

no 3 An Ordinance to impose and regulate Licences  
in the City of Albany

The City of Albany does Ordain as follows

Section 1. That no person firm Company or Corporation shall be engaged in, prosecute or carry on any trade business or profession, within the limits of the City of Albany hereinafter mentioned and described until he she or they shall have obtained a Licence therefor in the manner hereinafter provided,

Sect 2<sup>nd</sup> That every person firm or Company or Corporation required by this Ordinance to obtain a Licence to engage in any trade business or profession for which a Licence is required by this Ordinance shall pay to the City Treasurer such sum or sums as hereinafter provided therefor with the receipt of the City Treasurer, (which receipt shall set forth the kind of business for which licence is desired) they shall apply to the City Recorder who shall issue a Licence to the parties applying in accordance with the receipt of the Treasurer,

Sect 3<sup>rd</sup> That if any person or persons shall exercise or carry on any trade business or profession or do any act, hereinafter mentioned, for the exercising carrying on or doing of which trade business or profession a licence is required by this Ordinance without taking out such licence as in that behalf required, he she or they shall on conviction thereof before the Recorder for every such offence besides being liable to the payment of the Tax, be subject to imprisonment for a term not exceeding twenty (20) days or a fine not exceeding one hundred dollars, or both, one Moity of such fine to the use of the City of Albany the other Moity to the use of the person who shall first give information of the fact whereby said fine was incurred,

Sect 4<sup>th</sup> That in every licence to be taken out under or by virtue of this Ordinance shall be contained and set forth purpose trade business or profession for which such licence is granted and the name and place of abode of the person or persons taking out the same; if by a pedler whether authorized to travel on foot or with one or two or more animals, the time for which such licence is to run and the date or time of granting such licence and every person exercising or engaging on any trade business or profession or doing any act for which a licence is required shall on demand of any city officer produce such licence, and unless he shall do so may be taken and deemed to have no licence. And in case of any pedler shall refuse to produce his or her licence when demanded by any city officer said officer may seize the animals wagen and contents, or pack bundle or basket of any person, so refusing and hold the same until the licence is produced

Sect. 5. That in any case where more than one of the pursuits employments or occupations herein after described shall be pursued or carried on in the same place by the same person at the same time licence must be taken out for each, according to the rate severally prescribed,

Sect 6<sup>th</sup> That no auctioneer shall be authorized by virtue of his licence as such auctioneer to employ any other person to act as auctioneer in his behalf except in his own store or warehouse or in his presence, the provisions of this section shall not apply to judicial or executive officers. Making auction sales by virtue of any judgement or decree of any court. Nor Public sale made by Executors and Administrators,

Sect 7<sup>th</sup> All Licences issued or granted Licences shall expire the last day of each quarter namely, Thirtieth (31) of March, Thirtieth (30) of June, Thirtieth (30) of September and Thirtieth of December, and all quarterly

Licences shall be dated from the first day of the month in which the liability therefor occurred, and shall be issued upon the payment of a suitable proportion of the whole amount of duty imposed for such licence. All Licences shall expire on the thirty first (31) day of December each year.

Sect 8 All Licences required by this Ordinance shall be paid in advance & shall be paid in advance in gold or silver coin,

Sect 9 That from and after the first day of January 1871. there shall be paid at such times as hereinafter provided, for each licence granted the sum herein stated respectively,

- 1 Auctioneers shall pay a quarterly Licence of Ten (10) dollars. Every person shall be deemed an Auctioneer within the meaning of this Ordinance whose business is to offer property for sale at Public auction.
- 2 Any person applying for a Licence to sell Spirituous or fermented Malt Liquors as provided in this Ordinance shall execute a bond to the city of Albany in the sum of five hundred dollars with sufficient sureties to be approved by the Recorder, & conditioned that he or they will keep decent and respectable house and that he will not in anywise dispose of Spirituous or fermented Malt Liquors on the Sabbath day nor give or sell the same to any person intoxicated or allow the same to be done on his premises during the continuance of his Licence,

3<sup>d</sup> Every person keeping a bar room or drinking shop shall pay a quarterly Licence of fifty (50) dollars. Every person who keeps Malt or Spirituous liquors or wines for sale at retail in less quantities than one quart, either as his sole business or in connection with some other occupation, shall be deemed a keeper of a bar room or drinking shop under this ordinance. Every person who keeps Malt or Spirituous liquors or wines for sale in quantities of one

quart or upwards to be aware on the premises. Shall pay a quarterly licence of twelve 50/100 (\$12.50) dollars.

4<sup>th</sup> Hotels inns and taverns shall be classified and rated according to the Monthly rental of the house and property intended to be occupied, for said purpose as follows to wit.

All cases where the or valuation of the Monthly rental of said house and property shall be one hundred dollars or less shall pay ten (10) dollars per quarter, and if exceeding one hundred dollars for any additional fifty dollars or fractional part thereof, in excess of one hundred dollars, five (5) dollars. Every place where food and lodging are provided for and furnished to travelers and sojourners in view of Payment therefor shall be regarded as a hotel, inn or tavern under this Ordinance. The monthly rental shall be fixed and established by the city assessor at its proper value, but if rented at not less than the actual rent agreed on by the parties. Provided, that if there be any fraud or collusion in the return of actual rent to the assessor then shall be a penalty equal to double the amount of Licence required by this section to be collected as other penalties under this Ordinance are collected.

