

ORDINANCE NO. 180

AN ORDINANCE TO FIX, IMPOSE AND COLLECT A LICENSE TAX ON HAWKERS AND PEDDLERS IN THE CITY OF LAS VEGAS; TO PROVIDE FOR THE ISSUANCE OF PERMITS FOR CONDUCTING SAID BUSINESS; TO DEFINE THE DUTIES OF CERTAIN OFFICERS IN CONNECTION THEREWITH; TO FIX A PENALTY FOR THE VIOLATION THEREOF; TO REPEAL ALL ORDINANCES ~~IN~~ ~~CONFLICT~~ AND PARTS OF ORDINANCES IN CONFLICT THEREWITH AND OTHER MATTERS RELATING THERETO.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DO ORDAIN AS FOLLOWS:

Section 1. Itinerant Hawkers and Peddlers--For the purpose of this ordinance Itinerant Hawkers and Peddlers are defined to be all persons traveling from house to house carrying meats, fish, fruits, vegetables or other farm products, dry goods, furs, groceries, cigars, tobacco and other merchandise with them and selling and delivering the same at retail from a pack or truck, automobile, wagon or other vehicle and all persons selling and delivering any of said goods at retail from motor trucks, wagons or other vehicles or freight cars or at any place not a fixed place of business in the City of Las Vegas.

A fixed place of business is defined to be a place of business located in a permanent structure in the City of Las Vegas where merchandise is sold direct to the consumer.

Section 2. Any Itinerant Hawker or Peddler or any person, firm, association or corporation engaged in the business of hawking or peddling in the City of Las Vegas, except as hereinafter provided, shall pay for and obtain a quarterly license to carry on such business as follows, to-wit:

Those whose quarterly gross receipts are less than Three Thousand Dollars (\$3000.00), the sum of Three Hundred Dollars (\$300.00) per quarter;

Those whose quarterly gross receipts are more than Three Thousand Dollars (\$3000.00) and do not exceed Five Thousand Dollars (\$5000.00), the sum of Five Hundred Dollars (\$500.00) per quarter;

Those whose quarterly gross receipts are more than Five Thousand Dollars (\$5000.00) per quarter and do not exceed Ten Thousand Dollars (\$10,000.00), the sum of One Thousand Dollars (\$1000.00) per quarter;

Those whose quarterly gross receipts are over Ten Thousand Dollars (\$10,000.00) and do not exceed Fifteen Thousand Dollars (\$15,000.00), the sum of Fifteen Hundred Dollars (\$1,500.00) per quarter;

Those whose quarterly gross receipts are over Fifteen Thousand Dollars (\$15,000.00) and do not exceed Twenty Thousand Dollars (\$20,000.00), the sum of Two Thousand Dollars (\$2,000.00) per quarter;

Those whose quarterly gross receipts are over Twenty Thousand Dollars (\$20,000.00) and do not exceed Thirty Thousand Dollars (\$30,000.00), the sum of Three Thousand Dollars (\$3,000.00) per quarter;

Those whose quarterly gross receipts are over Thirty Thousand Dollars (\$30,000.00) and do not exceed Forty Thousand Dollars (\$40,000.00), the sum of Four Thousand Dollars (\$4,000.00) per quarter;

Those whose quarterly gross receipt are over Fifty Thousand Dollars (\$50,000.00), the sum of Five Thousand Dollars (\$5,000.00) per quarter.

Provided, that if any person, firm, association or corporation has more than one person engaged in the business of peddling or uses more than one motor truck, wagon or other vehicle in said business of peddling, the foregoing license shall be paid for each of ~~xx~~ said persons, motor trucks, wagons or vehicles used in said business, in accordance with the amount of business each person, wagon, motor truck or vehicle does, but not less than the minimum <sup>ft</sup> schedule.

Provided further, however, that the foregoing license schedule shall not be charged any person engaged in the vending or peddling of what are commonly known as ice-cream cones, hot dogs, candies, tamales, nuts, Eskimo pies or like articles of food usually sold at carnivals or fairs, but that the following schedule shall be paid for the same:

Those whose quarterly gross receipts are less than Three Thousand Dollars (\$3,000.00) shall pay for such license the sum of Fifteen Dollars (\$15.00) per quarter;

Those whose quarterly gross receipts are over Three Thousand Dollars (\$3,000.00) and do not exceed Five Thousand Dollars (\$5,000.00) shall pay for such license the sum of Twenty-two Dollars and fifty cents (\$22.50) per quarter.

