

File

ORDINANCE #146

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IMPOSING LICENSES AND OTHER TAXES ON PRIVILEGES, BUSINESSES, OCCUPATIONS AND PROFESSIONS CARRIED ON AND ENGAGED IN WITHIN SAID CITY, AND PRESCRIBING PENALTIES FOR THE EXERCISING OF SUCH PRIVILEGES OR CARRYING ON SUCH BUSINESSES OCCUPATIONS OR PROFESSIONS WITHOUT A LICENSE OR OTHER FAILURE TO COMPLY WITH THE PROVISIONS THEREOF.

BE IT ORDAINED By the City of Miami Beach, Florida;

Section 1: No person, firm or corporation shall engage in or manage any business, privilege or occupation mentioned in this Ordinance in the City of Miami Beach, Florida, unless a City license shall have been procured from the City Clerk of said City as is provided by this Ordinance, which license shall be issued to each person, firm or corporation upon the receipt of the amount herein provided for or as may be otherwise provided by law.

Section 2: That in every case not otherwise provided in this act, a City License tax of 50% of the State License Tax imposed by the State of Florida in such cases, by Chapter 6421 of the Acts of the Legislature of Florida, enacted at its session in the year A. D., 1913, be and the same is hereby levied and imposed upon such businesses, professions or occupations not otherwise specifically named in this Ordinance, and all of the penalties prescribed by this Ordinance for the non-payment of license tax or for doing business without a license, shall extend and apply to such other cases not specifically mentioned herein.

Section 3: No license shall be issued for more than one year and all licenses shall expire on the first day of October of each year, unless otherwise provided in this act. All business licenses may be transferred, with the approval of the City Clerk, with the business for which they are taken out, when there is a bona fide sale and transfer of the property used and embraced in the business so sold or transferred, but such transfer of license shall not be held good for any longer than or at any other place than that for which it was originally issued, provided the original license shall be submitted to the said City Clerk who shall make note thereon of the transfer thereof.

Section 4: All licenses shall be payable on or before the first day of October of each year and no licenses shall be issued for any fractional portion of a year, except as otherwise provided in this act, and except that any license not otherwise specified in this act may be issued after the first day of April to expire on October first, upon payment of one-half the amount fixed as the price for such licenses for one year.

Section 5: Each individual who acts as Agent, and each individual who acts as business or sales Agent for a corporation engaged in any business mentioned in this section, when his principal has not paid a license in accordance with this Ordinance, shall be required to take out a license as Agent in his own name. This section shall apply to every person who seeks, negotiates or transacts, for himself or for any other person or corporation mentioned in this section, but not to inactive stockholders in corporations or members of Agencies who do not attempt to transact any business for such agency. A license tax in the sum set opposite each of the following businesses, occupations or professions, is hereby levied and imposed upon the business, occupation or profession opposite which such sum is set.

-A-

Agency, Commerical	\$10.00
Agency for sale or exchange of iron safes	5.00
Agency for marble or granite quarry or yard	5.00
Agency for negotiating loans on real estate	10.00
Agency for negotiating loans or loan company on personal property where it is not taken into possession by the lender	5.00
Agent, for sale of wagons, carriages, etc. where same not carried under a merchant's license	10.00
Agent for wholesale dealer or dealers in dry salt meat, hams, canned meats and other packing house products	25.00

