

*Ormanee w. p.*

THE CITY OF SUN CITY

BARBER COUNTY

SUN CITY, KANSAS

Section 46 (continued) Any person violating any of the provisions of this ordinance, shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by a fine of no less than five dollars, nor more than one hundred dollars, and shall be committed to the city jail until such fine and costs in the same are paid, ~~or~~ Each day that any business, trade, occupation or profession is conducted without the license tax having been paid, shall constitute a separate offense.

**PENALTY ON FIRMS.** Section 47. When any firm or corporation engaged in any business herein taxed without first obtaining a license as required, the manager, or local agent, or party in charge or an employee, may be arrested and fined as provided in Section 46; and either or any member of a partnership, or the party in charge of its business, shall be equally liable and subject to the penalty provided in Section 46.

**SAVING CLAUSE THIS ORDINANCE.** Section 48. The holding or adjudication of any section or part of this ordinance to be invalid, shall not effect the validity of any other section, but all other sections shall be and remain in full force and effect.

**TAKE EFFECT.** Section 49. That this ordinance shall take effect and be in force from and after its publication in the ordinance book entitled, "Revised Ordinances of the City of Sun City, Kansas, 1930."

Passed by the city council this 31st day of June, 1930.  
Approved this 31st day of June, 1930.

Attest: WILL C. SHRIVER,  
City Clerk.  
ROY HARRIS  
W. S. FREEMAN  
SAM J. SHEPLER

H. E. FITTRO  
Mayor.

# THE CITY OF SUN CITY

BARBER COUNTY

SUN CITY, KANSAS

CITY CLERK'S OFFICE

INCORPORATED DECEMBER 10, 1929

(Published in the Barber County Index, August 14, 1930.)

ORDINANCE No. 6.

## LICENCES

AN ORDINANCE RELATING TO, AND PROVIDING FOR THE LEVY AND COLLECTION OF A LICENSE TAX UPON AND REGULATING CERTAIN CALLINGS, TRADES, PROFESSIONS and OCCUPATIONS CONDUCTED, PURSUED, CARRIED ON OR OPERATED WITH IN THE CITY OF SUN CITY, AND PRESCRIBING PUNISHMENT FOR THE VIOLATION THEREOF.

Be it ordained by the governing body of the city of Sun City: LICENSE TAX TO BE PAID. Section 1. That no person, firm or corporation, either as principal, or agent, or employee, shall conduct or pursue in this city any trade, occupation, business or profession hereinafter provided and procuring from the city clerk a license therefor, except as otherwise provided in this ordinance.

LICENSE TAX LEVIED. Section 2. That the license tax hereby levied shall be in the amounts hereinafter set out on the following trades, occupations, businesses and professions conducted, or pursued within the limits of this city for an annual period, unless a shorter time is specifically stated.

AUCTION SALE. Section 3. Auction sale of a stock or part of stock of goods, wares, or merchandise, per day \$3.00; per month \$25.00. Provided that this section shall not apply to household furniture that are sold in good faith to close out same, and provided further that this section shall not apply to goods, wares or merchandise that are sold at auction by or on legal process or order from a court, or to goods, wares or merchandise that have been damaged within this city which are being disposed of in good faith to close out the same.

BANKRUPT AND FIRE SALES. Section 4. Every person, firm or corporation engaging in the business of selling goods, wares, or merchandise known or advertised as damaged goods or bankrupt stock or goods, wares, or merchandise bought at fire, or auction sales, or bought at sheriff's or assignee's or creditor's sale or advertising in any way for the purpose of inducing customers to believe that they will be sold at a price not exceeding the actual cost of production, shall, before entering upon such business, pay a license tax of \$30.00 for each month or part thereof; provided that this section shall not apply to goods that are under the control of or sold by an officer of the law, or an assignee or trustee in bankruptcy, nor to goods that have actually been damaged by fire or the elements within the city of Sun City, if such goods are offered for sale by the owner at the time of such damage or within six months after the date thereof.

