

*See & Repealed by Ord. 3462*

**TITLE:** An Ordinance requiring that certain callings, trades and occupations be licensed, providing the manner of issuing licenses, providing for penalties for failure to obtain license, repealing all ordinances or parts of ordinances in conflict herewith and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

**Section 1: LICENSE FEE**

The business, trades and occupations hereinafter enumerated shall pay the license fee specified in the following schedule except and subject to the following conditions:

(a) A contract signed by the city and the applicant providing that the proceeds received by the applicant from such business occupation or trade to be used to improve a part of the city's public park system or

(b) One-half (½) of the license fee shall be charged in those instances where the applicant can show to the satisfaction of the City Council that the proceeds to the applicant from such business occupation or trade will be used for charitable, benevolent or public purposes.

(c) No license fee shall be charged to an applicant when the participants in the business, trade or occupation are amateurs only and the proceeds from the event are to be used for charitable, benevolent or public purposes. Schedule of license fees to be charged is as follows:

Bowling Alley, per alley	\$ 2.50	Quarterly
Billiard Rooms & Pool Halls, per table	5.00	Quarterly
Circuses and Indoor Menageries Outdoors	150.00	Daily
Circuses and/or Menageries Indoors	100.00	Daily
Carnivals, Exhibitions, Shows & Entertainment	100.00	Daily
Juggler	10.00 per week or	2.50 Daily
Pawnbroker	50.00	Quarterly
Shooting Galleries	10.00	Weekly
Skating Rinks	25.00	Semi-Annually
Theatres	10.00 per day or	50.00 Annually

**Section 2: DEFINITIONS**

(a) Bowling Alleys, Billiard Rooms and Poolrooms: Every place or building where bowls or balls are thrown, or billiard, pool or pigeon-hole or other games are played, or where ball or cues are used, shall be regarded as a bowling alley or billiard room or poolroom, respectively under this Ordinance, when used for profit or gain.

(b) Circuses or Menageries: A "circus" is hereby defined to be any exhibition of feats of horsemanship, acrobatics or sports, and a "menagerie" is hereby defined to be an exhibition of wild animals. Any owner, proprietor, keeper or other person in charge of any circus and/or menagerie shall pay the herein before provided license fee for such circus and menagerie; provided, however, that only one fee shall be paid for both circus and menagerie if they are in the same building, tent, space or area. A circus or menagerie held outdoors in a space or area, including a tent shall be an "outdoor circus and a menagerie" and a circus or menagerie held inside the building shall be an "indoor circus and a menagerie."

(c) Exhibitions, Shows and Entertainments: Any exhibition, show or entertainment not otherwise covered in this ordinance shall pay the license fee provided in the schedule of fees under exhibitions, shows and entertainment.

(d) Juggler: Every person who performs by sleight-of-hand shall be deemed a juggler under this Ordinance.

(e) Posting Theatrical or Other Show Bills: Any person who is engaged in the calling trade, or employment of posting theatrical or other show bills shall fall within the above license schedule.

(f) Pawnbroker: Any person whose business or occupation is to take or receive, by pledge or exchange, shares of stock, warehouse receipts, any goods, wares, or bonds, bills or exchange, and other written evidence of indebtedness for the repayment of money lent thereon, shall be termed a pawnbroker under this ordinance.



(g) Shooting Galleries: Shooting Galleries shall be any places or buildings where guns are kept, whether, for hire or not, for shooting at targets, and shall be within the purview of this ordinance.

(h) Skating Rinks: All owners or managers of skating rinks shall be subject to the license fee provided in the foregoing schedule. Established structures for the use of skateboards shall be defined to be skating rinks.

(i) Theatre: Every building used wholly or in part for the purpose of dramatic operatic or motion picture presentations therein and operated for commercial gain shall be deemed theatre.

Section 3: LICENSE

No person, firm, corporation or association shall, within the limits of the City of Albany, engage in or carry on any trade, business, occupation or profession for which a license is required by this ordinance, until he or they shall have obtained such license.

Section 4: APPLICATION FOR LICENSE

Every person, firm, corporation or association required by this ordinance to obtain a license to engage in any trade, business, occupation or profession for which a license is required shall pay to the City Recorder the sum of money required by ordinance in payment thereof; thereupon, with the receipt of the City Recorder setting forth the kind of business, trade, occupation or profession for which said license is desired, they shall apply to the City Recorder who shall issue such license, upon the compliance of the applicant with the provisions of all ordinances relating to obtaining licenses for the business, trade, occupation, or profession for which said license is desired.

Section 5: RECORD OF LICENSES

Every license issued by virtue of this ordinance shall contain and set forth the purpose, trade, business, occupation, or profession for which such license is granted and the name and place of abode of the person or persons taking out such license. Said license shall authorize the continuance of the business named therein at the place therein for the term of such license, but shall not authorize the carrying on of said business in any other place unless the place licensed be closed, in which case or cases the City Recorder shall be notified of the change and he shall note the same on the record of licenses.

Section 6: PLACE OF TRADE, ETC.

In every case where more than one of the trades, occupations, businesses, or professions for which a license is required shall be conducted or carried on in the same place, by the same person, at the same time, a license must be taken out for each of said pursuits according to the rates severally prescribed herein.

Section 7: EXPIRATION OF LICENSES

All licenses issued quarterly shall expire on the last day of each quarter as follows:

The 31st day of March;  
The 30th day of June;  
The 30th day of September;  
The 31st day of December.

All quarterly licenses shall be dated on the first day of the month in which the liability thereof accrues and shall be issued upon the payment of a suitable portion of the amount required for such license.

Section 8: PENALTY FOR VIOLATION

Any person, firm, corporation or association who shall pursue any occupation herein enumerated without first taking out a license as herein provided or violate any of the provisions of this ordinance shall, upon conviction thereof, be fined not less than \$5.00 nor more than \$100.00, or be imprisoned for not less than 2 days nor more than 50 days, or be punished by both such fine and imprisonment, in the discretion of the Court.

Section 9: EMERGENCY CLAUSE

Whereas, the peace, health and safety of the people of the City of Albany require that this ordinance shall become immediately effective, therefore, an emergency is hereby declared to exist and this ordinance shall become if full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council: April 13, 1966

Approved by the Mayor: April 13, 1966

ATTEST:

Russell W. [Signature]  
Mayor

[Signature]  
City Recorder

Effective Date: April 13, 1966