Abstract, Land title, warranty or security companies	\$25.00
Agent, Lightening Rods	100.00
Agent, Insurance, for each company represented	5.00
Advertisement or trade inducement company or individual	100.00 -?
Advertising, each person, firm or corporation advertising on the streets, with banners, floats or cartoons, or any other means where no vehicle is used	10.00 -
Advertising each vehicle advertising on the streets by means of banners cartoons or floats or any other means	25.00 -
Advertising, each person, firm, corporation or agent for same, contracting and advertising in street cars	10.00 -
Advertising agents, firms, associations, corporations or any other persons distributing circulars, pamphlets or other advertising matter, this clause not to apply to merchants advertising in this manner their own goods or merchandise	25.00 -
Agency, for steamboats or sailing vessels	5.00
Agency for nonresidents, dealers or manufacturers, including brokers	10.00
Agency or other business not especially mentioned, except such licenses as may hereafter be authorized by council	10.00
Aquarium	10.00
Auctioneer, where goods, wares and merchandise are sold at auction by the owner, agent, auctioneer or other person within the limits of the City of Miami Beach, there shall be a license tax per day for each day that the sale may continue of	50.00
Awning or tent makers	5.00
Architects	5.00
Auctioneers, real estate, who sell real estate within or without the city limits, at auction, and who advertise such sale in newspapers, placards, posters, or otherwise in the City of Miami Beach	250.00
-B-	
Billiard, pool or bagatelle tables, person maintaining same for profit, directly or indirectly, or the proprietor thereof, for each table	10.00
Book Agent or canvasser for books or periodicals	5.00
Broker, in futures or options	25.00
Boat Houses or yards, with boats for hire	5.00
Brick Manufacturers, having agent in the City	5.00
Bottling Works, alone or in connection with any other business	10.00
Bulding or Loan associations, domestic	10.00
Building and loan associations, incorporated under the laws of other states	50.00
Boat Builders, contractors	10.00
Boat Yards	10.00
Bowling Alleys	10.00
Banks, having a capital stock of \$25,000. or less	50.00
Banks, having a capital stock of over \$25,000. and less than \$100,000	75.00
Banks having a capital stack of \$100,000. or over	100.00
Baker, except steam, baking not over 50 loaves per day	5.00
Baker, steam	25.00
Barber Shop, on each chair set up	2.00
Barber shop, selling tobacco, cigarettes or cigars, must take out addition license therefor	5.00
Baths, Turkish, Russian or vapor	5.00
Bill Posters	25.00
Bicycle, dealer in where goods are sold, repairs alone or in connection with any other business	10.00
Bicycle, repairing only	5.00
Blacksmiths, showing horses, one forge	5.00
Blacksmiths, more than one forge, each forge	5.00
Boarding Houses, taking transient boarders, ten lodgers or boarders or less	2.50
Boarding houses, less than 25 and more than 10	5.00
Boot and shoe repair shop, whether in connection with other buisness or otherwise	2.50
Boot and shoe repair shop employing more than two hands	5.00
Bootblack stand, each chair	1.00
Brokers or jobbers in hay, grain, provisions, etc.	25.00
Butcher shops (may sell fresh or cured meats, dressed fowl, fish ice and oysters at retail) each meat cutter	5.00

Butcher wagons, selling fresh meat from wagon, exclusively at wholesale \$10.00

-C-

Canvassers, solicitors, or other persons who solicit order or sell, by sample or otherwise, for furniture, household goods, musical instruments or other goods, wares and merchandise at retail, representing business houses out of the city. 100.00

Cash Registers, agent for sale or dealers in 5.00

Cane racks, knife racks, wheels of fortune or similar boards, proprietors, or person maintaining 250.00

Card writing, cutting or engraving 5.00

Circus, any performance or show given under canvas or tent (except dogs or trained animal exhibition) each performance 25.00

Circus, for each parade through the streets, when performance is given outside city 50.00

Charcoal, dealer in 2.50

Clairvoyant, per week license 150.00

Cyclorama 5.00

Cabinet Shops 5.00

Candy Manufacturers 5.00

Carpenter shops 2.50

Carriage or wagon dealers 10.00

Cigar manufacturers employing more than one and less than twenty hands 5.00

Cigar Manufacturers, employing more than 20 hands 10.00

Claim and collection agencies 10.00

Coal Dealers 10.00

Commission merchants or person doing business on commission, not otherwise provided for, including local and transient 50.00

Contractors or persons or firms, defined as persons taking contracts to perform work by the job, where party or firm does the work with assistants 10.00

Cool drink stands 10.00

-D-

Dentists 5.00

Detective Agencies 50.00

Dog or other trained animal exhibition, each performance 10.00

Dog or other trained animal exhibition, each parade, where the performance is given outside of the city limits 25.00

Drays, using drays or wagons for hauling, for each dray, truck or wagon 5.00

Dealers in cigars, cigarettes or tobacco (see merchants)

Dealers in second-hand goods other than wearing apparel 10.00

Dealer in second-hand goods wearing apparel 250.00

Delicatessen 5.00

Drugs, dealer in (see merchants)

