

ORDINANCE NO. 242

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, corporation or association 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, corporation, or association 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 the same as State license tax imposed by the State 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 last 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 November 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 provided in this act may be issued after the first day of May to expire on October thirty-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, <sup>tax</sup> 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.

AMUSEMENT AND RECREATION

Billiard, pool or bagatelle tables, person maintaining same for profit directly or indirectly, or the proprietor thereof, for each table .....	\$ 25.00
Bowling Alleys, or Box Ball Alleys, per alley ....	25.00
Circus, any performance or show given under canvas or tent (except dogs or trained animal exhibition) for profit, each performance.....	25.00
Circus, for each parade through the streets, when performance is given outside city.....	50.00
Dance Halls and ball rooms, public, each dance hall or ball room.....	25.00
Dog, or other trained animal exhibition, each performance.....	10.00
Dog, or other trained animal exhibition, each parade, where performance is given outside city limits.....	25.00
Games and devices, such as ball throwing at figures, ball rolling, cane racks, corn game, doll racks, hoop throwing, knife racks, and shuffle boards, or other games or devices, operated for profit, each game or device.....	25.00
Moving picture shows with or without other attractions.....	50.00
Natatoriums or bathing business.....	25.00
Organ grinder, per week .....	5.00
Rink, skating or bicycle, or others, owners or persons maintaining same (subject to special permission from City Council) .....	20.00
Shooting gallery, (to close at 11 o'clock P.M.).....	25.00
Theatres.....	50.00
Theatrical or dramatic troupes or companies for profit, where performance is not given in a local licensed theatre, each performance.....	15.00
Theatrical performance, wholly for benevolent or charitable purposes, no license required	Exempt
Vending machines, automatic, such as candy and chewing gum, music playing, picture displaying, penny-in-the-slot, weighing or other similar vending machines, operated for profit (except machines vending drinking cups or postage stamps) each machine.....	5.00

LIVING ACCOMMODATIONS

Apartments, Apartment Houses, Boarding Houses, Hotels and Rooming Houses, containing over five (5) bed rooms:

For each room which can be leased, not including bathrooms or kitchens.....	.25
Providing that each such apartment house etc. shall pay a minimum fee of	5.00

Any apartment house, boarding house, hotel or rooming house or any other place serving meals or food, requires a restaurant license, as follows:

Restaurant (Permitting the operation of cafe, cafeteria, public dining room, tea-room or restaurant) with chairs or stools, each to count as one seat:

Thirty (30) seats, or under, per seat	.50
Over thirty seats, per additional seat	.15

Providing that each such restaurant shall pay a minimum fee of	10.00
or a maximum fee of	25.00

Providing however, that any drug store or other place of business serving sandwiches or food of any kind shall pay a <del>minimum</del> fee for such privilege of	10.00
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#### MANUFACTURERS

The following businesses are classed as manufacturing, and each person, firm or corporation engaged in the operation of any of such businesses are required to take out a factory license, as follows:

Awnings, pennants, sails, tents and tarpaulins.

Bakery

Book Bindery

Brick Makers

Cabinet makers shop

Candy and confectionary makers

Canning factories, canning fruits, fish, molasses, syrup or vegetables, etc.

Carpenter shops,

Concrete or cement manufacturers of artificial stone, brick, cement blocks, posts, ornaments, vases, or other articles of similar nature.

Doors, sash and blinds

Foundries

Furniture makers

Gold, silver, or nickel plating

Harness and saddlery

Ice cream

Ice

Jelly and Preserves

Laboratories, chemical, dental, optical or X-Ray

Lumber and planing mills, or millwork

Musical instruments,

Mattress, pillows or springs

Mirrors

Mosaic, terrazzo and tile

Multigraphing

Newspapers or periodicals  
Novelty work

Paint works  
Picture framing  
Printing - all kinds

Rubber stamps

Septic tanks  
Sheet metal works and tin shops  
Stone cutters  
Sign painters' shop  
Tank builders

Also all other manufacturers of products not heretofore mentioned.

Factories employing five hands or less	10.00
Factories employing more than five and not over twenty-five hands	20.00
Factories employing over twenty-five hands	35.00

MERCHANTS, STORE KEEPERS AND DEALERS

All persons, firms or corporations engaged in the business of selling merchandise or goods of any kind, sort or description, are required to cover their operations by taking out a merchant's license as follows:

Cold Drink Stand	10.00
Gum or merchandise vending machines, per machine	5.00
Ice delivery, retailing ice, each vehicle	5.00
News depot, not in connection with other business	10.00
Oil peddlers, each vehicle	15.00

**Pawn Brokers:**

Pawnbrokers selling other than articles taken on pledge, must take out a regular merchant's license. Each person or firm engaged in the business of a pawnbroker 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 pawnbroker at any time to submit to such visitation or inspection, his or their shop shall be immediately closed by the order of the Mayor.

