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AN ORDINANCE OF THE CITY OF RIDGECREST  
ESTABLISHING A BUSINESS LICENSE LAW

The City Council of the City of Ridgecrest does ordain as follows:

Section 1. Definitions. The word "person" when used herein includes a person doing business under a fictitious name, and also includes associations of individuals, partnerships, clubs, firms and corporations. The word "business" is defined to be that which occupies the time, attention, and labor of man for purpose of livelihood or profit. The term "doing business" is defined to mean the exercise of some of the functions, or the carrying on, of business to the extent of performance of an act giving rise to some legal obligation, except that it shall also include acts which are compensated or remunerated for, in whole or in part, by donations or contributions in due course, where they are the chief source of said livelihood or profit.

Section 2. It shall be unlawful for any person to maintain, conduct, carry on, or commence to maintain, conduct or carry on within the City of Ridgecrest any business for which a license is by this Ordinance required, without first having obtained a license so to do as herein provided.

Section 3. No license for any of the businesses herein specified shall be issued until it shall be found that the place for which it is issued, and the purposes and methods of conducting such business conform to all the laws, ordinances and health and fire regulations applicable thereto.

Section 4. Any person desiring to establish, open, keep, maintain, conduct or carry on a business specified in this Ordinance, whether singularly or in combination with other businesses, whether specified in this Ordinance or not, shall first procure from the City of Ridgecrest a license to do so, and for the purpose of procuring such license, said person shall file an application in writing therefor with the City of Ridgecrest, which said application shall contain the following information:

- A. The name and place of residence of the applicant or applicants if a natural person or persons, and the name and place of business of the applicant, if a corporation.
- B. The exact location of the particular place and premises in which it is proposed to establish, open, manntain, or conduct such business, if the same is to be conducted at a fixed place of business, and the routes or territory to be covered, if such business is not to be maintained at a fixed place of business.

- C. The nature and particular kind of business which it is proposed to conduct under such license, especially specifying all branches thereof, and if more than one kind of business that is specified in this Ordinance is proposed to be conducted, such application shall especially request that the license include each kind of business by this Ordinance required to be licensed that the applicant desires to operate.
- D. A statement that the applicant or applicants are the only persons in any manner interested in conducting or carrying on such business.
- E. If known to the applicant, a statement of the name and address of the owner or owners and the names and addresses of all lessees, of the premises.
- F. A statement as to whether any license or order authorizing a license formerly issued to such applicant or applicants, or any agent of them, or to any person interested in such business has ever been cancelled or revoked by the City of Ridgcrest.
- G. If the license applied for includes a business wherein the amount of stock in trade carried is material for the purpose of fixing the amount of the license to be paid, a statement of the inventory value of the stock in trade on hand at the time of the application, if such business has been previously conducted by the applicant; and if such business has not been previously conducted by the applicant, a statement of the estimated inventory value of the stock in trade to be carried during the term for which such license is applied for.
- H. A statement that the applicant will not permit or suffer the violation of any law or ordinance on the premises on which such business is to be conducted, or in connection with the business for which the license is applied for.
- I. The application for a license to conduct any exhibition, circus, or carnival shall be accompanied with a deposit of One-Hundred Dollars (\$100.00) as a guarantee that applicant shall, immediately upon the closing of such exhibition, circus or carnival, clean all trash, papers and other refuse from the premises used by the applicant in the conduct of his business. Said sum shall be deposited in the trust fund of the City. In the event said premises are cleaned as required by this Ordinance the City shall make its order on said trust fund to return said deposit to the applicant. In the event said premises are not so cleaned, the City shall proceed to have the same cleaned, and shall pay for the same out of the sum so deposited. Any amount over and above the cost of such cleaning shall, in such case, be deposited in the general fund of the City.

Section 5. Each application for the issuance of license under this Ordinance may include more than one of the businesses herein specified, provided that such businesses are all to be conducted on the same premises, and each application for such license shall be verified by the oath of the applicant or one of the applicants if a natural person, or by the oath of one of the officers of the corporation, if a corporation, in the same manner as pleadings in civil actions in this State are required to be verified.

