

ORDINANCE NO. 50

AN ORDINANCE FIXING THE AMOUNT AND PROVIDING FOR COLLECTION OF VARIOUS BUSINESS LICENSES AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF AND REPEALING ORDINANCE NO. 5 ENTITLED "AN ORDINANCE PROVIDING FOR LICENSING AND REEQUILATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS, AND OCCUPATIONS CARRIED ON WITHIN THE LIMITS OF THE CITY OF TORRANCE."

The Board of Trustees of the City of Torrance, California, do ordain as follows:

SECTION 1.

It shall be unlawful for any person, whether as principal, agent, clerk or employe, either for himself or any other person, or for any body corporate, or as an officer of any corporation, or otherwise, to commence to carry on any trade, calling, profession or occupation, in this Ordinance specified, without first having procured a license from said City to do so, or without complying with any and all regulations of such trade, calling, profession or occupation contained in this Ordinance; and the carrying on of any trade, calling, profession or occupation mentioned in this Ordinance without first having procured a license from said City to do so, or without complying with any and all regulations of such trade, calling, profession or occupation contained in this Ordinance shall be and constitute a misdemeanor and shall be deemed a separate offense for each and every day that such trade, calling, profession or occupation is so carried on.

SECTION 2.

The amount of any license imposed by this Ordinance shall be deemed a debt to the City of Torrance; and any person, firm or corporation carrying on any trade, calling, profession or occupation mentioned in this Ordinance without having a license from said City to do so, shall be liable to an action in the name of the City in any court of competent jurisdiction for the amount of license by this Ordinance imposed on such trade, calling, profession or occupation.

SECTION 3.

It shall be the duty of the City Clerk to prepare and issue a license under this Ordinance, for every person liable to pay a license thereunder, duly signed by the President of the Board of Trustees and the City Clerk, and attested with the City's Seal, and to state in each license the amount thereof, the period of time covered thereby, the name of the person, firm or corporation to whom issued, the business, trade, calling, profession or occupation licensed, and the location or place of business, where said business, trade, calling, profession or occupation is to be carried on.

SECTION 4.

All licenses shall be paid in advance in the legal currency of the United States, at the office of the City Clerk. A separate license must be obtained for each branch, establishment or separate place of business in which the trade, calling, profession or occupation is carried on; and also for each separate and different kind of business conducted, except as herein otherwise provided, and each license shall authorize the party obtaining it to carry on, pursue or conduct only that trade, calling, profession or occupation described in such license, and only at the location or place of business which is indicated thereby.

SECTION 5.

No greater or less amounts of money shall be charged or received for any license than is provided in this Ordinance, and no license shall be sold or issued for any period of time other than as provided in this Ordinance.

In no case shall any mistake by the City Clerk in stating the amount of a license fee prevent or prejudice the collection for the City of what shall be actually due, with all costs, against any one for carrying on said business without a license or refusing to pay the license fees specified herein. The City Clerk shall on or before the first Tuesday in each month pay over to the City Treasurer, all license fees collected by him from the previous month, taking the City Treasurer's receipt therefor and shall report to the Board of Trustees at its first meeting in each month a list of licenses remaining delinquent.

SECTION 6.

Every person, firm or corporation having a license under the provisions of this Ordinance, and carrying on a trade, calling, profession or occupation or business shall

keep such license posted and exhibited, while in force, in some conspicuous part of said place of business. Every person having such license and not having a fixed place of business shall carry such license with him at all times while carrying on the business, trade, calling, profession or occupation for which the same was granted. Every person, firm or corporation having a license under the provisions of this Ordinance shall produce and exhibit the same when applying for a renewal thereof, and whenever requested to do so by any police officer authorized to issue, inspect or to collect licenses.

SECTION 7.

The City Marshal and all Police Officers or Deputy Marshals of said City shall have and exercise the power: First, to make arrests for the violations of any of the provisions of this Ordinance; Second, to enter, free of charge, any place of business for which a license is required and provided, and to demand the exhibition of such license for the current term from any person engaged or employed in the transaction of such business, and if such person shall then and there fail to exhibit such license, such persons shall be liable to the penalty provided in Section 16 of this Ordinance.

It is hereby made the duty of the City Marshal to cause a complaint to be made against all persons violating any of the provisions of this Ordinance, and on the first day of each month to file with the City Clerk a list of all persons, not paying a license whom he believes should be charged with the payment of a license.