Dynamite, dealer 10.00

-E-

Electric light companies - provided there is no tax upon the earnings of the company 50.00

Eating or lunch houses, stock less than \$300. (stock may include cigars and cold drinks) 10.00

Electrical contractor, repair or superintendence or other person engaged in or in charge of electrical construction or wiring, or dealer in 10.00

Employment agencies 10.00

Electropoise, or other similar article or agent for 5.00

Express companies 200.00

-F-

Factories, doors, sash, blinds, planing mills 10.00

Factories, furniture 5.00

Flying Jenny, owner or operator, for each, per week 1.00

Fortune Teller or palmist, per week 150.00

Foundries, alone or in connection with other businesses 25.00

Fruit stands, not connected with any other business 5.00

of professions
business license, selling clear west from wagon, excise tax

Fruit or vegetables, dealer in, sold from the car, per freight or express car, or other merchandise when merchant's license not carried	5.00
Fruits, vegetables or produce, solicitor for, upon commission, when merchant's license is not carried	5.00
Fish, oyster, or clam dealer, not in connection with butcher shop, retail or wholesale	5.00
Furniture dealer (see merchants)	5.00
Funeral director and undertaker	25.00
Ferries, each boat	5.00

-G-

Garage, public, for each location	10.00
Gas company or works	200.00
Gents' Furnishings (see merchants)	10.00
Granite, marble, rock or artificial stone yard	10.00
Grocer, selling fresh meat, oyster, fish or ice, must take out additional license	10.00
Grocers (see merchants)	10.00
Guns, or pistols, dealers in, whether in connection with other business or not	25.00

-H-

Hall for hire	5.00
Hardware (see merchants)	1.00
Hand Carts, for hire, each	5.00
Harness shop or store selling or manufacturing	10.00
Hides, wool, furs, etc., alone or in connection with other business	5.00
Horse trader and dealer	10.00
Hotel keepers, or Apartments having accommodation for 200 or more lodgers and boarders	75.00
Hotel keepers, having accommodation for more than 100 and less than 200 lodgers or boarders	40.00
Hotel keepers, having accommodation for 75 to 100 lodgers and boarders	25.00
Hotel keepers, having accommodation for 50 to 75 lodgers or boarders	10.00
House movers, except where hauled on wheels (must procure permit)	25.00
Hotel keepers, having accommodation for less than 25 lodgers or boarders	5.00
Hacks and carriages, where not run under a livery license, one horse	5.00
Hacks and carriages, not run a livery license, two horses	7.50

-I-

Ice House or agents	25.00
Ice Manufacturers, for each ton capacity	1.00
Ice wagons, retailing ice, each wagon, when not belonging to manufacturer of ice	5.00
Ice cream saloons, except where served at meals or licensed soda fountains	5.00
Ice cream, each person selling on the streets	5.00
Insurance companies, for each agent doing business for, license to be on the company and not on the agent	5.00
Itinerant vendors of proprietary or patent articles, from house to house	100.00
Itinerant vendors of patent or proprietary medicines or other solicitors from out of the city	250.00

-J-

Jewelers (see merchants)	5.00
Junk gatherers, by wagon or otherwise	5.00
Junk Shops, or dealers in old rope, iron, copper, brass, or any other metal or waste, cotton or other articles of any kind useless for their original purpose	25.00

Dealers in Junk shall hold their stock of this class of good subject to inspection of the Chief of Police and shall keep a record of all purchases, showing the article, price paid for same and name of the party from purchased.