Section 6. Upon the filing of such application for license, the City Clerk may make such investigation of said application as he may deem necessary. Thereafter the City Clerk may grant or deny said application. In the event the application is denied, the City Clerk shall so inform applicant by letter, setting forth the basis of the denial. Such letter may be sent by regular mail to applicant's mailing address shown upon his application. Within 10 days after the date of mailing of said letter by the City Clerk, applicant may file a written appeal with the City Clerk of such denial. If such appeal is filed, the matter shall be set for hearing before the City Council within 30 days of the date of filing of the appeal. The City Council shall, at such hearing, receive testimony from the applicant and may receive such other testimony or evidence which it deems advisable. The City Council shall then determine whether to sustain the decision of the City Clerk or not. The decision of the City Council shall be final. Applicant shall be mailed a notice of the time and place of the hearing before the City Council of his appeal.

Section 7. Suitable application forms for original applications and renewal forms for renewals of existing licenses shall be furnished by the office of the City Clerk. Any license issued to an existing business by the County of Kern for the year 1963 may be treated as a renewal by the City Clerk for the year 1964, at the discretion of the City Clerk.

Section 8. Said license shall distinctly specify that the same is subject to suspension, cancellation or revocation by the City Council, and shall distinctly show its date of expiration. Said license shall be so prepared that it may be used as an annual license, certifying the payment of the full annual license fee.

Section 9. All licenses shall be issued for the calendar year, except where otherwise specifically provided herein. The entire annual fee shall be payable in advance at the time of the issuance of the license. All licenses issued hereunder are renewable on the first day of each calendar year, without demand, and are delinquent if the fee therefor is not paid on or before the 31st day of January of the year in which said fee is due. All payments of fees required by this Ordinance shall be paid to the City Clerk of the City of Ridgecrest at his office at the Ridgecrest City Hall. Fees due hereunder for the calendar year 1964 only shall be due and payable on February 20, 1964, and shall be delinquent if not paid by April 15, 1964.

Section 10. All licenses issued under this Ordinance shall be subject to investigation, suspension, cancellation and revocation, and each license shall contain a statement that said license is subject to investigation, suspension, cancellation or revocation, by the City Council.

Section 11. It shall be the duty of any person conducting a business under this Ordinance required to be licensed, to post in a conspicuous place at his place of business, said license granted to said person for said business, and to keep the same posted until its date of expiration, and then to remove the same, and it shall be unlawful for any such licensee to conduct or permit to be conducted the business for which said license has been issued, while such license is not so posted. Every person having such a license and not having a fixed place of business, shall carry such license with him at all times while carrying on the business, exhibition 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 peace officer or officer authorized to issue, inspect or collect licenses. Every licensee operating a vehicle or vehicles from which the business covered by said license is conducted, shall keep posted in a conspicuous place on each such vehicle a certificate issued by the City Clerk, setting forth the name and address of said licensee, the business for which said vehicle is licensed, the number of such license, and the period for which such license is issued.

Section 12. It shall be unlawful for any person to maintain or carry on any business for which a license has been previously issued until the annual license fee for the calendar year in which the business is being maintained or carried on, has been paid.

Section 13. Any unpaid license fee or any amounts which shall be by virtue of this Ordinance payable by any person shall be recoverable in a civil action brought by the City for such purpose.

Section 14. Any person violating any of the provisions of this Ordinance or knowingly or intentionally misrepresenting to any officer or employee of this City any material fact in procuring the license or permit herein provided for shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 or by imprisonment in the County Jail of the County of Kern for a period of not more than 6 months, or by both such fine and imprisonment.

Section 15. The City Council of the City of Ridgecrest at any time may of its own motion cause an investigation to be made of any business for which a license has been issued in accordance with the provisions of this Ordinance, and shall for such purpose fix a time for the hearing of all matters in connection therewith, and shall give ten (10) days notice in writing of such hearing to the person, firm, association, club, or corporation against whom such complaint has

been made, of the time and place of such hearing.