It shall also be the duty of the City Marshal to proceed to collect any delinquent license fee, by order of the Board of Trustees, and to collect same in his discretion, by suit or otherwise.

SECTION 8.

The conviction and punishment of any person for transacting any business, trade, calling, profession or occupation without license, shall not excuse or exempt such person from the payment of a license fee due or unpaid at the time of such conviction and nothing contained herein shall prevent a criminal prosecution for any violation of the provisions of this Ordinance.

SECTION 9.

The daily licenses in this Ordinance provided, shall be payable to the City each day in advance.

All other licenses in this Ordinance provided for, shall be due and payable to the city at the time of taking out said licenses, and thereafter weekly, monthly, quarterly and yearly in advance as hereinafter provided and such licenses shall be procured by every person before commencing to carry on the trade, calling, profession or occupation for which such license is issued, and each license for one month or longer shall run to the end of the period during which the same is paid and thereafter for one, three, or twelve months as the case may be from the first of the month in which said license or any of them are issued, and no deduction or rebate on any license shall be made for any reason or cause whatsoever, except as hereinafter provided.

SECTION 10.

No license or permit shall be required under the terms of this ordinance for the conducting of lectures, concerts, shows, or entertainments by non-profit organizations in the City of Torrance.

No license shall be required hereunder for the selling of only such agricultural products as the vendor himself produces from land owned or leased by said vendor.

SECTION 11.

The rates of licenses for the professions, trades, callings, and occupations, hereinafter named, shall be, and the same are hereby fixed and established for and within the City of Torrance according to the following schedule, and the same shall be paid by all persons, firms, or corporations, engaged in such professions, trades, callings, and occupations, as follows, to-wit:

- 1. For the business of: Real Estate and Insurance Broker, with established place of business in the City of Torrance. Garage keeper, including the selling of accessories and supplies for motor vehicles. Draying and Trucking. Carrying on one or more of the following businesses: Restaurant, Lunch Counter, Confectionery. Fruit Stand. Meat and Fish Market. Bakery. Grocery and retailing of any food stuffs. Creamery. Selling milk from three or more cows. Selling ice.

Selling Water for drinking purposes. Drug Store. Selling Tobacco, Cigars and Cigarettes. General Mercantile Business, not including selling of food stuffs. Dry Goods and Haberdashery Store. Selling Hardware and building supplies not including lumber. Carrying on one or more of the following businesses: Wall paper hanging, Painting, Selling Wall Paper, or Selling paints. Selling Gravel, Sand and Crushed Rock. Gasoline Service Station, including sale of accessories and other supplies for motor vehicles. Lumber Yard, including the selling of building materials. Sewing Machine Agent with established place of business in the City of Torrance. Laundry with established plant in the City of Torrance. Barber Shop, and manuring shop. Hair Dressing. Jeweler. Hotel. Apartment House. Rooming House. Undertaker or funeral director. Second Hand Dealer. Physician and Surgeon. Osteopath. Chiropractor. Dentist. Attorney.

any person, firm or corporation shall pay a license fee of Three Dollars (\$3.00) per quarter, provided that if goods or merchandise of any kind are sold by peddler not having an established place of business in the City of Torrance but having an established route in the City of Torrance, over the whole of which said peddler sells or offers for sale his said goods at least twice each week, the license fee for such peddling shall be Six Dollars (\$6.00) per quarter; and provided further that any peddler having neither an established place of business nor an established route as above defined within said City shall pay a license fee of \$25.00 per day for carrying on such business, and any peddler who cannot show proof satisfactory to the City Clerk that he has been for more than two months prior to the passage of this ordinance following an established route, or that he has an established place of business in the said City, and any future applicant for peddler's license shall deposit with the City Clerk the sum of Fifty Dollars (\$50.00) as an evidence of good faith that he will establish such a route or place of business or have followed it during the two months next succeeding the date of issuance of his license at the lesser rate above provided he shall have kept a place of business or have followed such an established route his Fifty Dollars (\$50.00) so deposited shall be refunded to him.

2. For selling real estate, or any goods, wares, or merchandise or live stock at public auction, Five Dollars (\$5.00) per day.

3. For running Automobiles used for the interurban carrying of passengers for hire, Thirty Dollars (\$30.00) per quarter.