Jobber or broker in grain, hay, provisions, etc. 25.00

-L-

Labor agents 10.00
 Land Agents or real estate brokers, each 10.00
 Laundries, steam 25.00
 Laundries, hand 10.00
 Lawyers, each 5.00
 Lithographers, each person, firm or corporation, alone or in connect with any other business 5.00
 Livery stable, having 1 to 10 horses or mules 25.00
 Livery stable having 11 to 20 horses or mules 35.00
 Livery stable, having 21 to 30 horses or mules 50.00
 Livery stable, having 31 to 40 horses or mules 60.00
 Livery stable, having 41 to 50 horses or mules 75.00
 Livery stable, having 51 to 60 horses or mules 85.00
 Livery stable, having 61 to 70 horses or mules 100.00

Provided that they shall pay in addition a fixed license tax on drays, busses but shall not be required to pay an additional hack or carriage license

Lumber Merchants, operating a lumber yard alone or in connection with any other business 10.00
 Lumber Manufacturer, or dealer in, at wholesale, selling only to registered dealers of the city, alone or in connection with any other business 10.00
 Lumber Agent, broker, firm, person, selling on commission at wholesale or retail, alone or in connection with any other business 10.00
 Lunch stand, owner or person maintaining same 5.00
 Lung Tester, striking machine, weighing machine, chewing gum stand, automatic penny in the slot machine or other device of like nature, owner of or person operating or maintaining the same, each machine 5.00

-M-

Machine Shop, not connected with railroad 10.00
 Manufacturers of proprietary medicines 10.00
 Manufacturers not otherwise provided for 5.00
 Mattress or pillow factory, alone or in connection with any other business, where machinery is not used 1.00
 Mattress factory, alone or in connection with any other business where machinery is used 1.00
 Marine Ways, where capital invested is more than \$1,000, doing business for profit 10.00
 Marine Ways, where capital invested is less than 1,000, doing business for profit 10.00
 Merchants, storekeepers, druggist, furniture dealers, jewelers, hardware, or other goods or merchandise having a capital stock of \$300 to \$1000 5.00
 Or capital stock of less than \$300. 2.50
 Merchants, same as above, with capital stock of more than \$1000, shall pay a tax of \$1.00 for each additional \$1000 of stock of fractional part thereof 50.00
 Merchants and dealers: See Section 9 for requirement of affidavit, bond, etc., before engaging in business 50.00
 Millinery, not in connection with other business and operating merchant's license 5.00
 Money lender, person, firm or corporation lending money, other than doing a legal banking business 25.00
 Moving pictureshows, without other attractions 50.00
 Moving pictures shows, with vaudeville 100.00
 Music store, or agent for musical instruments 10.00

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Natatorium	\$25.00
News Depot, not in connection with other business	10.00
Naval stores, dealer in or agent for person, firm or corporation dealing in	20.00

-O-

Osteopath, chiropractor or similar profession, each	10.00
Oils, illuminating or lubricating, wholesale dealer in or agent for such dealer	50.00
Oils, crude or fuel, dealer in	15.00
Optical goods, knives, jewelry or articles of a similar class, when sold from stands on the street	25.00
Optician or manufacturer of eye glasses alone, where no merchant's license is paid	10.00
Organ grinders, per week	5.00
Oysters, fish or ice dealers, not to apply to retail grocers, markets or butcher shops	5.00
Oriental goods, dealer	25.00
Oil peddlers, each wagon	15.00

-P-

Paints, dealers (see merchants)	100.00
Palmist, or fortune tellers, per week	150.00
Pawn Brokers	500.00

Pawn brokers selling other than articles taken on pledge must take out a regular merchant's license

Each person or firm engaging in the business of a pawn broker or conducting a pawn broking shop in the city, shall keep a record and upon demand shall make a report to the Chief of Police or his representative, of every article or thing pawned to or purchased by him or them. Said record and report to specify the article or thing such as number, mark, and all other such details, as will make identification of such article or such articles or thing clear and positive; and such person or persons aforesaid shall hold their shop open to visitation or inspection by the police, and upon refusal of any pawn broker at any time to submit to such visitation or inspection his or their shop shall be immediately closed by order of the Mayor.

All licenses issued to pawn brokers are subject to these provisions any violation of which will be punished by a revocation of their license, and no license issued to pawn brokers shall be transferred from the person or firm to whom it was issued.

Pawn brokers, selling other than articles taken on pledge license for such pawn broker \$500 in addition to his regular merchant's license.

