ORDINANCE NO. 288

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. 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, in the year A. D. 1930, 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 license shall be issued for any fractional portion of a 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 corporation 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 professions opposite which such sum is set.

AMUSEMENT AND RECREATION

AMUSEMENT AND RECREATION
BALL ROOMS (See Dance Halls)
BAGATELLE TABLES (See Billiards)
BILLIARD, pool or bagatelle tables, persons maintaining same for profit directly or indirectly, or the proprietor thereof, for each table \$ 25.00
BOWLING ALLEYS, or box ball alleys, per alley
BOX BALL ALLEYS (See Bowling Alleys)
CIRCUS, any performance or show given under canvas or tent (except dogs or trained animal exhibition) for profit, each performance \$100.00
CIRCUS, for each parade through the streets when performance is given outside City \$ 50.00
CORN GAMES (See Games and Devices)
DANCE HALLS and ball rooms, public, each dance hall or ball room
DOG or other trained animal exhibition, each performance
DOG or other trained animal exhibition, each PARADE where performance is given outside City Limits
FORTUNE TELLERS, Palmists, Hypnotists, Clairvoyants, Astrologers, Phrenologists, Physiog-nomists, and others of a similar nature, each \$100.00
GAMES AND DEVICES, such as BALL THROWING at figures, BALL ROLLING, CANE RACKS, CORN GAMES, DOLL RACKS HOOP THROWING, KNIFE RACKS, and SHUFFLE BOARDS, or other games or devices, oper-
ated for profit, each game or device \$ 50.00
GOLF, practice or driving courses \$ 25.00
GOLF Miniature, Tom Thumb, Pony, or similar courses (See Miniature Golf Courses)
MINIATURE GOLF COURSES
MOVING PICTURE SHOWS, with or without other
attractions, where adult admission is Fifty Cents (50ϕ) or less
MOVING PICTURE SHOWS, with or without other attractions, where adult admission is more than Fifty Cents (50ϕ)
NATATORIUMS or bathing business \$ 25.00
ORGAN GRINDERS, per week

PARADES (See Circus and Dog or other trained animal exhibitions)	
PONY GOLF (See Miniature Golf Courses)	
POOL ROOMS (See Billaards)	
RINK SKATING, 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
SWIMMING POOLS (See Natatoriums)	_,
THEATRES, other than Moving Picture, etc \$	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 benevo- lent or charitable purposes, no license required	EXEMPT
TOM THUMB GOLF (See Miniature Golf Courses)	
TRAINED ANIMAL SHOWS (See Dog or other trained animal exhibitions)	
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 ma-	
chine	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 \$ Over Thirty (30) seats, per additional seat	.50
PROVIDING that each such restaurant shall pay a minimum fee of	10.00
	10.00 25.00

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:

Bakery Book Bindery Brick Makers

Cabinet Makers Shop
Candy and confectionery 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, Sashes and Blinds

Foundries Furniture Makers

Gold, Silver, or Nickel Plating

Harness and Saddlery

Ice Cream

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 (See Sign Writer in Miscellaneous Section)

Tank Builders

Also all other manufacturers of products not heretofore mentioned.

FACTORIES employing five hands or less . . . \$ 10.00

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, MILK, WATER AND CITRUS JUICES, retailing, each vehicle	5.00
NEWS DEPOT, not in connection with other business	10.00
MILK, retailing (See Ice)	

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 things, 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.

PAWNBROKER selling articles taken on pledge. In addition to his regular merchant's license . . \$500.00

PEDDLERS with or without established places of business in the City of Miami Beach, CANVAS-SERS, ITINERANT SOLICITORS or other persons who solicit orders or sell by sample or otherwise, goods, wares, or merchandise at retail \$100.00

Provided, however, that before any license shall be issued to any PEDDLER, CANVASSER, ITIN-ERANT SOLICITOR or other person named above, a permit therefor must be secured from the City Manager, application therefor having been made at least Thirty (30) days prior to the granting of said permit. It is hereby made the duty of said City Manager to investigate all applications therefor, and if said City Manager is satisfied that the said applicant is of good moral character, and in a legitimate business, and that the welfare of said City will not be jeopardized by the issuance of said license, the said City Manager shall grant said permit, otherwise not.

