

Ordinary RJ\JAS\S

ORDINANCE NO. 183

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING A PART OF ORDINANCE NO. 146 OF SAID CITY ENTITLED, "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 COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA.

Section 1. That that part of Section 5, Subsection P, reading: "Peddlers or dealers in dry goods, notions, jewelry or clothing or other merchandise on foot, selling at retail or by samples \$50.00

Peddlers, same as above from wagons, per wagon \$50.00, of Ordinance No. 146 of said City entitled: "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 and the same is hereby amended to read as follows:

"Peddlers or dealers in dry goods, notions, jewelry, clothing, groceries or other merchandise, other than milk in bottles, on foot, selling at retail or by sample.....\$600.00

"Peddlers or dealers in dry goods, notions, jewelry, clothing, groceries or other merchandise, other than milk in bottles, from wagons or motor vehicles, per wagon or motor vehicle, selling at retail or by sample.....\$600.00

Section 2. That this ordinance be effective from and after approval and posting as required by law.

PASSED and ADOPTED this 1st day of November, A. D., 1922.

John H. Lewis,
President City Council

ATTEST:

C.W. Tomlinson
City Clerk

APPROVED this 1st day of November, A. D., 1922.

Louis F. Nedjar
Mayor

Amending part of Ordinance
No. 146 for licenses of
businesses.

Passed & Adopted 11/1/22

ORDINANCE NO. 183

AN ORDINANCE OF THE CITY OF MIAMI BEACH,
FLORIDA, AMENDING A PART OF ORDINANCE NO.
146 OF SAID CITY ENTITLED, "AN ORDINANCE
OF THE CITY OF MIAMI BEACH, FLORIDA, IM-
POSING LICENSES AND OTHER TAXES ON PRIVATE
BUSINESSES, OCCUPATIONS AND PRO-
FESSIONS CARRIED ON AND PRACTICED IN WITHIN
SAID CITY, AND PRESCRIBING PENALTIES FOR
THE EXERCISING OF SUCH PRIVILEGES OR PRO-
FESSIONS WITHOUT A LICENSE OR OTHER LAIURE
TO COMPLY WITH THE PROVISIONS THEREOF.....

Posted 11/14/22

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH,
FLORIDA.

Section 1. That part first of Section 6, Subsection b, reading:
"Buggies or gaskets in city good, motor or electric
or other mechanical on foot, selling at least
\$20.00 per day, same as follows:

Buggies, same as above from wagons, per wagon \$20.00, or daily
license No. 146 of said City entititled: "An ordinance of the City
of Miami Beach, Motor, bicycles, occupations and other taxes on
privileges, practices, occupations, professions and
occupations of every kind in Miami Beach for
the exercise of such privileges or professions on such premises
to occupy with the provision thereof", be the same as here-
in follows:

"Buggies or gaskets in city good, motor or electric
or other mechanical on foot, selling
on foot, selling at least or per day
\$60.00.....

"Buggies or gaskets in city good, motor or electric
or other mechanical, other than milk in bottles
from wagons or motor vehicles, per wagon or motor vehicle, sell
ing at least or per day
\$80.00.....

Section 2. That this ordinance be effective from and after the
receipt by the postmaster as recorded by him.

PASSED and ADOPTED this first day of November, A. D., 1922.

President City Council

ATTEST:

City Clerk

APPROVED this first day of November, A. D., 1922.

John F. Mohr
Mayor

August 15, 1923.

Mr. R. L. Kelly,
Miami Beach, Florida.

Dear Sir:-

You have stated to me that you represent the Real Silk Hosiery Mills of Indianapolis, Indiana; that you use samples and take orders for hosiery; that you remit the proceeds to the house in Indianapolis, and the hosiery is shipped direct to the purchaser; and that you maintain no store or warehouse in the City of Miami Beach, Florida. You have asked my opinion about whether you can be required to pay a license for doing business.

Questions of this nature have been before the Courts a great many times and in all of them it has been held that doing business as outlined above is the conduct of inter state commerce and as such cannot be taxed by any State or municipality. Therefore, neither Dade County, nor any other County in the State of Florida, the City of Miami Beach or any other municipality has a right to require you to pay a license or any tax for the privilege of doing inter state commerce business as outlined above.

Yours very truly,

(Signed) G. E. McCaskill.

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