BILLBOARDS. Section 5. Persons, firms or corporations maintaining and operating billboards, outdoor advertising panels and signs for rent and for use of parties desiring to carry advertising thereon, \$1.00 per month.

BOOKS AGENTS, ETC. Section 6. Book agents, transient solicitors, and sellers of maps and periodicals, per day, \$1.00; per week, \$5.00. BOWLING ALLEYS. Section 7. For each person, firm or corporation owning or operating a bowling alley, \$10.00 for the first alley; \$2.50 for each additional alley per month.

THE CITY OF SUN CITY

BARBER COUNTY

CITY CLERK'S OFFICE

INCORPORATED DECEMBER 10, 1929

SUN CITY, KANSAS

**CARNIVALS.** Section 8. Carnivals \$5.00 per day for each show, stand, entertainment device or concession.  
**CIRCUSES.** Section 9. Circuses and menageries or either, per day \$5.00.

**CLAIRVOYANTS.** Section 10. Clairvoyants, mind readers, palmists, phrenologists and fortune tellers and astrologers, per day, \$5.00.  
**CONCESSIONS.** Section 11. Doll racks, knife racks, cane racks, and other stands or business of similar nature and not paid for as part of a carnival or circus, per day \$1.50.

**CORN DOCTORS.** Section 12. Corn Doctors, per day \$2.50.

**NON RESIDENT DOCTORS: ITINERANT.** Section 13. For every itinerant advertising practitioner of medicine, surgery, osteopathy, or dentistry, per week, \$10.00; per day \$2.00.

**DRAY AND TRANSFER.** Section 14. Draymen and transfer men, one-horse vehicles, \$0.50; two-horse vehicles \$1.00; motor truck hauling one ton or less \$1.50; motor truck hauling more than one ton \$2.00.

**FERRIS WHEELS: ETC.** Section 15. Every person owning or operating a ferris wheel, figure eight, or loop-the-loop shall pay per week \$10.00; per day, \$2.00 provided this shall not apply when such devices are operated and paid for as part of a carnival.

**FREE LECTURES.** Section 16. For any free public lectures or free public entertainment given on the streets or avenues of said city for the purpose of advertising any article or thing or person, per day \$2.00; provided that the marshal shall have power to designate the street or avenue upon which said lecture or public entertainment shall be held.

**HUCKSTER OF HAWKER.** Section 17. Huckster or hawker, per day, \$5.00  
The term huckster or hawker as herein used shall be construed to mean any person engaged in selling and edible product who carries his merchandise with him, traveling from place to place in the city calling and selling in the streets, or canvassing sales from house to house.

**JUNK DEALERS.** Section 18. Junk dealers \$3.00.

**MAGNETIC HEALERS.** Section 19. Magnetic healers or doctors or professional either by print or by lectures or operations, and who claim to cure or heal by power or skill unknown to medical or surgical science, shall pay, per day \$2.00.  
**MEDICINE SHOWS.** Section 20. ~~Medicine~~ Medicine shows, concerts or lectures, given for the purpose of advertising any medicine, drug, or nostrum of any kind, no matter where given, per day, \$5.00; per week, \$20.00.

**MERRY-GO-ROUND, Etc.** Section 21. Each person owning or operating a merry-go-round, steam swing, or riding gallery, shall pay per week \$20.00; per day \$5.00; provided this shall not apply if such device is paid for as part of a carnival.

**PEDDLERS.** Section 22. Peddlers, per day \$5.00. The term peddler as herein used shall be construed to mean any person selling non-edible products, who carries his merchandise with him, travelling from place to place in the city, calling and selling in the streets or canvassing sales from house to house.