PEDDLERS OF FRUIT, vegetables and produce raised by themselves shall not be required to pay a license fee, but shall be required to obtain the permit hereinabove referred to EXEMPT Provided that SODA FOUNTAINS operated in connection with regularly licensed drug store, restaurant, or confectionery store do not require a license. VENDING MACHINES (See Gum or Merchandise Vending Machine) WATER, retailing (See Ice) WHOLESALE DEALERS IN DRY GOODS, notions, jewelry, clothing, groceries, fruits, vegetables, produce of all kinds, or other merchandise, on foot or from wagons, trucks, or other vehicles, MERCHANTS - 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: \$ 10.00 For each additional One Thousand Dollars (\$1,000.00) or fractional part thereof \$ 1.00

PROFESSIONAL

Provided that such merchant, storekeeper or dealer shall pay a maximum fee of \$ 25.00

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

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 investigators
Doctors, Physicians and Surgeons

Electrical Engineers Engravers

Healers, Magnetic Homeopathic Physicians

Landscape Architects, Gardners or Nurserymen

Masseurs Mechanical Engineers

Naprapaths Naturopaths

Opticians Osteopaths

Photographers (See Artists)
Podiatrist

Taxidermist

Veterinarian or Veterinary Surgeon

SERVICE ESTABLISHMENTS AND STATIONS

AUTOMOBILES-FOR-HIRE (After complying with FOR-HIRE ORDINANCE NO. 286) \$ 10.00
AUTOMOBILE RENTING BUSINESS (Provided that automobiles rented with drivers shall be subject to same regulations specified in FOR-HIRE ORDINANCE NO. 286)
BAGGAGE AND TRANSFER business with estab-
lished place of business in Miami Beach \$ 25.00
BAGGAGE AND TRANSFER BUSINESS with no established place of business in Miami Beach \$ 50.00
BARBER SHOPS, with or without manicurist and/or Boot-Black Stands
BEAUTY PARLORS, hairdressing and manicuring
BICYCLES, Rent and Repair \$ 10.00
BLACKSMITHS
BOAT and SHIP storage basins or sheds \$ 25.00
BOAT LIVERY

BOAT TOWING and LIGHTERING \$ 25.00
BOAT YARDS and WAYS, doing repair work \$ 15.00
BOOT and SHO: *epair (with shop in Miami : Beach)
BOOT and SHOZ rpair (without repair shop in Miami Beach) for each vehicle or agency used in soliciting, collecting or delivery \$ 25.00
BOOT-BLACK STANDS (not in connection with Barber Shop, Shoe Repair Shop or other place of business) each chair
CLEANING AND PRESSING ESTABLISHMENTS, including RUG and CARPET CLEANING, without place of business in Miami Beach, for each vehicle or solicitor used in soliciting, collecting or delivery
ELECTRIC LIGHT COMPANIES (provided there is no tax by the City of Miami Beach upon the earnings of the company
EXPRESS COMPANIES
GAS COMPANIES (Public Utility) \$100.00
GASOLINE, RETAIL, FILLING STATIONS, gas and oil, each gasoline pump
GASOLINE AND/OR OIL WHOLESALE DEALERS, and/or storage of same
GARAGE (public) for storage, washing, or repairing of automobiles, trucks or other motor vehicles, and sale of gasoline and oil supplied to cars at the garage
Note: GARAGES or FILLING STATIONS, sell- ing accessories require also a Merchant's Li- cense; garages must pay Agent's License for each make of car for which they are authorized agents. (See also, Used Car Dealers)
HAIRDRESSING (See Beauty Parlor)
JITNEYS (After complying with Ordinance No. 251), each vehicle
LAUNDRIES, including HAND LAUNDRIES, with established places of business in Miami Beach, each establishment or agency
LAUNDRIES, including HAND LAUNDRIES, with- out established places of business in Miami Beach, for each vehicle or solicitor used in soliciting, collecting or delivery \$100.00
MESSENGER SERVICE (Exclusive of Telegrams) \$ 10.00

