any person other than the therein mentioned to do business or authorize any other business than is therein mentioned to be done or authorize the transaction of such business at any other place than is specified in such license.

Section 4. For the purpose of providing for the regulation and licensing of the various kinds of amusements, business, professions, peddlars, hawkers, draymen, confectionery dealers, auctioners

and billposters, subject to the provisions of this ordinance; licenses shall be divided into 22 classes, as follows:-

Class 1. Every circus, caravan or menagerie if traveling on the railroad and having less than twenty cars, \$25.00 per day; if twenty cars or over, \$50.00 per day; of each dog and pony show, if traveling on railroad with less than ten cars, \$12.50 per day, if ten cars or more, \$20.00 per day. Wildwest shows or other shows not herein enumerated, traveling on railroads and having twenty cars or more, \$30.00 per day, having less than twenty cars, \$20.00 per day. For each side show, exhibition or separate performance, connected with a circus or show where a charge of admission is made in addition to the admission fee of the main circus or show, \$5.00 per day. All other shows charging an admission fee for exhibition, practicing or performing, jugglery, acrobatic feats, wire walking, sleight of hand performance, and all other shows and exhibitions not herein enumerated, \$5.00 per day.

Class 2. All traveling or itinerant carnivals, or street shows, exhibiting partially in the open air and partially in tents or other temporary structures, or wholly in the open air, or wholly in tents or other temporary structures shall pay a license fee of \$100.00 for each and every day so exhibiting and operating.

Class 3. All entertainments of a theatrical, dramatic or operatic character; all lectures, readings or recitations, exhibitions of paintings, or statuary or other exhibitions of art; all musical entertainments, consisting solely of vocal or instrumental music or both; all entertainments commonly styled and known as concerts, shall pay a license fee of \$2.00 for the first day and \$1.00 for each successive day thereafter.

Class 4. All traveling or itinerant moving picture shows shall pay a license fee of \$5.00 per day.

Class 5. All theatres used exclusively for the purpose of exhibiting moving pictures shall pay a license fee of \$25.00 per quarter.

Class 6. All theatres used for the purpose of moving picture exhibitions, lectures, concerts, musical, dramatic or theatrical entertainments for which an admission fee is charged shall pay a license fee of \$35.00 per quarter.

Class 7. All merry-go-rounds, revolving wheels and entertainments of a similar nature shall pay a license fee of \$5.00 per day.

Class 8. All skating rinks, slides and similar places of amusement shall pay a license fee of \$1.00 per day or \$10.00 per month.

Class 9. All small itinerant shows such as bird shows, galvanic batteries, swings, lifting machines, blowing and striking machines, shooting galleries, cane racks, and similar devices or amusements shall pay a license fee of \$5.00 per day.

Class 10. All wrestling and boxing exhibitions for which an admission fee is charged shall pay a license fee of \$3.00 per day.

Class 11. All public dances or other entertainments of a like nature, when an admission fee is charged, or a fee collected for dancing or participating in the entertainment or amusement shall pay a license fee of \$2.50 per day.

Class 12. All other exhibitions, performances, entertainments, or amusement devices not included in any of the foregoing classifications shall belong to and be known as entertainments of the Amusement class and shall pay a license fee of \$5.00 per day.

Class 13. Each and every person who shall offer any article for sale from a stand, wagon or other vehicle, or upon any street, public or open ground within the limits of the city, shall be deemed a hawker under this ordinance and shall pay a license fee of \$25.00 per day.

Class 14. All other persons offering goods for sale except in the regular line of merchandising, or as otherwise provided for under this ordinance, shall be deemed peddlers, and shall pay a license fee of \$15.00 per day.

Class 15. Every person, firm or corporation who hauls, or transports goods, wares, merchandise, baggage or other material for the public for hire, within the corporate limits of the city, shall for the purpose of this ordinance be deemed a drayman, and shall pay a license fee of \$5.00 per quarter for each team or vehicle engaged in the said business of draying.

Class 16. Auctioneers shall pay a license of \$3.00 per quarter. Provided that nothing in this ordinance shall require a public officer in the discharge of his duties to pay a license for any sale of property sold under execution or attachment.

Class 17. Each and every traveling photographer, who as principal or agent, shall engage in a temporary or transient business, taking, vending or in any manner offering for sale photographs, views or enlargements, for pay, or who, shall either for himself or as agent for another by means of coupons, tickets, or part payments solicit business in the City of Payette, pertaining to photography, copying or enlarging pictures, shall pay a license fee of \$10.00 for the first day and \$5.00 for each and every day thereafter while so engaged.

Class 18. Each and every traveling oculist or optician, who as principal or agent, shall engage in a temporary or transient business or in the occasional pursuit of his profession in the City of Payette, shall pay a license fee of \$25.00 for each and every day so engaged.

Class 19. Clairvoyants, palmists, astrologers, seers or fortune tellers shall pay a license of \$10.00 per day or \$50.00 per week.

Class 20. Transient merchants, selling or in any manner offering for sale, goods, wares or merchandise within the City of Payette, Idaho, either at auction or private sale shall pay a license fee of \$10.00 per day. All persons, both principals or agents, who engage in a temporary or transient business, selling either at public auctions or private sale, whether holding an auctioneer's license or not, shall be deemed transient merchants for the purpose of this ordinance.

Class 21. Each and every person, who shall from a stand, sell or offer to sell, lemonade, cigars, ice cream, peanuts, pop corn, candy or other confectionery shall pay a license fee of \$2.00 per day or \$5.00 per quarter.

Class 22. Each and every person engaged in the business or pursuit commonly known as patent medicine shows or companies, or who shall advertise as a healer, magnetic healer, faith cure, water cure nature cure, or other similar title or designation, and who shall treat, diagnose, or prescribe, or offer to treat diagnose or prescribe for human ailments, for a fee, gift or other consideration, shall pay a license fee of \$10.00 per day. Provided that nothing in this ordinance shall be construed to apply to any person or persons engaged in those occupations or professions which are li-

censed and regulated by the laws of the State of Idaho, or to any religious body or society within the limits of the City of Payette, Idaho.

Section 5. Nothing in this ordinance shall be construed to require a license fee from farmers peddling their farm products, or from persons peddling fish, game, milk or bakers' products.

Section 6. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars (\$100.00) and costs of prosecution; and if in default of payment thereof, shall be imprisoned in the City jail of the City of Payette, State of Idaho, for a period of time not to exceed One day for each \$2.00 of such fine and costs. Each day that any such person, firm or corporation shall continue to violate any of the provisions of this Ordinance shall be deemed a new offense and shall, upon conviction thereof, be punished in the same manner and to the same extent.

Section 7. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed, provided, however, that all offenses committed and all penalties entered prior to said repeal may be prosecuted and punished in the same manner and with the same effect as if this Ordinance had not been passed, and this repealing clause shall not in any way effect pending civil or criminal actions, nor cost of prosecution on actions already incurred.

Section 8. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Passed and approved this 8<sup>th</sup>, day of July, A.D. 1920.

attest:

Martin [Signature]  
City Clerk

[Signature]  
Mayor.