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

Pawnbrokers selling other than articles taken on pledge - License for such pawnbroker \$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	600.00
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Peddlers or dealers, without established places of business in the City of Miami Beach, in dry goods, notions, jewelry, clothing, groceries or other merchandise, other than milk or water in bottles, on foot or from wagons or other vehicles, selling at retail or by sample	\$600.00
Peddlers or dealers who maintain an established place of business in this city, in dry goods, notions, jewelry, clothing, groceries or other merchandise, other than milk or water in bottles, on foot or from wagons or other vehicles, selling at retail or by sample, per individual or vehicle	25.00
Peddlers of fruit, vegetables, and produce raised by themselves shall not be required to pay a license.	
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 \$1,000.	5.00
Soda Founts; whether in connection with other business or not, capital over \$50. and less than \$500.	2.50
Provided that soda fountain operated in connection with regularly licensed drug store, restaurant, or confectionary store is not required to take out a license.	
All persons, firms or corporations engaged in the business of selling merchandise of any kind, sort or description, except those mentioned above under the title "Merchants, storekeepers or dealers", shall be required to pay a merchant's License Tax determined as follows:	
When the maximum value of stock of goods carried does not exceed \$1,000.	10.00
For each additional \$1,000. or fractional part thereof	1.00
Provided that such merchant, storekeeper or dealer shall pay a maximum fee of	25.00

PROFESSIONAL

The following professional practitioners are classed as professional, and each person, firm or corporation engaged in the practice of any such profession are required to cover their practice by taking out a professional license as follows:

Professional License; to apply to each person, firm or corporation engaged in the practice of any profession herein licensed as a profession, permitting the operation of but one person,	15.00
For each additional partner or person operating with the person, firm or corporation licensed in the preceding clause,	10.00
Accountants and Auditors	
Analytical Chemists	
Architects	
Artists, including retouching, sketching, cartooning, crayon on ferrotyper, or other similar line.	
Attorneys at law	
Chiropodists	
Chiropractors	

Christian Science Healers or Practitioners  
 Civil Engineers  
 Dentists  
 Detectives, including civil, commercial corporation, criminal,  
 industrial, insurance, railroad, and other similar investigations.  
 Doctors, Physicians and Surgeons  
 Electrical Engineers  
 Engravers  
 Healers, Magnetic  
 Homeopathic Physicians  
 Landscape Architects or Gardeners  
 Mechanical Engineers  
 Naprapaths  
 Naturopaths  
 Opticians  
 Osteopaths  
 Veterinarian or Veterinary Surgeon  
 Photographer  
 Taxidermist

SERVICE ESTABLISHMENTS AND STATIONS

Automobile Renting Business	20.00
Boat Yards and Ways doing repair work	15.00
Boat Towing and Lightering	25.00
Boat Livery	10.00
Boat and Ship Storage Basins, or Sheds	25.00
Barber Shop, each chair	2.00
Baths, turkish or similar	15.00
Bicycles, for rent and repair	10.00
Blacksmiths	10.00
Boot and Shoe Repair	5.00
Boot-Black Stand, each chair	1.00
Beauty Parlors, hairdressing and manicuring, alone or in connection with any other business	10.00
Baggage and transfer business with established place of business in Miami Beach .....	25.00
Baggage and transfer business with no established place of business in Miami Beach .....	50.00
Garage, (public) for storage, washing or repairing of automobiles or trucks, and sale of gasoline and oil, supplied to cars at the garage .....	20.00
Filling stations (automobiles) gas and oil, each gasoline pump	5.00
<p>Note: Garages or filling station selling accessories require also a Merchant's License. Garages must pay Agent's license for each make of car for which they are authorized agents.</p>	
Laundries, Steam - located in Miami Beach	25.00
Laundries, Hand - " " " "	10.00
Laundries not located in Miami Beach but with an estab- lished agency in Miami Beach	25.00
Laundries not located in Miami Beach and without an estab- lished agency in Miami Beach	50.00
<p>Riding Academies:</p>	
First 10 horses	25.00
For each additional horse	1.00
Cleaning and Pressing establishments in Miami Beach	25.00
Cleaning and Pressing establishments not located in Miami Beach but with an established Agency in Miami Beach	25.00

Cleaning and Pressing establishments not located in Miami Beach and with no established agency in Miami Beach	\$50.00
Telegraph Companies	100.00
Tailor, merchant, each shop	10.00
Window Cleaners	10.00

MISCELLANEOUS

A.