4. For conducting, managing, or carrying on a billiard, bagatelle, or pool table, or bowling alley, Three Dollars (\$3.00) per quarter excepting only such as are used in private houses and not for hire or rent. This license shall include the privilege of selling soft drinks, cigars, and tobacco, at retail only. Provided that no license shall be issued hereunder without the approval first had of the Board of Trustees of the City of Torrance.

5. For conducting, managing or carrying on a boxing contest or sparring exhibition, Ten Dollars (\$10.00) per day; and provided that no license shall be issued under this section without the permission first had and obtained from the Board of Trustees.

6. For conducting, managing or carrying on a circus, Twenty-five Dollars (\$25.00) per day for each ring.

7. For every person who carries on, practices or professes to practice the business or art of astrology, palmistry, phrenology, life-reading, fortune telling, cartomancy, clairvoyance, crystal-gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy and demands or receives a fee for the exercise or exhibition of his art, therein or who gives an exhibition thereof at any place where an admission fee is charged, Fifty Dollars (\$50.00) per annum, payable in advance, and provided that no part thereof shall be returned for any cause, except that in the event of a revocation thereof as hereinafter provided, the Board of Trustees may in its discretion, order the return of a part thereof; and provided, that no li-

cence under this subdivision shall be issued except upon permission from the Board of Trustees of said City. The Board of Trustees shall have the right at any time without notice to cancel any license issued under this subdivision, if in its judgment licensee has failed to comply with the laws and regulations of the City, or if licensee, in the opinion of the Board of Trustees has conducted said establishment in a manner prejudicial to the public welfare or good morals.

8. For conducting, managing, or carrying on the business of selling upon the public streets or in public places, fire-crackers, torpedoes or fire-works of any kind, or flags, banners, balloons, canes, horns, trumpets, musical or noise-making instruments of any kind, toys, badges, buttons or souvenirs of any kind, Two Dollars (\$2.00) per day, except that no license fee shall be required hereunder from any person paying a license fee for any established place of business in the City of Torrance.

9. For conducting, managing or carrying on any public dance hall or public ball room where an admission fee, or fee for dancing is charged or received, Fifty Dollars (\$50.00) per annum; excepting hotels, and organizations holding dances not oftener than once each week.

10. For conducting, managing, or carrying on the business of operating any theatre, moving picture show or any other exhibition not provided for in this Ordinance, Twelve and 50-100 Dollars (\$12.50) per quarter.

11. For conducting, managing or carrying on the business of operating, exhibiting, showing or letting the use of any phonograph, graphophone or talking machine or any kinetoscope biograph, projectoscope, or other instrument or machine of like character or microscope, lung tester, muscle tester, galvanic battery or weighing machine, and all devices similar in character and not named herein, Ten Dollars (\$10.00) per quarter.

12. For carrying on the business of soliciting orders at retail for pictures, paintings, photographs, or portraits or merchandise of any description, except food products, Five Dollars (\$5.00) per day; provided that nothing in this section contained shall apply to any person having a regularly established place of business in said City of Torrance for the taking or selling of pictures, paintings, photographs or portraits, or for the selling of such merchandise.

13. For each person engaged in the business of book or magazine agent, Five Dollars (\$5.00) per day.

14. For every person conducting or engaged in the business of peddling any kind of goods, wares, or merchandise on foot, Two Dollars (\$2.00) per day.

15. For every person, firm or corporation conducting, managing or carrying on the business of selling at retail by sample or order, teas, coffees, or spices, or any other food products, by sample for himself or any other person, Four Dollars and Fifty Cents (\$4.50) per quarter, provided that nothing in this section contained shall apply to any person, firm or corporation having a regularly established place of business in the City of Torrance for the manufacture or sale of such goods, chattels, wares or merchandise, or to the agents of any such person, firm or corporation.

16. For every person, firm or corporation conducting, managing or carrying on the business of a watch, jewelry or clothing club, Twenty-five Dollars (\$25.00) per month.

17. For every person, firm or corporation conducting, managing or carrying on the business of junk dealer or collector for himself or any other person, Two Dollars (\$2.00) per day.

18. For every person, firm or corporation conducting, managing or carrying on the business of a sewing machine agency or of soliciting orders for sewing machines and not having an established place of business in the City of Torrance, Ten Dollars (\$10.00) per day.