**PHOTOGRAPHER: ITINERANT.** Section 23. Itinerant photographers, per day, \$1.00. The term itinerant photographer shall be construed to mean any person who goes from house to house soliciting patronage either by contract, or by photographing persons or property

## SUN CITY, KANSAS

INTER-STATE COMMERCE. Section 34. No provision of this ordinance shall be construed to, in any wise, relate to or interfere with the subject of commerce between states, as provided by Section 8, Article 1. of the Constitution of the United States and as defined and decided by the supreme court of the State of Kansas. Persons claiming to be engaged in the sale of goods in such manner as to constitute interstate commerce, and who would otherwise have to pay a license tax, shall, before engaging in such business in this city, produce satisfactory evidence to the city clerk showing that all of such business is actually interstate business.

PRODUCERS AND GROWERS EXEMPT. Section 35. That no producer or grower, or his agents, or employees, selling farm or garden products or fruits grown by him within the State of Kansas, in this ordinance imposed, and he is hereby exempted from the payment of any such license tax, or the securing of any license.

EX-SERVICE MEN: SIX-MONTH RESIDENTS: FREE LICENSE. Section 36. All ex-union soldiers and sailors, and ex-soldiers and sailors of the Spanish-American War, and ex-soldiers of the eighteenth and nineteenth Kansas Cavalry of the United States during the war of the rebellion, and all ex-soldiers and sailors of the World War, who served honorably in the military or marine service of the United States, and who hold an honorable discharge from such service, issued by the proper officer of the United States, and who shall reside in the City of Sun City six months previous to the time of which said license is issued, shall be entitled to a license to operate a delivery wagon, and vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law, in this city; provided, said soldier or sailor is engaged in operating personally a delivery and baggage wagon owned exclusively by himself. Upon the presentation of his certificate and papers of discharge to the city clerk, and showing proof of his identity as the person in his certificate of honorable discharge, and having resided within the city six months previous to the time the license is applied for, the city clerk shall issue to said ex-soldier or sailor a license, and such license shall be free.

WHEN PAYABLE. Section 37. That all licenses shall be due and payable immediately upon the commencement of a trade, occupation, business, or profession for which the same are required, and for all such trades, occupations, businesses and professions which have been licensed for the preceding year, the license shall be payable on the first day of ----- of each year. No license shall be issued until the tax is paid.

CITY TREASURER TO ISSUE A RECEIPT. Section 38. That the city clerk shall, upon payment of the amount hereinbefore specified give a receipt therefor, stating the amount paid, the nature of the license desired, for what time, and to whom issued, and if possible the exact location where the business is to be carried on, which receipt shall be delivered by the person so receiving the same to the city clerk.

CITY CLERK TO ISSUE LICENSES: FEE. Section 39. That all licenses hereinbefore provided shall be issued by the city clerk upon payment of the proper sum to the city treasurer as hereinafter set forth. No ~~license~~ license shall be ~~issued~~ ~~issued~~.

at time of solicitation.

**RAILROAD MERCHANTS.** Section 24. Any person selling merchandise or fruit or produce from railroad cars in less than carload lots, except to dealers, shall pay for the first day \$5.00, and each additional day \$1.00.

**SHOOTING GALLERIES.** Section 25. Each pistol or shooting gallery transient and portable, per day, \$1.00; permanent and in building \$20.00 each six months or fraction thereof.

**SIDESHOWS.** Section 26. Side shows connected with or traveling with any circus, menagerie, equestrian or dog or pony shows, for which a separate admission is charged, per day, \$5.00.

**SKATING RINKS.** Section 27. Skating rinks, six months or fraction thereof, \$20.00.

**STREET SALESMAN.** Section 28. Street salesman, per day, \$5.00.

the term street salesman as herein used shall be construed to mean any person or persons engaged in any manner of selling merchandise of any kind from a wagon or stand temporarily located on the public streets or sidewalks of this city; provided, the right is hereby reserved to the marshal to designate certain streets or parts of streets upon, and the distance therefrom within which no such stand or vehicle shall be permitted for the purpose of retailing goods.

