

ORDINANCE NO. 5

AN ORDINANCE OF THE TOWN OF SAN LUIS, ARIZONA, PROVIDING FOR A BUSINESS LICENSE TAX; SETTING FORTH PROVISIONS FOR ISSUANCE OF LICENSE, PAYMENT, POSTING OF LICENSE, TRANSFERABILITY OF LICENSE, EXEMPTION, FEES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE TOWN COUNCIL OF SAN LUIS, ARIZONA, AS FOLLOWS:

Section 1 License Required

It is unlawful for any person to carry on any trade, calling, professions, occupation or business, specified in this article without having procured a license from the Town of San Luis and complying with any and all regulations of such trade, calling, profession, business or occupation specified in this article.

Section 2 Issuance of License

- A. It shall be the duty of the clerk to prepare and to issue a license under this article for every person, firm, company, or corporation liable to pay a license hereunder, and to state in each license the amount thereof, the period of time covered, the name of the person, firm or corporation for whom issued, the trade, calling, profession, occupation or business licensed, and the location or place of business where said trade, calling, profession, occupation or business is carried on.
- B. In no case shall any mistake of the clerk in stating the amount of a license prevent or prejudice the collection for the town of what shall be actually due from anyone carrying on a trade, calling, profession, occupation or business, subject to license under this article.

Section 3 Payment

- A. All business license taxes shall be paid at the office of the clerk or in such a manner as may be specified by the clerk. Payment of monthly taxes is due on the first day of each calendar month. Payment of quarterly taxes is due on the first day respectively of the months of January, April, July and October. Such licenses

shall expire on the last day respective of March, June, September and December of each year. Payment of the yearly licenses shall be due on the first day of the quarter in which the license is issued.

- B. Quarterly licenses procured during the quarter shall be prorated. Monthly or yearly licenses shall not be prorated.
- C. A separate license must be obtained for each branch establishment or separate place of business in which any trade, calling, profession, occupation or business is carried on. Each license shall authorize the person obtaining such license to carry on, pursue or conduct, only that trade, calling, profession, occupation place of business which is indicated.
- D. Every person engaged in more than one business in the same location for which license fees are hereinafter provided shall pay the fee for the chief business which is engaged at such location.

Section 4 Posting of License

Every person, firm, company, or corporation having a license under the provisions of this article, and carrying on a trade, calling, profession, occupation or business at a fixed place of business shall keep such license posted and exhibited, while in force, in some conspicuous part of the place of business. 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 that trade, calling, profession, occupation or business for which the same was granted. Every person, firm, company or corporation having a license under the provisions of this article shall produce and exhibit the same, when applying for a renewal thereof, and whenever requested to do so by any police officer or by any other officer authorized to issue, inspect or collect licenses.

Section 5 Exhibition of License Required

- A. The chief of police shall have and exercise the power to make arrests and to cause complaints to be filed against all persons violating the provisions of this article.

- B. The chief of police or any duly authorized official shall have the power to enter free of charge at any time any place of business for which a license is required by this article, and to demand the exhibition of such license for the current term, from any person engaged or employed in the transaction of any such business, and if such person shall then and there fail to exhibit such license, such person shall be in violation of this code.

Section 6 License Not Transferable

No license granted or issued under the provisions of this article shall be in any manner assignable or transferable to any other person, firm, company or corporation other than is herein mentioned or named, without written consent from the council.

Section 7 Exemption

Any person wishing to sell any form of agricultural produce produced by himself within the town be exempted from paying any license tax hereunder for the privilege of selling such products only. Before receiving the exemption an affidavit of the facts entitling the seller to an exemption must be filed with the clerk.

Section 8 Business License Fees

All businesses, occupations, professions, trades or callings shall pay a license tax of seven dollars and fifty cents per quarter except that:

- A. Circuses, carnivals, theatrical or other similar exhibitions and amusements shall pay a business license fee of one hundred dollars per day.
- B. Each stand, concession or game located in a circus, carnival, theatrical or other exhibition and amusements shall pay a business license fee of one hundred dollars per quarter.
- C. Fortune tellers, clairvoyants, astrologers, palmists and similar undertakings shall pay a business license fee of three hundred dollars per month.

- D. Hawkers and peddlers shall pay a business license fee of twenty-five dollars per quarter.
- E. Itinerant photographers shall pay a license tax of one hundred dollars per quarter.

Section 9 Liquor License Fees

The following liquor license fees shall be paid to the clerk annually:

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| A. To sell beer and wine in containers only and for consumption off premises where sold | \$100.00 |
| B. To sell beer and wine only for consumption on premises where sold, which shall include occasional sales in containers for off premises consumption | 100.00 |
| C. To sell liquors other than beer and wine in original containers for consumption off premises where sold | 50.00 |
| D. To sell liquors other than beer and wine for consumption upon the premises where sold | 120.00 |
| E. For on-sale and off-sale of liquors of all kinds | 150.00 |

Section 10 Hours of Business

It is unlawful for any person engaged in, conducting, managing or carrying on the business of pawnbroker, secondhand dealer or junk dealer, or for any agent or employee of any such person to accept any pledge of or to loan any money upon personal property or to purchase or receive any goods, wares, or merchandise or any article of things. It is unlawful to engage in or conduct any such business in any manner whatsoever between the hour of ten o'clock p.m. of any day, and the hour of seven o'clock a.m. of the following day, or to purchase any said articles or things from any minor under eighteen years of age, without permission in writing by the parents of said minor.

Section 11 Other Businesses

If any person shall engage in, conduct, manage or carry on, at the same time, more than one of the businesses defined and referred to in this article, such person shall be deemed to be engaged in, conducting, managing and carrying on each such business, separate and apart from the other such business. Such person shall comply in all respects with the provisions of this article relating to each such business, and it is unlawful for any such person, firm, or corporation to fail, refuse, or neglect so to do.

Section 12 Emergency Clause

Whereas, it is necessary for the preservation of the peace, health and safety of the Town of San Luis, Arizona, an emergency is declared to exist, and this Ordinance shall become immediately operative and in force from and after the date of October 1, 1979.

PASSED AND ADOPTED by the Common Council of the Town of San Luis, Arizona, this 20th day of September, 1979.

Josefina C. Rodriguez
Mayor

ATTEST:

Herman Krausfelder
Clerk

Robert C. Clark
Attorney