Peddlers or hawkers or street vendor of medicines, drugs patent medicines or other proprietary preparations purporting to have medical virtues	250.00
Peddlers or dealers in dry goods, notions, jewelry or clothing or other merchandise on foot, selling at retail or by sample	50.00
Peddlers, same as above from wagons, per wagon	50.00
Provided that peddlers of fruit, vegetables and produce raised by themselves shall not be required to pay a license; where not raised	5.00
Phonographs or talking machines, each dealer or agent for phonographs or talking machines for hire	5.00
Phonographs or talking machines operated for profit	5.00
Photographers, ferrotypers or crayon artists	10.00
Popcorn or peanut vendors or peddlers, vending popcorn or peanuts on streets or sidewalks	25.00
Popcorn or peanut wagon on street, \$10.00; on sidewalk	5.00
Post card stand	5.00

Picture agents, soliciting orders or framing	\$25.00
Plating, gold, silver or nickel	5.00
Plumbing, gas and steam fitting	10.00
Printing office, news or job	10.00
Printing or book binding brokers, agents or agencies representing foreign firms	5.00
Proprietary medicines (see merchants)	
Pressing clubs, or cleaning and pressing of clothes	5.00
Packing house, wholesale, meats and meat products	50.00

-R -

Real Estate or renting agent (see land agent)	
Repair shop not in connection with any other business	5.00
Restaurant, with 12 chairs or less	5.00
Restaurant, with more than 12 chairs and less than 21 chairs, keepers of	7.50
Restaurant with more than 21 chairs, keeper of	10.00
Refrigerator cars, agent doing business in the city	5.00
Rinks, skating, bicycle or others owners or persons maintaining same	10.00
Rubber ballon peddlers, not pro rated	5.00

-S-

Sanitarium, or institution of like character	10.00
School supplies, dealer in, not connected with other business	5.00
Seed store, (see merchant)	
Sewing machine agents, each company or factory	5.00
Shuffle Boards, used for porfit, each board	100.00
Shooting gallery (close at 11 o'clock P. M.)	10.00
Soda founts; whether in connection with other business or not capital invested \$1,000 or more	10.00
Soda founts, whether in connection with other business or not, capital over \$500 and less than \$1000	5.00
Soda founts, whether in connection with other business or not, capital invested less than \$500. and more than \$50.	2.50
Spring bed manufactures, each, where machinery is used	1.00
Street cars companies, for each company using tracks on streets or trackless cars	100.00
Slot machines (see lung tester)	
Sign Painters, employing two or more hands	5.00
Wholesale or retail of jewelry, carrying stock on hand (see jeweler)	5.00

-T-

Taxidermist	5.00
(Telephone company) provided there is no tax on the earnings of these companies	100.00
(Telegraph company)	
Tailor, merchant, each shop	10.00
Tailor, merchant, where not other city license is paid, who is dealer in or agent for any person or firm, or any other person acting as agent for firm outside of city and taking orders for clothing shirts, or other wearing apparel to be made outside of the city shall be classed as an agent and shall pay a license of	25.00
Ten pin alley, or box ball or other alleys of a similar character, not including alleys belonging to hotels or clubs for the use of the members of guests	10.00
Theatres	25.00
Theatrical or dramatic troupes or companies, for profit where performance is not give in a local licensed theatre each performance	25.00
Theatrical performance, wholly for benevolent or charitable purposes, no license required	

Throwing balls at figures, persons maintaining place for profit	\$10.00
Typewriters, dealers in or agents	5.00
Towel Supply companies or individuals, each	5.00

-V-

Vaudeville, in licensed theatre	50.00
Vaudeville, or shows of a similar character, when not given in a regularly licensed theatre, each performance	25.00
Veterinary surgeons, or persons charging for services as horse doctors	10.00
Vehicles or hacks, transporting passengers by (a) each one horse hack or carriage, \$5.00; (b) each two horse hack or carriage \$7.50; (c) each omnibus, \$15.00 for each moving van \$5.00	

-W-

Warehouse or storage room	5.00
Watchmaker or repairer of Jewelry, carrying stock on hand (see jeweler)	
Watchmaker or repairer of jewelry, with no stock	5.00

Section 6: Persons, firms or corporations operating permanently located amusement parks within which are located and operated merry-go-rounds, roller coasters and other exhibition shows and performances or other forms of diversion and amusement permanently carried on in such parks, shall pay a license tax of \$100.00, provided that this shall not be construed to apply to persons operating bathing casinos or pavillions where guests are permitted to use swings and other devices without charge. And provided further that this shall not apply to any person or association holding a city or county fair where no charge is made to persons visiting such places, and where no priviledges are sold to others for the operation of shops or forms of amusement therein.