Those whose quarterly gross receipts are over Five Thousand Dollars (\$5,000.00) shall pay for such license the sum of Thirty Dollars (\$30.00) per quarter.

Section 3. The licenses in the foregoing section of this Ordinance shall not apply to the sale and/or delivery of goods from a freight car, but there shall be charged as a license for the sale and/or delivery of goods from a freight car, the sum of Thirty Dollars (\$30.00) for each car, or portion of car. A freight car shall not be considered a fixed place of business for any purpose, as defined in this Ordinance, unless said car is standing upon a privately owned sidetrack which has been in the possession of and owned or leased by the person selling said goods from said freight car for a period of at least one year before the selling of said goods from said car.

A platform or other structure constructed upon the right of way of any railroad line, or upon land not owned in fee or leased for a period of at least one year before the selling of said goods, by the person using said platform, shall not be considered a permanent place of business for the purposes of this Ordinance.

Section 4. Before engaging in said business, every person, firm, association or corporation desiring to engage in said business, shall in addition to securing a license as hereinbefore provided, secure from the City Clerk, a permit giving the name and description of the person engaged in said business, and if a wagon, motor truck or other vehicle is used, a description of the same, which said permit shall not be transferable and shall only be good for the current quarter for which it is issued. Said permit shall be displayed at all times by the peddler or be attached in a conspicuous place to his wagon or vehicle.

The City Clerk is hereby directed to obtain said permits and to charge the sum of Five Dollars (\$5.00) for one when the same is issued.

to receive the sum of five dollars (\$5.00) for one when the same is

The City Clerk is hereby directed to obtain said permits and

shall be displayed at all times by the holder or be attached to a

book for the current quarter for which it is issued. said permit

holder shall not be responsible and shall only be

responsible for the person engaged in said business, and in a manner

provided, except from the City Clerk, a permit stating the name and

name, shall in addition to securing a license as hereinbefore

section 4. Before engaging in said business, every person

permanent place of business for the purpose of this ordinance.

by the person using said premises, shall not be considered a

for a period of at least one year before the setting of said goods

of any business, or upon land not owned in fee or leased

premises or other structures constructed upon the right of way

goods from said car.

car for a period of at least one year before the setting of said

owned or leased by the person setting said goods from said premises

premises owned adjacent thereto which are now in the possession of and

is defined in this ordinance, unless said car is situated upon a

shall not be considered a fixed place of business for any purpose,

dollars (\$20.00) for each car, or portion of car. A permit car

and/or delivery of goods from a permit car, the sum of thirty

a permit car, but these shall be charged as a license for the sale

ordinance shall not apply to the sale and/or delivery of goods from

section 3. The license in the foregoing section of this

dollars (\$20.00) per quarter.

dollars (\$2,000.00) shall pay for each license the sum of thirty

those whose quarterly gross receipts are over five thousand

cents (\$25.00) per quarter.

shall pay for each license the sum of twenty-five dollars and fifty

dollars (\$2,000.00) and do not exceed five thousand dollars (\$5,000.00)

those whose quarterly gross receipts are over three thousand

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Provided, however, that in the event a person having a permit wishes to renew his license for another quarter, he may secure another permit, upon returning the former one to the City Clerk and the Clerk shall charge no fee for the same.

SECTION 5. All peddlers or hawkers, vending vegetables, fruits, meats or other farm products shall at all times equip the vehicles they may use in vending the same, with screens and comply with all the sanitary conditions now required or which may hereafter/be required of retail merchants at their places of business.

Section 6. It is the meaning and intention of this Ordinance that all licenses procured under said Ordinance shall fall due on each calendar quarter, and the City Clerk is hereby directed not to issue licenses for a fractional quarter without having the applicant pay for said fractional quarter in connection with the quarter to immediately follow said fractional quarter.

Section 7. Nothing in this Ordinance shall apply to any farmer or producer who sells or disposes of his own agricultural products, including fruits or vegetables or of beef, mutton or pork produced by him in the State of Nevada.

