

Ordinance No. 5

An Ordinance Creating a Bureau of Police, Providing for the Offices of Commissioner of Police and Chief of Police, Providing for the Duties Thereof, Providing for the Compensation Therefor, Providing for Police Officers, Providing the Compensation Therefor, Providing the Authority and Jurisdiction of the Commissioner of Police and Declaring An Emergency.

The City of Brookings Does Ordain as Follows:

Section 1. There is hereby created The Bureau of Police for the City of Brookings. The Bureau of Police shall consist of a Commissioner of Police, a Chief of Police and such other police officers as may be appointed by the Commissioner of Police pursuant to the provision of this Ordinance.

Section 2. The term of office of the Commissioner of Police shall run concurrently with that of Mayor, and the Mayor shall automatically occupy the office of Commissioner of Police during his incumbency and until his successor has been duly elected and qualified.

Section 3. The powers and duties of the Commissioner of Police shall be:

(a) He shall be the senior officer of the Bureau of Police and bear the responsibility for efficient and effective police protection for the City.

(b) Subject to confirmation by the Council entered in the journal, he shall have authority to appoint the Chief of Police and also to remove the Chief of Police from office; and he shall have the authority to appoint such other police officers as the Council shall, from time to time, deem necessary, and he shall have the authority to remove any such other police officers from the Bureau of Police.

(c) He shall supervise and direct the activities of the Chief of Police and other police officers of the City.

(d) Whenever, in his sound discretion, an emergency exists, he shall have authority, without first consulting the Council, to appoint such additional police officers as in his judgment are necessary to meet the emergency, and such officers shall serve during the continuance of such emergency, and they shall be paid reasonable compensation for their services.

(e) He shall, with the advice and consent of the Council, purchase or lease such property and equipment as he may deem necessary to carry out the purposes of this ordinance.

(f) He shall furnish police badges, in such form and design as the Council may approve, to the Chief of Police and all other police officers of the Bureau of Police.

(g) He shall, with the advice and consent of the Council, make the necessary arrangements for the establishment and maintenance of a City jail, and he shall be responsible for the incarceration of persons sentenced to be in prison by the municipal court of the City of Brookings.

(h) He shall make rules and regulations governing the activities of the Bureau of Police, and he shall be responsible for maintaining discipline within the Bureau of Police.

(i) He shall have such other authority as may be necessary for the efficient and effective performance of his office and the Bureau of Police.

Section 4. The Commissioner of Police shall have all the powers of a peace officer within the geographic limits of the City of Brookings.

Section 5. The powers and duties of the Chief of Police shall be:

(a) To exercise all the powers of a police officer within the geographic limits of the City of

Brookings.

(b) To carry out all directives, oral or in writing, issued to him by the Commissioner of Police.

(c) To exercise a vigilant control over the peace and quiet of the City of Brookings to the end that any person violating the ordinances of the City of Brookings shall be brought before the municipal court for the City of Brookings.

(d) Subject to the approval of the Commissioner of Police, he shall be responsible for the assignment of all details to other police officers of the Bureau of Police.

(e) He shall be responsible for the service and execution of all process issued by the Judge of the municipal court for the City of Brookings.

(f) He shall observe and cause all other police officers of the Bureau of Police to observe all rules and regulations issued by the Commissioner of Police.

Section 6. Such other police officers as the Commissioner of Police shall appoint, shall have, within the geographic limits of the City of Brookings, all the powers of a peace officer. They shall carry out all details assigned to them by the Commissioner of Police and the Chief of Police and they shall observe all rules and regulations issued by the Commissioner of Police.

Section 7. The Commissioner of Police shall receive such compensation, if any, as may be authorized by the Council from time to time.

Section 8. The Chief of Police and other police officers of the Bureau of Police shall receive such compensation as the Council shall authorize from time to time.

Section 9. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Brookings, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Read by title and in full this 23rd day of October, 1951.

Read a second time by title this 23rd day of October, 1951.

Read a third time by title and passed by the Council this 23rd day of October, 1951.

Authenticated this 23rd day of October, 1951.

ROBERT O. DIMMICK, Mayor
Passed by the Council, October 23, 1951.

C. H. GRAYSHEL, Recorder.

Ordinance No. 6

An Ordinance Regulating and Licensing Certain Businesses, Professions, Pursuits and Occupations in the City of Brookings for Regulatory and Revenue Purposes, Fixing the Fees Therefor, Providing for an Increase or Decrease of the Same, Fixing the Penalty for Violation Thereof, Providing for the Enforcement Thereof, Providing Certain Definitions, Providing for a Savings Clause and Declaring an Emergency.