Section 16. If it should at such hearing appear to said City Council that the person, firm, association, club, or corporation to whom any license has been issued under this Ordinance, or any of their agents, clerks, servants, employees, members, officers or representatives in any way connected with conducting or carrying on the business for which a license has been issued are not sober or suitable persons to conduct, manage, control or carry on such business, or have wilfully done any act not authorized by such license, or that the business for which such license has been issued, is not kept, conducted, maintained or carried on in a quiet, orderly, decent or lawful manner, or that violations of this Ordinance or of any law of this State, or ordinance of this City, have wilfully or knowingly been permitted in such place of business, or that any fraud or misrepresentation has been used in the obtaining of a license for such business, or that the person to whom said license has been issued has failed to observe any of the provisions of any ordinance of the City of Ridgecrest, or law of the State of California, or that the holder of such license wilfully fails or refuses to appear and answer all pertinent questions of said City Council or any member thereof, in relation to the past conduct and conditions in and about such premises, said City Council may suspend, cancel or revoke the said business license, and the order for the issuance of the same.

Section 17. If such license be cancelled or revoked, no further license under this Ordinance shall be granted or issued to such person, firm, association, club or corporation within one (1) year. If such license be suspended, the period of suspension shall be for such time as the City Council may direct. It shall be unlawful for any person, firm, club, association or corporation to conduct or assist in conducting such business after the date of such suspension or revocation without having again procured a license so to do as in this Ordinance provided. The notice provided for in the previous section may be served in the same manner as is provided by the laws of the State of California for the service of summons in civil actions, provided, however, that in the event that the person, firm, association, club, or the officers of the corporation against which such complaint has been made, is absent from the said City of Ridgecrest, or should endeavor to avoid service of such notice, then such notice may be served by leaving the same with the person in charge of said place of business, or if no person is in charge, by leaving it at the said place of business, at least ten (10) days before the time fixed for such hearing.

Section 18. All businesses defined in Section 1 of this Ordinance, unless specifically provided otherwise in this Ordinance, shall procure a business license and pay a fee annually therefor in the sum of \$16.00.

Section 19. The following businesses, because of their nature and circumstances, shall have a different annual license fee than that set forth in Section 18, as follows:

- A. Automobile Sales Agency, \$72.00.
- B. Carnivals and Exhibitions. Carnivals and Exhibitions not included as circuses or side shows; Daily, \$150.00 and each concession therein in excess of twenty, \$5.00 per day additional. "Concession" is defined as any one separate show, attraction, exhibition, riding device, apparatus or arrangement for test of strength or skill, game of skill or chance, and also any restaurant, provided that all soft drinks and food product services may be grouped together as one restaurant concession. Nothing herein shall be construed to license or authorize the conduct of any gambling device or game prohibited by law.
- C. Carnival and Exhibition Benefits. Notwithstanding any provisions contained in Section 19 (B) to the contrary, the City Council may, in its discretion, issue a license for any carnival and/or exhibition, not including circuses, or sideshows, for the sum of \$25.00 daily, when such carnival and/or exhibition is sponsored by or given for the benefit of any church, school, local club, veterans' association, or any recognized charitable institution; provided, however, that every other provision of the Ordinance pertaining to carnivals shall also apply, and said provisions shall pertain to any carnival sponsored or given for the benefit of any church, school, local club, veterans' association, or any recognized charitable institution.
- D. Circus, one ring, without side shows, per day, \$100.00.
- E. Circus, more than one ring, without side show, per day \$150.00.
- F. Circus, one ring, with side shows, for circus, per day, \$100.00; and for each side show, \$25.00 per day.
- G. Circus, more than one ring, with side shows, for circus, per day, \$150.00; and for each side show, per day, \$25.00.
- H. Fortune tellers, clairvoyants, Palm Readers, Spiritualists, Mediums and other prognosticators, per day, \$25.00.
- I. General Merchandise, Grocery Stores, Dry Goods Stores, Hardware Stores, or combination of two or more of such stores when inventory value is less than \$10,000.00, annually, \$16.00; when inventory value is \$10,000.00 or more, and less than \$25,000.00, annually \$36.00; when inventory value is \$25,000.00 or more, annually \$60.00.

- J. Lodging Houses, Rooming Houses and Hotels and Motels having less than 16 rooms, for public hire, annually, \$16.00; having 16 or more rooms for public hire, annually, \$24.00.
- K. Temporary lunch stands, \$1.00 per day.
- L. Pawn Brokers, \$60.00.
- M. Pool Rooms, \$30.00.
- N. Junk Dealers, \$30.00.