Section 8. Each section of this Ordinance and every part of each section is hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, or ineffective for any cause shall not be deemed to affect nor shall it affect any other section or part thereof.

Section 9. All licenses mentioned in this Ordinance shall be printed in appropriate form, with marginal stub attached, stitched together, and bound in books, and shall be so printed that on issuance the date, number, amount, class, business, and the name or names of the party or parties to whom the license is granted, the time for which the same is granted, and all other necessary information reasonably required by the terms of this Ordinance, shall be indicated, and they shall be signed, when issued, by the City Clerk, with the seal of said City affixed thereto.

Section 10. Any person, firm, association or corporation opening, conducting, maintaining, engaging in or carrying on the business in this Ordinance hereinbefore mentioned, without having obtained the license and permit from the City of Las Vegas as hereinbefore provided, and paying the required license tax therefor, or any person violating any of the provisions of this Ordinance shall

be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and not exceeding the sum of Four Hundred Fifty Dollars (\$450.00), and in default of the payment of the fine, the Court may order the defendant imprisoned in the City Jail of the City of Las Vegas one day for each two dollars of said fine remaining unpaid, but not to exceed six (6) months; provided, however, that nothing herein contained shall be construed to prevent the City of Las Vegas from recovering the amount of any license tax herein required to be paid in a civil action brought for such purpose as provided by the Charter of the City of Las Vegas.

Section 11. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 12. This Ordinance shall be in effect from and after its passage and adoption and publication for one week, three issues in Las Vegas Age, a tri-weekly newspaper printed and published in the City of Las Vegas.

Section 13. The City Clerk and Clerk of the Board of City Commissioners of the City of Las Vegas is hereby authorized and directed to have this City Ordinance No. 160 published for one week, three issues in Las Vegas Age, a tri-weekly newspaper printed and published in the City of Las Vegas.

Passed and adopted this 5 day of July, A. D., 1930, by the following vote:

Commissioners Smith - Guinan and  
Mr. Homer, Mayor of Las Vegas voting aye. Noes None.

First reading June 5, 1930. Second and final reading 5 day  
of July, 1930.

Approved this 5 day of July, A. D., 1930.

Attest:

J. A. Kessel  
Mayor of the City of Las Vegas.

Viola Burns  
City Clerk and Clerk of the Board of  
Commissioners of the City of Las Vegas.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA }  
County of Clark } ss.

C. Russell Squires, being first duly sworn, deposes and says: That he is

Business Manager of LAS VEGAS AGE, a tri-weekly newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached

Ordinance No. 160 of the City of Las Vegas, Nevada

was continuously published in said newspaper for a period of one weeks

ORDINANCE NO. 160

from July 8, 1930

July 15, 1930

An Ordinance to fix, impose and collect a license tax on hawkers and peddlers in the City of Las Vegas; to provide for the issuance of permits for conducting said business; to define the duties of certain officers in connection therewith; to fix a penalty for the violation thereof; to repeal all ordinances and parts of ordinances in conflict therewith and other matters relating thereto.

clusive, being the issues of said newspaper for the following dates to-wit: July 8-10-12, 1930

The Board of Commissioners of the City of Las Vegas do ordain as follows:

That said newspaper was regularly issued and circulated on each of the dates above named. That the charge for publishing the same was \$104.00

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Signed

*C. Russell Squires*

Subscribed and sworn to before me this 17th

day of Aug. 1930.

*C. D. Truize*  
Notary Public in and for Clark County Nevada

A fixed place of business is defined to be a place of business located in a permanent structure in the City of Las Vegas where merchandise is sold direct to the consumer.