For	RIDIN each ac	G ACADEMIES: First Ten (10) horses \$ 20 dditional horse	1.00
ing		REPAIRING (See Boot and Shoe repair-	
	SHOE	SHINING (See Boot-Black Stands)	
	TAILC	OR, each shop	0.00
	TELEC	GRAPH COMPANIES	0.00
	WINDO	OW CLEANERS and JANITOR SERVICE \$ 10	0.00
		MISCELLANEOUS	
<u>A</u>	- (Bureau, Broker, Operator or Dealers of all kinds including commercial, insurance, real estate, stock sales, loans, claims, transportation, manufacturer, or any other kind of business or occupation, except Pawnorkers and Yacht Brokers, for each class of business handled, each firm \$ 2	5.00
		For each individual connected there-with as salesman	0.00
	ABSTRAC'	T, Land Title, Warranty or Security Companies	5.00
	ADVERTI	SING of all kinds (See Sign-Writer) \$ 1	5.00
		EER, 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 \$10	0.00
	1 8	EERS, 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, PER DAY \$25	0.00
]	ncluding ammunition and pistols, bowie knives, sling shots, springfield and repeating rifles, and guns, dealers in alone or in connection with any other business	25.00

<u>B</u>	BUILDING and LOAN ASSOCIATIONS \$ 25.00
C	CANVASSERS, (See Peddlers, Pages 5 and 6)
	CARD WRITING, Cutting or Engraving \$ 5.00
	CONTRACTORS, (As specified in Ordinance No. 285)
<u>D</u>	DEALERS in second hand goods, other than wearing apparel
	DEALERS in second hand goods - wearing apparel
	DEALERS in Second Hand Cars
E	ELECTRIC LIGHT COMPANIES - Provided there is no tax by the City of Miami Beach upon the earnings of the company
	EXPRESS COMPANIES
<u>F</u>	FORTUNE TELLERS, Palmists, Hypnotists, Clair- voyants, Astrologers, Phrenologists, Physiognomists and others of similar nature, each \$100.00
	FUNERAL DIRECTORS and Undertakers \$ 25.00
G	GAS COMPANIES (Public Utility - See Page 8)
-	GUNS (See Arms)
H	HALL FOR-HIRE
<u>P</u>	PARKING LOTS
	PHOTOGRAPHERS
	PHOTOGRAPHERS, Itinerant \$ 50.00
	PROPERTY MANAGERS \$ 25.00

5 . . 7

SECTION 6. Persons, firms or corporations operating permanently located amusement parks within which are located and operated merry-go-rounds, roller coasters and other exhibitions and performances, or other forms of diversion and amusement, except as above provided, 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 (Twenty-five Dollars) 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 Sity Clerk to require their said written oath, shall be cause for suspension from office. Any person who shall make a false statement, application or bath 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 Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) or by imprisonment not exceeding Ninety (90) days, or by both such fine and imprisonment.

SECTION 10. Each day that a privilege is exercised, or business, occupation, or profession conducted or followed without first having procured a license therefor, shall be an individual offense punishable as is hereinbefore set forth, provided, however, that if a person, however defined, is punished for one such offense, and pays the penalty, and procures a license before further conducting or carrying on such a privilege, business, occupation or profession, then he shall not be fined for each day's failure or omission to have a license for the conducting of such a 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 purpose of determining whether such person has such license, shall, upon conviction be fined or imprisoned, or both fined and 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 offense 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. Ordinances Numbered 200, 263, 268 and all ordinances and parts of ordinances 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 26th day of November, A. D. 1930.

President of City Council

ATTEST:

300

City Clerk

APPROVED by me this 26th day of November, A. D. 1930.

First Reading, October 29th, 1930.
Second Reading, October 29th, 1930.
Third Reading, November 26th, 1930.
Posted, November 29th, 1930.

STATE OF FLORIDA)
COUNTY OF DADE

3 - 60

3.8

I, C. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 288, entitled, "AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IM-POSING LICENSES AND OTHER TAXES ON PRIVILEGES, BUSI-NESSES, OCCUPATIONS AND PROFESSIONS CARRIED ON AND ENGAGED IN WITHIN SAID CITY, AND PRESCRIBING PENAL-TIES FOR THE EXERCISING OF SUCH PRIVILEGES OR CAR-RYING ON SUCH BUSINESSES, OCCUPATIONS, OR PROFES-SIONS, WITHOUT A LICENSE OR OTHER FAILURE TO COM-PLY WITH THE PROVISIONS THEREOF", 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 29th 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 7th day of January, A. D. 1931.

City Clerk

Ex year Ordinance no. 288. 1000