Section 20. For failure to pay a license tax when due, the City Clerk shall add a penalty of 5% of the said license tax on the first day of the month following the month in which said license tax became due. An additional 5% of the said license tax shall be added on the first day of each succeeding month thereafter until said license tax is fully paid. In no event shall the accumulated penalty exceed 50% of the amount of the license tax due.

Section 21. This ordinance shall not be construed to require the licensing of any business, occupation or activity carried on wholly for the benefit of charitable purposes from which profit is not derived either directly or indirectly by any person, or to the conducting of any entertainment, dance, concert, exhibition or lecture on scientific, historical, literary, religious or moral subjects whenever the receipts from such entertainment, dance, concert, exhibition or lecture go to any church, school, or to any religious or benevolent purpose within the City of Ridgecrest or to any veteran, military, fraternal, or local Chamber of Commerce within the City of Ridgecrest.

Section 22. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 23. It shall be the duty of the City Clerk of the City of Ridgecrest and he is hereby directed to enforce each and all of the provisions of this ordinance, and the Chief of Police shall render such assistance in the enforcement hereof as may from time to time be required by the City Clerk or the City Council. The City Clerk in the exercise of the duties imposed upon him hereunder shall examine or cause to be examined all places of business in the City of Ridgecrest to ascertain whether the provisions of this ordinance have been complied with. The City Clerk and each and all of his assistants and any police officer shall have the power and authority

to enter, free of charge, and at any reasonable time, any place of business required to be licensed herein, and demand an exhibition of its license. Any person having such license theretofore issued, in his possession or under his control, who wilfully fails to exhibit the same on demand, shall be guilty of a misdemeanor and subject to the penalties provided by this ordinance. It shall be the duty of the City Clerk to cause a complaint to be filed against any and all persons found to be violating any of the provisions of this ordinance.

Section 24. No license issued pursuant to this ordinance shall be transferable; provided that where a license is issued authorizing a person to transact and carry on a business at a particular place, such licensee may upon application therefor and paying a fee of \$1.00 have the license amended to authorize the transacting and carrying on of such business under said license at some other location to which the business is or is to be moved.

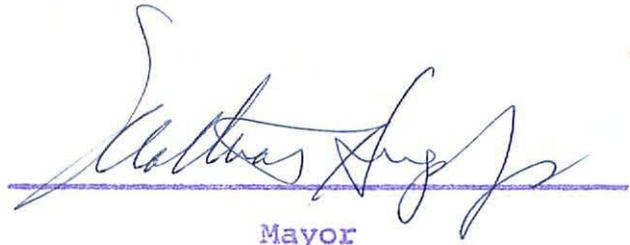
Section 25. This ordinance, inasmuch as it provides for a tax levy for the usual current expenses of the City, shall take effect immediatly and within 15 days of its passage shall be posted or published by the City Clerk, as required by law.

Passed and adopted by the City Council of the City of Ridgecrest this 20th day of February, 1964 by the following vote:

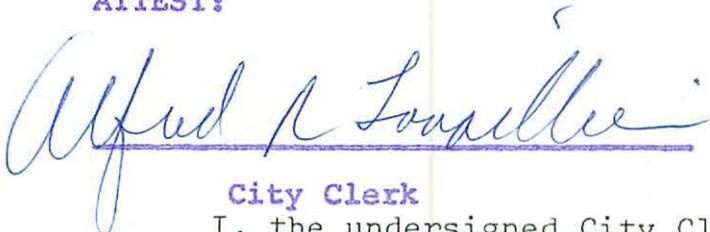
AYES: HUGO, DUGUID, GILMER, JULES, WEBB

NOES: None

ABSENT: None

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

I, the undersigned City Clerk of the City of Ridgecrest, California do hereby certify that the above ordinance is a true and correct copy of an ordinance of the City of Ridgecrest which was duly passed and adopted at a regular meeting of said City Council held on the 20th day of February, 1964.

Dated: February 20, 1964.

Alfred R. Louaillier  
City Clerk  
City of Ridgecrest, Calif.