

ORDINANCE NO. 287

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, DEFINING EMPLOYMENT AGENTS OR EMPLOYMENT AGENCIES, PROVIDING FOR THE LICENSING AND FIXING OF SUCH LICENSE, REQUIRING ALL APPLICANTS FOR LICENSE TO FILE APPLICATION FOR SUCH LICENSE, SETTING FORTH CERTAIN RULES GOVERNING EMPLOYMENT AGENTS OR EMPLOYMENT AGENCIES, FIXING A PENALTY FOR THE VIOLATION OF SAID ORDINANCE.

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

SECTION 1. That the term "Employment Agent or Employment Agency" as used in this ordinance means any person, firm or corporation, association or partnership in this City engaged for hire or compensation in the business of furnishing persons seeking employment or changing employment, with information or other service, enabling or attempting to enable such persons to procure employment by or with employers, or furnishing any person, firm, corporation, association or partnership who may be seeking to employ, or may be in the market for help of any kind, with information, enabling or tending to enable such person or persons, firm, corporation, association or partnership to procure such help.

SECTION 2. That no person, firm, corporation, association or partnership shall open or carry on any employment agency in the City of Miami Beach unless such person, firm, corporation, association or partnership shall first procure a license from the City Clerk of the City of Miami Beach.

SECTION 3. That the license for such employment agent or agency be and the same is hereby fixed at the sum of Twenty-five Dollars (\$25.00) per year.

SECTION 4. Every applicant for a license shall file with the City Manager a written application, stating the name and address of the applicant, the kind of license desired, the street and number of the building in which the employment agency is to be maintained, the name of the person who is to have the general management of the office and the name under which the office is to be carried on; whether or not the applicant is interested in any other business of a like nature, and, if so, where. Such application shall also state whether the business is to be carried on under the license and shall be signed by the applicant and sworn to before a Notary Public. If the applicant is a corporation, the application shall state the names and addresses of the officers and directors of said corporation and shall be signed and sworn to by the president and treasurer thereof. If the applicant is a partnership, the application shall also state the names and addresses of all partners therein and shall be signed and sworn to by all of them. Such application shall also give as reference the names and addresses of at least two persons of reputed business or professional integrity located in the City of Miami Beach.

SECTION 5. Every applicant for a license to engage in the business of an employment agency shall, at the time of making application for said license, file with the City Manager a schedule of the fees to be collected by such employment agent or agency for services rendered. Upon the filing of the application, as heretofore provided, with the City Manager, the City Manager shall cause an investigation to be made as to the character of the applicant, or if a corporation or partnership or association, the character of the officers or partners thereof, and of the person who is to have the general management of the office or place of business. The application shall be rejected if the City Manager shall find that any of the persons named as applicant in the application are not of good moral character and business integrity, or if there is any good and sufficient reason within the meaning or purpose of this ordinance for rejecting such application.

SECTION 6. The following rules shall govern each and every employment agent or employment agency:

(a) All employment agents or employment agencies shall file in a conspicuous place in his or its office a schedule of the fee or charge to be collected or made by such employment agent or employment agency for any service rendered.

(b) No fee shall be charged unless and until employment is secured for applicant.

(c) Every employment agent or employment agency shall keep a registry of his or its patrons and transactions, which registry shall be open for examination, inspection, or investigation to the City Manager of the City of Miami Beach, or any one properly authorized by him to make such examination, inspection or investigation.

(d) No employment agent or employment agency shall send out any applicant for employment without having obtained, either orally or in writing, a bona fide order, and if no employment of the kind applied for is secured for which said application was made the said agent or employment agency shall refund to said applicant within forty-eight hours, on demand, any sums paid by the said applicant except sums paid by said applicant for strictly local bus and/or street car fares within a radius of ten miles of the City of Miami Beach.