Agent, Bureau, Broker, Operator or Dealers of all kinds, including commercial, insurance, real estate, stock sales, loans, claims, transportation, manufacturer, or any other business or occupation, except pawnbroker, for each class of business handled, each firm	25.00
And for each individual connected therewith as salesman	10.00
Abstract, Land Title, Warranty or Security Companies	25.00
Advertising of all kinds	15.00
Auctioneer, where goods, ware 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
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
Arms, including ammunition and pistols, bowie-knives, dirk-knives, sling shots, brass-knuckles, springfield and repeating rifles, and guns, dealers in alone, or in connection with any other business	25.00

B.

Building and Loan Associations	25.00
Banks, having a capital stock of \$25,000. or less	50.00
Banks, having a capital stock of \$25,000. and less than \$100,000.	75.00
Banks, having a capital stock of \$100,000. or over	100.00

C.

Canvassers, Solicitors or other persons who solicit orders, 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
Card writing, cutting or engraving	5.00
Commission merchants or person doing business on commission not otherwise provided for	25.00
Contractors, persons or firms, defined as persons taking contracts to perform work by the job, where party or firm does the work with assistants, shall be as follows:	

Taking contract, any one which does not exceed \$5,000.	10.00
Taking contracts, exceeding \$5,000. but not exceeding \$15,000.	15.00
Taking contracts exceeding \$15,000. but not exceeding \$50,000.	25.00
Taking contracts exceeding \$50,000.	50.00

## D.

Dealers in second hand goods, other than wearing apparel	25.00
Dealers in second hand goods -wearing apparel	250.00

## E.

Electric Light Companies - provided there is no tax by the City of Miami Beach upon the earnings of the Company	50.00
Express Companies	50.00

## F.

Fortune Tellers, Palmists, Hypnotists, Clairvoyants, Astrologers, Phrenologists, per week	150.00
Funeral Director and Undertaker	25.00

## GL

Guns (See Arms)

## H.

Hall for hire	15.00
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## M.

Money lender, person, firm or corporation lending money, other than doing a legal banking business	25.00
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## P.

Photographer	15.00
Itinerant Photographers	50.00

## S.

Sanitarium or institution of like character	10.00
Sign Writers	25.00
Street Car Companies	50.00

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 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 privileges 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 \$25.00 for each of such forms of amusement where not located in a regularly licensed amusement park.

Section 8. 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 said written 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 9. Any person, firm or 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, upon conviction, be punished by a fine of not less than \$25.00 nor more than \$200.00 or by imprisonment not exceeding 90 days, or by both such fine and imprisonment.

Section 10. Each day that a privilege is exercised, or business, occupation, or professional conducted or followed without having first procured a license therefor, shall be an individual offence punishable as is hereinbefore set forth, provided however, that if a person, however defined, is punished for one such offence, and pay the penalty, and procures a license before further conduction or carrying on such a privilege, business, occupation or profession, then he shall be fined for each day's failure or omission to have a license for the conducting of such privilege, business, occupation or profession.

Section 11. It shall be the duty of all officers and agents of any corporation to see that such corporation complies with the provisions of this Ordinance; and all officers or agents of any corporation required by this Ordinance to be licensed which shall do business without having paid the license tax imposed and procured such license, shall be subject to the penalties imposed by the foregoing sections upon persons and members of firms and corporations violating this Ordinance/

Section 12. It is hereby made the duty of the Chief of Police to appoint a license officer with police powers, said License Officer to investigate all the aforesaid businesses, occupations or professions, and to make such inquiry as shall be necessary to determine whether they have procured a license or licenses as is herein provided for, and shall report thereon every week to the Chief of Police and the Tax Collector of each week's investigations, and when such license or licenses shall not have been procured, to make arrest of the person or persons violating this Ordinance, and any person refusing said license officer permission to investigate and inquire for the purposes of determining whether such person has such license, shall, upon conviction,

be fined or imprisoned, or both fined or imprisoned, as is herein provided, for failure to procure such license.

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, 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 and parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

Section 17. This ordinance shall become effective upon its passage, approval and posting in accordance with law.

PASSED AND ADOPTED this 15th day of December, A.D., 1926.

*John H. Levi*  
President of City Council

ATTEST:

*C. W. Tomlinson*  
City Clerk.

APPROVED BY ME this 15th day of December, A.D., 1926.

1st reading - Dec. 8, 1926  
2nd " - Dec. 8, 1926  
3rd " - Dec. 15, 1926  
Posted

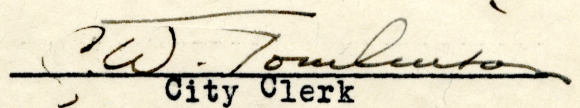
*Tom Bradley*  
Mayor.



STATE OF FLORIDA )  
COUNTY OF DADE )

I, C. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 242 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," having been duly passed and adopted by the City Council of the City of Miami Beach, has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 18th day of December, A. D., 1926, and that said ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Miami Beach on this the 19th day of January, A. D., 1927.

  
City Clerk



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ROSS

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(Original)  
Ordinance No. 242.  
Fishing license rates.