The City of Brookings Does Ordain as Follows:

Section 1. Definitions. The term "person" as used in this ordinance shall be deemed to mean and include any person, firm, co-partnership, association, joint-venture, syndicate, society or domestic or foreign corporation. The term "business" as used in this ordinance shall be deemed to mean and include any trade, profession, occupation or pursuit of every kind conducted in the City of Brookings for gain, including but not limited to those businesses hereinafter specifically mentioned and listed. The respective term "proprietor" and "employer" as used in this ordinance shall be deemed to mean and include any person, as herein de-

fined, who is engaged in any "business" as herein defined. The use of any pronoun in this ordinance shall be construed as meaning and including the singular or plural thereof and the masculine, feminine and neuter gender as the case may be.

Section 2. Employee Not Deemed in Business—Purposes. No person who is an employee and whose income is based solely on an hourly, daily, weekly, monthly or annual wage or salary shall, for the purpose of this ordinance, be deemed a person engaged in business in the City of Brookings. It is declared that the purpose of this ordinance is that all license fees levied hereby and hereunder shall be borne by the employer for the privilege of doing business in the City of Brookings; and for the regulation of such business; and for providing revenue for municipal purposes generally and to pay the necessary expenses for carrying out the provisions of this ordinance.

Section 3. Agents of Non-Resident Proprietors. The agent or agents of a non-resident proprietor engaged in any business for which a license is required by this ordinance shall be liable for payment of the license fee therefor and shall be subject to the penalties for failure to pay the same or to comply with the provisions of this ordinance to the same extent and with like effect as though such agent or agents were themselves the proprietors of such business.

Section 4. Representations—Advertisements. Any person representing himself or exhibiting any sign or advertisement to the effect that he is engaged in any of the businesses upon which a license fee is levied by this ordinance shall be deemed to be engaged in such business and shall be liable for the payment of the license fee levied hereby or hereunder and shall be subject to the penalties for failure to pay the same or comply with the provisions of this ordinance.

Section 5. License Required—Exemptions. No person shall engage in, prosecute or carry on any business within the limits of the City of Brookings unless or until he shall have first obtained a license therefor and shall have paid to the City of Brookings the license fee provided therefor by this ordinance, unless exempted therefrom by this or another ordinance of the City of Brookings or by the Constitution and laws of the United States of America or the Constitution and laws of the State of Oregon.

Section 6. Annual Fees. There are hereby imposed upon all business doing business in the City of Brookings, unless exempted as provided by Section 5 hereof, annual license fees in the amounts specified opposite the respective businesses hereinafter listed:

Abstract and title insurance or escrow	\$ 15.00
Accountants	15.00
Advertising agencies	15.00
Antique and curio shops, art goods and myrtlewood shops	15.00
Apartments, hotels, motels, cottages, rooms, trailer coach space, 1 to 5 rental units plus \$1.00 for each rental unit in excess of 5, not to exceed a maximum fee of	50.00
Attorneys at law	15.00
Automobile dealers	20.00
Automobile accessories	10.00
Automobile storage	10.00
Automobile repair	15.00
Automobile service (oil and grease)	15.00
Automobile wreckers	10.00
Bakeries	15.00
Barber shops	10.00
Beauty shops	10.00
Bicycle shops	10.00
Bill Posters	10.00
Bootblacks	5.00
Bowling alley	35.00