5<sup>th</sup> Peddlers shall be classified and rated as follows to wit, when traveling with two or more animals, shall pay a weekly Licence of five (5) dollars when traveling with one animal shall pay a weekly licence of two dollars & fifty cents (\$2.50) when traveling on foot or by public conveyance shall pay a weekly licence of two (2) dollars. any person (excepting persons peddling newspapers Bibles religious tracts forms from the County peddling the products of their farms, who offers to sell at retail or wholesale, goods wares merchandise or other commodities, traveling from place to place in the city of Albany shall be regarded as a pedler under this Ordinance.

6 Bowling alleys billiard tables and Pigeon hole tables shall pay Licence according to the number of tables or alleys belonging to and used in the building or place to be licensed when not exceeding

one Alley or one table, the keeper of such house shall pay a quarterly licence of five (5) dollars and when extending one table or one alley an additional sum of five (5) dollars for each additional table and each additional alley. Every place or building where bowls are thrown or billiards played and open to the public with or without price shall be regarded as a bowling alley or billiard room respectively under this ordinance.

7<sup>th</sup> Theaters shall pay a quarterly licence of fifty (50) dollars, or a licence of five (5) dollars per each performance at the option of the Manager, Every building used wholly or in part for the purpose of dramatic or operatic representations plays or performances shall be regarded as a theater under this ordinance.

8 The Keeper or proprietor of every Circus shall pay a licence of twenty (20) dollars for each day and night of their exhibition. Every building tent space or area, where feats of Acrobatic or acrobatic sports are exhibited shall be regarded as a Circus under this ordinance.

9<sup>th</sup> Jugglers shall pay a licence of ten (10) dollars per week or five (5) dollars for each day and night of their exhibition every person who performs by sleight of hand shall be regarded as a juggler under this ordinance. The proprietor or agent of all other exhibitions or shows for money, not enumerated in this section shall pay ten (10) dollars per week or a daily licence of five (5) dollars.

10<sup>th</sup> Pawnbrokers shall pay a quarterly licence of twenty five (25) dollars. Every person whose business or occupation is to take or receive by way of pledge pawn or exchange any goods wares or merchandise or any kind of personal property whatever for the repayment or security of money lent thereon shall be deemed a pawn broker under this ordinance.

11 Sleamboat owners shall pay a quarterly licence of five dollars (5). Every person who shall

in a loud and public manner solicit passengers on freight for steamboats on the public streets or on the wharfs and docks of the city shall be deemed a steamboat runner under this ordinance,

- 12 The owner or keeper of every Stage Coach hack Carriage waggon, cart Wagon or other vehicle used for conveying passengers or baggage Merchandise goods Streets or highways carrying earth, ballast, lumber, coal, wood, Water or goods of any description, or sprinkling Streets for hire, demutior or contract within the limits of the city, shall pay a quarterly licence of five (5) dollars for each vehicle drawn by one animal, and for each additional animal used in drawing such vehicle, the additional sum of three (3) dollars. The owner or driver of vehicles conveying passengers or Merchandise or any thing as above mentioned, shall place the number of his vehicle as shown in his licence upon each side of his vehicle in a conspicuous place in a neat and legible manner in figures of not less than one and a half inches long and proportionable width and said number shall not be changed while the said vehicle is subject to the payment of a Municipal licence,

If any person shall drive or permit to be driven any vehicle over which he has control without being duly licenced and having the number affixed as herein directed, he shall be subject to the fines and penalties prescribed in Section three (3) of this chapter, and every person owning any vehicle which shall be used for the purpose of transporting goods or Merchandise of any description received owned or held by said owner, or shall be used in transporting goods or Merchandise belonging to other persons without hire shall pay a quarterly licence of three (3) dollars for each said vehicle drawn by one animal and an additional sum of

two (2) dollars for each additional animal used,

- 13 Wharfingers shall pay a yearly licence of ten (10) dollars, any person who has charge of any wharf or dock within the city limits and whose business it is to receive or to re-charge of goods wares Merchandise, or articles of any kind or description, for the purpose of shipping the same on board of any vessel Steam Sailed or Masted craft, or receiving goods wares Merchandise or articles of any kind or description from vessels, Steamboats, boats or other Watercraft shall be deemed a Wharfinger under this Ordinance.

Sec 10 It shall be the duty of the City Marshall to prosecute all persons violating this Ordinance & in all cases of conviction he shall receive in addition to his usual fee the sum of five (5) dollars to be taxed as costs of suit provided the same be collected from the offender.

Sec 11 The City Recorder shall on the first day of each quarter report in writing to the City Marshall a list of all licenses which have expired at the close of the quarter, expired, and have not been renewed, and of all business licenses issued during the quarter.

Sec 12. All Ordinances heretofore passed conflicting with this ordinance are hereby repealed.

Passed the Council Feb 14<sup>th</sup> 1871

Approved

Feb 14<sup>th</sup> 1871

A. H. Lowmyer  
Mayor

A. B. Humphrey  
Recorder