

TITLE 3 CHAPTER 1

MISCELLANEOUS LICENSES, REGULATIONS

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3-1-1: **DEFINITIONS:** As used in this Chapter, the following terms shall have the meanings ascribed to them herein:

CARNIVAL:

Shall mean and include any person who shall, either as principal or agent, temporarily engage in the business of offering amusement, bingo and games of chance to the general public; also rides, stands and other concessions which may accompany said business.

TENT SHOW:

Shall mean and include persons who shall, either as principal or agent, temporarily engage in the business of a traveling amusement show and offering to the general public for charge under any cover any amusement of a temporary nature.

MENAGERIE:

Shall mean and include any person who shall, either as principal or agent, temporarily engage in the business of offering to the general public for charge a show consisting principally of animals and animal acts.

TRAVELING AMUSEMENT:

Shall mean and include any person who, either as principal or agent, shall temporarily engage in the business of offering any type of amusement to the general public for charge.

ITINERANT PHOTOGRAPHER:

Shall mean and include any person who, either as principal or agent, shall temporarily engage in the business of photography or as a photographer from any room, building, structure, automobile, truck or other vehicle, curb, stand or other place used for the purpose of engaging in the photography business within the City.

SPIRITUALISTS and PALM READING:

Shall mean and include any person who, either as principal or agent, shall engage in the business

of attempting to foretell the future either by reading of palms, use of a crystal ball, cards or of any other nature.

312: **LICENSE REQUIRED:** It shall be unlawful for any person to engage, either as principal or agent, in the business of presenting circuses, carnivals, menageries, traveling amusements, tent show, itinerant photographers or spiritualists or palm reading, as defined in the preceding Section of this Chapter, within the corporate limits of the City except in accordance with this Chapter, and such persons shall not engage in any business activity without having first procured a license as herein provided, from the City Clerk.

313: **APPLICATION FOR LICENSE:** Any person desiring to engage in a business set forth in Section 312 herein shall make application to the City Clerk prior to the time that said person shall commence said business, for a license to conduct such business. Such application shall state the name and residence of the applicant, the nature of the business, kind of goods to be sold or the types of amusements or services which the business is to conduct and the length of time for which a license is desired. If said business shall be in all respects lawful, and upon recommendation of the City's law enforcement official, the City Clerk shall, upon payment for the license fee hereinafter provided for, issue a license to the applicant for the period and the purpose required by such application.

314: **LICENSE FEES ENUMERATED:** Any person desiring to engage in the business enumerated in this Section shall pay the license fees set forth herein.

(A) Circus \$100.00 per day or any fraction thereof

(B) Carnival \$100.00 per day or any fraction thereof

(C) Menagerie, tent, show or traveling amusement \$50.00 per day or any fraction thereof

(D) Itinerant photographer \$50.00 per day or any fraction thereof

(E) Spiritualists, palm reading \$100.00 per year or fraction thereof

(F) Public dance hall \$100.00 per year or fraction thereof

All annual license fees provided in this Section shall be payable on January 1 of each and every year.

315: **LICENSE DISPLAYED:** Any person to whom a license is issued pursuant to the provisions of this Chapter shall display the same in his place of business so that the same can be readily observed, or carry such license with him at all times while engaged in the business to which the license relates, and produce the same upon demand of any peace, police or executive officer of the City, the State of Idaho, or of Cassia County.

316: **REVOCAION OF LICENSE:** Any license issued under authority of this Chapter shall be subject to revocation by the Council for the violation of any ordinance or

regulation of the City or the laws of the State of Idaho governing the manner or method of conducting the particular business to which such license relates, such revocation to be by resolution of the City Council upon reasonable notice to the licensee, or his agent in immediate charge of the business mentioned in such license, of the charge of misconduct or violation charged against him. Provided, however, that nothing herein contained shall in anywise interfere with the effect of a judgment of conviction by the proper court operating to revoke any license when such judgment of conviction is based upon the violation of any ordinance of the City or law of the State of Idaho relating to the conduct of the business mentioned in such license.

317: LICENSING EXCEPTIONS: The City Council may, at its discretion, and upon stating the reasons therefore in its minutes, waive the required license fee.

318: LOCATION RESTRICTIONS: Any person who shall desire a license under any of the provisions of this Chapter shall first secure written permission from the owner of the property or land upon which the business is to be located to engage in such business.