Section 7: Any person, firm or corporation operating, or who shall operate, a merry-go-round, roller-coaster, ferris-wheel, whip, dodger, or other like or similar forms of amusement, shall pay a license in the sum of \$1.00 for each of such forms of amusement for each week the same is operated.

Section 8: All confirmed cripples or invalids, physically incapable of manual labor, and all veterans of the Civil War, Spanish American and World wars, and widows who are dependent upon their own exertions, shall be allowed to peddle without paying a license, so long as they use their own capital and their profits are not divided with some one else.

Section 9: It shall be the duty of the City Clerk, before issuing a license based upon property valuation or capital stock or any other condition, to require the parties applying for such license to file under oath, duly authenticated, a statement of the value of the property, amount of the capital stock or other contingency which statement shall be kept permanently on the file. A failure on the part of the Tax Collector to require their written said oath, shall be cause for suspension from office. Any person who shall make a false statement, application or oath under this section shall be deemed guilty of a misdemeanor and punished as is hereafter set forth.

Section 10: Any person, firm, corporation or association that shall carry on or conduct any privilege, business, occupation or profession, for which a license is required by this ordinance, without first obtaining such license, and any person who shall make a false statement, application or oath, pursuant to the foregoing section, shall

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upon conviction be punished by a fine of not more than \$200. or by imprisonment not exceeding 90 days or by both such fine and imprisonment.

Section 11: each day that a privilege is exercised or business occupation or profession conducted or followed without having first procured a license therefor, shall be an individual offense punishable as in hereinbefore set forth, provided however that if a person, however defined, is punished for one such offense pays the penalty and procures a license before further conducting or carrying on such privilege, business, occupation or profession, then he shall be fined for each days failure or omission to have a license for the conduct of such privileges, businesses, occupations or professions.

Section 12: It is hereby made the duty of the City Marshal and other policemen of said City to investigate all of the aforesaid businesses occupations, or professions and make such inquiry as shall be necessary to determine whether they have procured a license or licenses as is herein provided for, and when such licenses shall not have been procured, to make arrest of the person violating this Ordinance with or without warrant, and any person refusing said Police Officer permission to investigate and inquire for the purpose of determining whether such person has such license, shall, upon conviction, be fined and imprisoned or both fined and imprisoned as is herein provided for failure to procure such licenses.

Section 13: It is hereby made the duty of any person exercising the privilege or conducting a business, occupation or profession, for which a license is herein required, to post his license in a conspicuous place in or about his place of business where it may be seen upon inspection by any official of said city and for his failure to do so, he shall, upon conviction, be fined or imprisoned, or both, as if he had never procured such license.

Section 14: The payment of a license hereunder shall not authorize or legalize in any manner whatsoever the commission of any offence or crime against said city, the County of Dade of the State of Florida or the United States of America.

Section 15: All of the provisions of this act shall be construed liberally in behalf of said City.

Section 16: all Ordinances or resolutions and parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

Section 17: This Ordinance shall become effective immediately upon its adoption by the City Council and approved by the Mayor of said City and posting in accordance with law.

PASSED and adopted this 19th day of January A. D. 1921.

CITY COUNCIL OF MIAMI BEACH FLORIDA

BY W. E. Brown
President

Attest:

C. W. Tomlinson
(Signed) C. W. Tomlinson

CITY Clerk

Approved this 19th day of January A. D. 1921.

T. E. James
(Signed) T. E. James
Mayor

ORDINANCE No. 146

An Ordinance of the City of Miami, Beach, Florida, imposing Licenses and other taxes on privileges, Businesses, occupations and Professions carried on and engaged in within said city and prescribing penalties for the exercising of such privileges or carrying on such businesses occupations or professions without a license or other failure to comply with the provisions thereof.

Passed Jan. 19, 1921

Posted Jan. 21/21

OFFICES OF
MCCASKILL & MCCASKILL
ATTORNEYS AT LAW
MIAMI, FLORIDA

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