Bus stations	10.00
Canneries	15.00
Cabinet Makers	10.00
Card games, per table	150.00
Chiropractors	15.00
Cleaning and dyeing	15.00
Cement and/or building material dealers	15.00
Cigar and tobacco dealers	10.00
Cold Storage and/or ice	10.00
Clothing stores	15.00
Confectioners and soft drinks	10.00
Contractors, general	15.00
Sub-Contractors	10.00
Dairies, milk dealers	15.00
Dairy products manufacture	15.00
Dance halls	25.00
Dentists or dental laboratories	15.00
Dress shops	10.00
Drug stores	15.00
Dry goods	15.00
Cleaning and dyeing solicitors	35.00
Electric shops, appliances	15.00
Electric signs, (neon etc)	15.00
Engineers	10.00
Farm machinery dealers	15.00
Feed stores	15.00
Fish stores, markets	10.00
Fishing tackle shops	10.00
Florists	10.00
Fruit and vegetable markets	10.00
Fuel dealers	10.00
Funeral directors	15.00
Furniture, new and second hand	15.00
Garages	15.00
Garage storage	10.00
Garbage collectors	10.00
Grocery stores, business district	15.00
Grocery stores, residential district	10.00
Grocery and meat market combined	20.00
Hardware	15.00
Hospital association and/or rest home	15.00
Jewelry and/or watch repairing	10.00
Junk dealers	10.00
Laundries, self service	10.00
Laundries, delivery service	15.00
Liquified gas and appliance	15.00
Lumber manufacturing	25.00
Machine shops	15.00
Magazine stands	10.00
Meat retailers	15.00
Meat wholesalers	15.00
Moving picture theatre	35.00
Music boxes	10.00
Music stores	10.00
Nurseries	15.00
Oil burners, sales or service	15.00
Optometrists	15.00
Osteopaths	15.00
Painters or paper hangers	15.00
Petroleum products	15.00
Peddlers	25.00
(or in the alternative, the daily license fee provided in Section 7 hereof)	
Photographers	10.00
Physicians and/or surgeons	20.00
Planing mills	25.00
Plumbing and heating	15.00
Plywood plants	50.00
Pop corn wagon or store	10.00
Poultry dealers	10.00
Publishers, printers	15.00
Radio service store or shop	10.00
Real estate dealers	15.00
Ready-mix concrete	15.00
Restaurants	15.00
Refrigeration services	15.00
Rock crushers	15.00
Septic tank and cesspool cleaners	10.00
Second hand stores	10.00
Shoe repair	10.00
Shoe Stores	15.00
Shuffle boards	10.00
Shooting galleries	20.00
Solicitors	25.00
(or in the alternative, the daily license fee provided in Section 7 hereof)	
Tailor shops	10.00
Taxis, each	10.00
Tractors for lease	15.00
Truck dealers	15.00
Truckers	15.00
Upholstery	10.00
Variety stores	15.00
Veterinarians	15.00
Wholesale delivery trucks	12.00
Wood yards	5.00
Any trade, profession, call-	

ing, business or employment not otherwise classified

Section 7. Daily Fees. There are hereby imposed upon all of the following listed businesses in the City of Brookings, unless exempted as provided in Section 5 hereof or an annual license fee has been issued as provided in Section 6 above, daily license fees in the amounts specified opposite the respective businesses listed:

Carnival and circus \$25.00
Peddlers 5.00
Solicitors, other than clean- and dyeing 5.00

Section 8. Non-Compliance Unlawful. It shall be unlawful for any person to carry on or transact any business as in this ordinance specified without first paying to the City of Brookings the license fee imposed by this ordinance.

Section 9. Regular License—1951 Term. The license provided for in this ordinance shall, except for the year 1951, commence with the first day of January and terminate with the 31st day of December of each calendar year for which the license is issued. The term of said license for the balance of the year 1951 shall commence with the first day of November and terminate with the 31st day of December, 1951.

Section 10. Fees for 1951. The license fees for the privilege of engaging in business in the City of Brookings for the balance of the year 1951, as in this ordinance prescribed, shall be one-sixth of the amount of the annual license fees otherwise prescribed by this ordinance.

Section 11. Application for, 1951. On or before the 15th day of November, 1951, every person engaged in business in the City of Brookings shall make application to the City Recorder, upon forms to be furnished by the City, for a license to engage in such business during the balance of the year, 1951, and he shall make payment of the license fee provided for in Section 10 of this ordinance.

Section 12. Annual Application. On or before the first day of January of each calendar year following the passage of this ordinance every person engaged in business in the City of Brookings shall make application in writing to the City Recorder, upon forms to be furnished by the City, for a license to engage in such business during the calendar year for which such application is made, and he shall make payment of the annual license fee prescribed by this ordinance.

Section 13. City Recorder To Keep Record. The City Recorder shall file and keep record of every application for a license made under the provisions of this ordinance.

Section 14. License Certificate. When application for a license and payment of the fee therefor have been made as provided by this ordinance, the City Recorder shall issue to the applicant a license certificate which shall evidence the applicant's privilege to engage in the business for which the application was made and the fee paid during the calendar year for which the license shall be issued. Said license certificate, when issued, shall bear the printed signature of the Mayor and be countersigned by the City Recorder.

Section 15. Required Application Statements. The license application form to be provided by the City shall require a statement by the applicant describing the type of business for which the license is sought, the location of said business and the applicant's signature or that of his duly authorized agent.

Section 16. Council To Prescribe Form of Certificate. The form and wording of the license certificate to be issued by the City Recorder shall be prescribed

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