**TENT SHOWS.** Section 29. Tent shows, per day \$5.00.

**TRANSIENT MERCHANT.** Section 30. Each person, firm or corporation engaging in the business of selling goods, wares, or merchandise, ~~known or advertised as such~~ within the corporate limits of this city, shall pay a license tax of \$50.00 per month or fraction thereof provided that in addition to the persons, firms or corporations shall be deemed transient retailers and within the meaning of this ordinance, to wit: Those who advertise for sale a stock of goods brought into said city, and to be kept there for a short time or limited period, or who advertise said stock of goods for sale for the purpose of closing out any salvage wreckage, fire or bankrupt stock those who make the practice of moving a stock of goods from town to town for the purpose of selling for a short time or limited period from said stock or stocks of goods at each town.

**WAGONS AND TEMPORARY STANDS.** Section 31. Persons selling fruit vegetables, popcorn, peanuts, rugs, clothing, harness and other merchandise from wagons, trucks, or stands temporarily located on private property shall pay per day, \$1.00.

**TAX ON MORE THAN ONE OCCUPATION.** Section 32. Any person firm or corporation who shall carry on or engage in any two or more kinds of business at one place, shall be required to pay a license therefor equal to the highest sum required for any kind of business in which he or it is engaged when carried on separately and in addition thereto, one-half of the tax provided for each of the other lines of business, professions, grade or calling engaged in by such person, firm or corporation at such place.

**SPECIFIC PROVISIONS TO CONTROL.** Section 33. That in any case where a tax is specifically imposed upon a certain trade, occupation business or profession and which trade, occupation, business or profession would be liable under some general provisions if the specific provisions were absent, then, and that case, the tax shall be that specifically imposed.

All licenses shall be signed by the mayor and the city clerk, and countersigned by the city treasurer, and the city clerk shall affix the corporate seal of the city thereto. In addition to the amount provided for in this ordinance as license tax, each applicant to whom a license is issued, shall at the time of applying for the same pay to the city clerk the sum of twenty-five cents for his fee for issuing such license.

**DURATION OF LICENSED.** Section 40. Licenses shall endure for the time issued, except that all licenses for an annual period shall expire on the 1st day of May next following the date of their issuance.

**AMOUNT ISSUED FOR.** Section 41. Annual licenses shall not be issued for a sum less than the charge for one year.

**DATE AND CONTENTS OF LICENSES.** Section 42. All licenses shall be dated on the day of their issue, and shall state the name of the applicant, the kind of business he desires to engage in, the amount paid, and the time said license shall expire; and the person having such license shall be authorized to carry on the business therein named.

**LICENSE BOOK.** Section 43. The city clerk shall keep a book in which shall be entered the name of each and every person licensed, his address, the date of the license, the purpose for which it is granted, the amount paid therefor, and the time when the same shall expire, and within twenty-four hours after any license has expired, the city clerk shall notify the city marshal of such expiration, unless the same shall have been renewed.

**LICENSES ARE NOT TRANSFERABLE.** Section 44. That no license issued under the provisions of this ordinance shall be transferable or assignable.

**LICENSES TO BE CARRIED AND PRESENTED FOR INSPECTION.** Section 45. That all persons doing business in a permanent location are hereby required to have their license conspicuously displayed in their place of business, and all persons to whom licenses are issued not having a permanent place of business are hereby required to carry their licenses with them and any licensee shall present the license for inspection when requested to do so by any citizen or officer of the city.

**PENALTY FOR VIOLATION.** Section 46. That any person, firm or corporation who shall conduct or pursue in the limits of this city any trade, occupation or business for which a license should have been obtained to conduct or pursue such trade, occupation or business, without having obtained the same, shall be deemed to do so unlawfully. Any person violating any of the provisions of this ordinance, shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by a fine of no less than five dollars, nor more than one hundred dollars, and shall be committed to the city jail, or to the county jail, or to the State Prison, for each day that any business, trade, occupation or profession is conducted without the license tax having been paid, shall constitute a separate offence.

**PENALTY ON FIRMS.** Section 47. When any firm or corporation