19. For every person, firm or corporation peddling coal oil, gasoline, or distillate at retail from a wagon or vehicle, Eighteen Dollars (\$18.00) per annum.

20. For every person, firm or corporation engaged in the business of selling non-alcoholic drinks, tamales, sandwiches, ice-cream, beans, candy or edibles of any description or other merchandise from carts, or baskets, upon the public streets, Three Dollars (\$3.00) per quarter, for each such wagon, hand cart, stand, tray or basket. Provided that no license shall be issued under this subdivision until

a permit has been first obtained from the Board of Trustees who shall have the right to grant, refuse or revoke a permit under this subdivision in their discretion.

21. For selling or offering for sale automobiles on the streets or other public places in the City of Torrance by persons having no established place of business in said City, \$6.00 per quarter.

22. For Real Estate Brokerage business without an established place of business in the City of Torrance, \$6.00 per quarter.

23. For a Laundry without a plant in the City of Torrance, \$25.00 per quarter.

24. For distributing advertisements or samples, \$10.00 per day; provided no samples of medicine shall ever be distributed in the City of Torrance; and provided that the license fee herein fixed shall not apply to any bona fide business, printing or publishing any newspaper in the City of Torrance.

25. For conducting a public dance hall in connection with any hotel or apartment house, \$25.00 per annum.

26. For every business not hereinafter mentioned and provided for, \$3.00 per quarter.

SECTION 12. It shall be unlawful for any person to sell or offer for sale or attempt to sell or obtain orders for any goods, wares, or merchandise, or any property of any description, or on any private property on which there shall be posted conspicuously a notice in effect as follows: "No peddlers or canvassers allowed."

SECTION 13. Nothing in this Ordinance shall be construed as imposing a license or tax or otherwise regulating or restraining foreign or interstate commerce and any business or portion thereof which is embraced in the term "Interstate Commerce" or in the term "Foreign Commerce" is not made subject to the license imposed by this Ordinance.

SECTION 14. All licenses issued under this Ordinance, or any section thereof, are granted and accepted by all parties receiving licenses with the express understanding that the Board of Trustees of said City may revoke the same at any time, by amending this Ordinance, or any portion thereof, or if satisfied that any condition of the license or terms of this or any other Ordinance or law have been violated, or that the license was obtained by fraudulent representations, or that the holder of any such license is an unfit person to be trusted with the privileges granted by such license, provided, however, that no license shall be revoked without first giving the holder thereof an opportunity to appear before the Board of Trustees in his or her own behalf by notification in writing to the holder of such license, giving and fixing the time and place of such hearing. Upon the revocation of the license no part of the money in the hands of the City shall be returned, and all such li-

SECTION 15. That no license shall be issued for any pool room, billiard hall, skating rink, shooting gallery, bowling alley, merry-go-round, moving picture show or other place of amusement, entertainment or exhibition, for which a license fee is charged under this Ordinance, until the Board of Trustees shall have issued a permit therefor, and that the said Board of Trustees shall have the right to grant or refuse any such permit in its discretion, and said Board of Trustees may impose such terms and conditions upon the conduct of such business not in conflict with law and any ordinance of the City of Torrance, as it may deem necessary or expedient to protect the health, safety or welfare of said City or its inhabitants in the conduct of said business, and that said permit or license shall not be transferred or assigned without the consent of said Board of Trustees first obtained.

SECTION 16. Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding Two hundred dollars (\$200.00), or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment.

SECTION 17. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published once in the Torrance Herald, a weekly newspaper published and circulated in said City of Torrance and hereby designated for that purpose, and thereupon and thereafter this Ordinance shall be in full force and effect.

Approved this 27th day of March, 1923.

JAMES M. FITZHUGH, President of Board of Trustees.

ALBERT H. BARTLETT, City Clerk.

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, ss. I, Albert H. Bartlett, City Clerk of the City of Torrance, do hereby certify that the foregoing ordinance was duly and regularly passed and adopted by the Board of Trustees of the City of Torrance at a regular meeting of said Board held on the 27th day of March, 1923, by the following vote:

AYES: Trustees Nash, Proctor, Stone and Fitzhugh.

NOES: None.

ABSENT: Trustee Gilbert.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of said City this 27th day of March, 1923.

(SEAL) ALBERT H. BARTLETT, City Clerk.

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