Section 2. Any Itinerant Hawker or Peddler or any person, firm, association or corporation engaged in the business of hawking or peddling in the City of Las Vegas, except as hereinafter provided, shall pay for and obtain a quarterly license to carry on such business as follows, to-wit:

Those whose quarterly gross receipts are less than Three Thousand Dollars (\$3,000.00), the sum of Three Hundred Dollars (\$300.00) per quarter;

Those whose quarterly gross receipts are more than Three Thousand Dollars (\$3,000.00) and do not exceed Five Thousand Dollars (\$5,000.00), the sum of Five Hundred Dollars (\$500.00) per quarter;

Those whose quarterly gross receipts are more than Five Thousand Dollars (\$5,000.00) per quarter and do not exceed Ten Thousand Dollars (\$10,000.00), the sum of One Thousand Dollars (\$1,000.00) per quarter;

Those whose quarterly gross receipts are over Ten Thousand Dollars (\$10,000.00) and do not exceed Fifteen Thousand Dollars (\$15,000.00), the sum of Fifteen Hundred Dollars (\$1,500.00) per quarter;

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Those whose quarterly gross receipts are over Twenty Thousand Dollars (\$20,000.00) and do not exceed Thirty Thousand Dollars (\$30,000.00); the sum of Three Thousand Dollars (\$3,000.00) per quarter;

Those whose quarterly gross receipts are over Thirty Thousand Dollars (\$30,000.00) and do not exceed Forty Thousand Dollars (\$40,000.00), the sum of Four Thousand Dollars (\$4,000.00) per quarter;

Those whose quarterly gross receipts are over Forty Thousand Dollars (\$40,000.00) and do not exceed Fifty Thousand Dollars (\$50,000.00), the sum of Five Thousand Dollars (\$5,000.00) per quarter;

Provided, that if any person, firm, association or corporation has more than one person engaged in the business of peddling or uses more than one motor truck, wagon or other vehicle in said business of peddling, the foregoing license shall be paid for each of said persons, motor trucks, wagons, or vehicles used in said business, in accordance with the amount of business each person, wagon, motor truck or vehicle does, but not less than the minimum schedule.

Provided further, however, that that the foregoing license schedule shall not be charged any person engaged in the vending or peddling of what are commonly known as ice-cream cones, hot dogs, candies, tamales, nuts, Eskimo pies or like articles of food usually sold at carnivals or fairs, but that the following schedule shall be paid for the same:

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A platform or other structure constructed upon the right of way of any railroad line, or upon land not owned in fee or lease for a period of at least one year before the selling of said goods, by the person using said platform, shall not be considered a permanent place of business for the purposes of this Ordinance.

Section 4. Before engaging in said business, every person, firm, association or corporation desiring to engage in said business, shall in addition to securing a license as hereinbefore provided, secure from the City Clerk, a permit giving the name and description of the person engaged in said business, and if a wagon, motor truck or other vehicle is used, a description of the same, which said permit shall not be transferable and shall only be good for the current quarter for which it is issued. Said permit shall be displayed at all times by the peddler or be attached in a conspicuous place to his wagon or vehicle.

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Section 8. Each section of this Ordinance and every part of each section is hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, or ineffective for any cause shall not be deemed to affect nor shall it affect any other section or part thereof.

Section 9. All licenses mentioned in this Ordinance shall be printed in appropriate form, with marginal stub attached, stitched together, and bound in books, and shall be so printed that on issuance, the date, number, amount, class, business, and the name or names of the party or parties to whom the license is granted, the time for which the same is granted, and all other necessary information reasonably required by the terms of this Ordinance, shall be indicated, and they shall be signed, when issued, by the City Clerk, with the seal of said City affixed thereto.

Section 10. Any person, firm, association or corporation opening, conducting, maintaining, engaging in or carrying on the business in this Ordinance hereinbefore mentioned, without having obtained the license and permit from the City of Las Vegas as hereinbefore provided, and paying the required license tax therefor, or any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and not exceeding the sum of Four Hundred Fifty Dollars (\$450.00), and in

default of the payment of the fine, the Court may order the defendant imprisoned in the City Jail of Las Vegas one day for each two dollars of said fine remaining unpaid, but not to exceed six (6) months; provided, however, that nothing herein contained shall be construed to prevent the City of Las Vegas from recovering the amount of any license tax herein required to be paid in a civil action brought for such purpose as provided by the Charter of the City of Las Vegas.

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Passed and adopted this 5th day of July, A. D. 1930, by the following vote:

Commissioners German and Smith and His Honor the Mayor, J. F. Hesse voting aye. Noes, none.

First reading June 5, 1930. Second and final reading July 5, 1930.

J. F. HESSE,

Mayor of the City of Las Vegas.

Attest:  
Viola Burns, City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas.

jy8-10-12