(e) No employment agent or employment agency shall, by himself or itself, or by his or its agents, solicit, persuade or induce any employee to leave any employment in which the employment agent or employment agency has placed said employee without the consent of the said employer; nor shall any agent or agency, by himself or itself, or through any of his or its agents, persuade or solicit or induce said employer to discharge his employee.

(f) No employment agent or employment agency shall knowingly cause to be printed or published any false or fraudulent advertisement for help, or for obtaining work or employment, and when advertising positions in newspapers or magazines, his or its copy shall appear over or under his or its regular trade name.

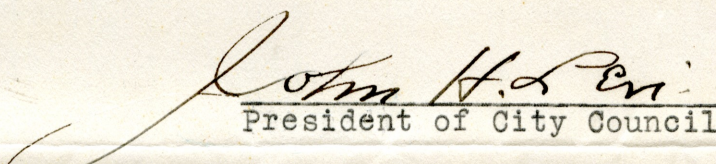
(g) No employment agent or employment agency shall knowingly procure, entice, aid or abet in procuring, enticing or sending a woman or girl to practice prostitution or to enter as an inmate or a servant in a house of ill fame, or other place resorted to for prostitution, the character of which, upon reasonable inquiry, could have been ascertained by said employment agent or employment agency.

(h) No person, firm or corporation shall split, divide or share, directly or indirectly, any fee, charge or compensation received from any employee with an employer or person in any way connected with the business thereof.

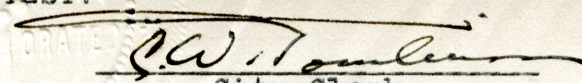
SECTION 7. Any person or persons violating any of the provisions, sections, parts of sections, or sentence of this ordinance, upon conviction thereof, shall be punished by a fine not exceeding ~~Five~~ Five Hundred Dollars (\$500.00), or by imprisonment for not more than sixty (60) days, or both such fine and imprisonment, in the discretion of the court.

SECTION 8. If any section, part of section, paragraph or clause of this ordinance shall be held to be unconstitutional or void the remaining provisions of this ordinance shall, nevertheless, remain in full force and effect.

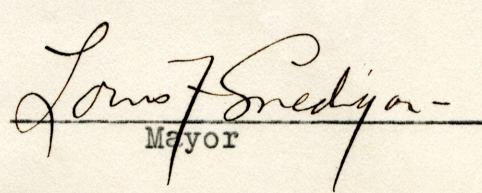
PASSED AND ADOPTED this 5th day of November,
A. D. 1930.


President of City Council

ATTEST:


City Clerk

APPROVED by me this 5th day of November, A. D.
1930.

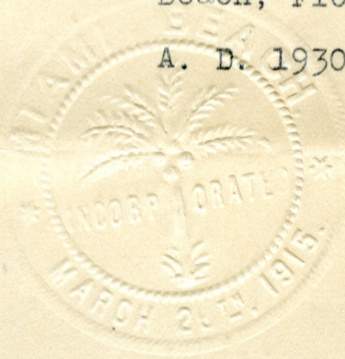

Mayor

First Reading, October 22nd, 1930.
Second Reading, October 22nd, 1930.
Third Reading, November 5th, 1930.
Posted, November 6th, 1930.

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. 287, entitled, "AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, DEFINING EMPLOYMENT AGENTS OR EMPLOYMENT AGENCIES, PROVIDING FOR THE LICENSING AND FIXING OF SUCH LICENSE, REQUIRING ALL APPLICANTS FOR LICENSE TO FILE APPLICATION FOR SUCH LICENSE, SETTING FORTH CERTAIN RULES GOVERNING EMPLOYMENT AGENTS OR EMPLOYMENT AGENCIES, FIXING A PENALTY FOR THE VIOLATION OF SAID ORDINANCE", having been duly passed and adopted by the City Council of the City of Miami Beach, Florida, 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 6th day of November, A. D. 1930, 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, Florida, on this the 17th day of December, A. D. 1930.



C. W. Tomlinson
City Clerk

ORIGINAL

ORDINANCE NO. 287

EMPLOYMENT AGENCIES.