

by the City Council and it shall specify the name of the licensee, the type of business licensed, the location of said business and the amount of license fee paid.

Section 17. Investigation of Businesses. The Chief of Police and his subordinate police officers are hereby directed and empowered to investigate and examine all places of business in the City of Brookings at any and all reasonable times for the purpose of determining whether or not such business is being conducted in accordance with the terms of this ordinance.

Section 18. Non-Transferrable—Exception. No transfer or assignment of any license issued hereunder shall be valid or permitted, except that whenever any person shall sell or transfer the whole of a business for which such license has been issued, the Vendee thereof shall, unless otherwise provided by ordinance, be allowed to engage in said business under the Vendor's license for the balance of the calendar year for which the Vendor's license was issued.

Section 19. License For Full Year — Not Part of Year. No license provided for in this ordinance, except those licenses provided for herein on a daily basis, shall be issued for a period less than the full calendar year for which it is issued and the full annual fee, as herein prescribed, shall be paid therefor even though a portion of said calendar year has expired at the time the application for such license is made.

Section 20. License Not Vested Right. Nothing in this ordinance contained shall be construed as vesting in the licensee any contract right or creating any contract obligation on the part of the City as to the amount of license fee or as to the character of the license issued hereunder, but on the contrary, it shall be construed as reserving to the City the right to increase or decrease at any time any license fee prescribed herein and to change the character of the license and term thereof.

Section 21. Fees Are Additional Revenue. The license fees fixed by and collected or to be collected under this ordinance shall be in addition to the general ad valorem taxes now or hereafter levied pursuant to law and also in addition to any and all license fees prescribed by other ordinances pertaining to or regulating specific businesses, occupations, amusements, utilities, trades and other pursuits for gain.

Section 22. Penalty. Any person or persons, associations of persons, firm, corporation or any agent or representative thereof or either of them who shall engage in or carry on a business within the corporate limits of the City of Brookings, without having first applied for a license, paid the fee therefore and obtained a license certificate in accordance with the provisions of this ordinance, shall be deemed guilty of violation of this ordinance and shall, upon conviction thereof, be punished by a fine in a sum not less than double the amount of the license fee set by this ordinance for such business nor more than \$200.00 or imprisonment in the City Jail for a period not to exceed 100 days or by both fine and imprisonment, and no license shall be issued to any person convicted hereunder until the full amount of any fine imposed hereunder shall have been first paid.

Section 23. Concurrent Cause of Suit. In addition to the remedies provided in Section 22 and a separate and concurrent cause of action or suit, the City of Brookings may, in any court of competent jurisdiction, sue any person, who has or is engaged in business in the City of Brookings without having complied with this ordinance, for the amount of license fee payable hereunder; and

also the City may in the same or separate suit seek an injunction prohibiting such person from engaging in such business in the City of Brookings in violation of this ordinance; and in any such action or suit the City shall, if it prevails, recover in addition to its costs and disbursements a reasonable attorneys fee to be set by the Court.

Section 24. Savings Clause. If any section, paragraph, sentence, phrase or word of this ordinance shall be held to be unconstitutional or invalid, the unconstitutionality or invalidity of such section, paragraph, sentence, phrase or word shall not affect the validity of any other portion of this ordinance, it being the intent of the Council to enact the remainder of this ordinance notwithstanding such part as may be so declared unconstitutional or invalid.

Section 25. Certificate To Be Displayed. Every person who has obtained a license as required by this ordinance for the privilege of doing business in the City of Brookings shall display the license certificate issued to him in a conspicuous place in or upon the premises where said business is conducted, except in the case of contractors, sub-contractors, cleaning and dyeing solicitors, wholesale delivery trucks peddlers and solicitors. In the case of contractors and sub-contractors, said license certificate shall be conspicuously displayed at their principal places of business in the City of Brookings and in the case of cleaning and dyeing solicitors, wholesale delivery trucks, peddlers and solicitors, said license certificate shall be carried on the person of the licensee or conspicuously displayed in or upon any vehicle used in the conducting of such business.

Section 26. Combination of Certain Businesses — Maximum Fee Thereof. Where one person as defined by this ordinance is conducting two or more of the businesses listed in Section 6 above in the same building, the City Recorder may issue a single license certificate covering such combination of businesses and the maximum annual fee to be paid therefor by such person shall not exceed the sum of \$35.00; provided, however, that no such combination shall include, and there is hereby excepted from the operation of this section the following listed businesses whether or not the same are conducted in conjunction with any other business:

- Card Table.
- Moving Picture Theatre.
- Sawmills
- Planing mills.
- Plywood plants.
- Apartments, hotels, motels, cottages, rooms, trailer coach space.

Section 27. Emergency. 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. 7

An Ordinance Providing For Money Depositories, Providing For Creation of Funds, Providing For Warrants and When Interest Is Payable Thereon, Defining Additional Duties of the City Recorder and Declaring an Emergency.

Section 1. The Council shall designate one or more depositories in which the City's monies shall be deposited, and the Council may authorize the depositing of City monies belonging to one or more City funds to the same account in any one of such depositories and thereby permit the co-mingling of monies belonging to any two or more such City funds, or it may require that City monies belonging to any City fund be deposited in a separate account for such fund in any such depository.

Section 2. All disbursements made from City funds shall be by warrant drawn on the depository holding the account in which is deposited the monies belonging to the fund from which the warrant is to be paid; and the fund from which the warrant is to be paid shall be charged therewith.

Section 3. Whenever there is not sufficient money in the fund from which any warrant is to be paid or in the account containing such fund, the City Recorder shall endorse on the face of such warrant the words "Not Paid for Want of Funds," together with the date on which such endorsement is made, and he shall sign his name under such endorsement as City Recorder. Warrants so endorsed shall draw interest at the rate of Six Per Cent per annum from the date of such endorsement until the date such warrants are called for payment as hereinafter provided. The City Recorder shall keep a record of all warrants which he shall endorse as "Not Paid for Want of Funds," except as provided by this or any other ordinance of the City of Brookings, the City shall not pay interest on its obligations.

Section 4. When the Council deems that the balance of any fund is sufficient for the calling of a payment of a part or all of the warrants outstanding against the fund and endorsed by the City Recorder as hereinbefore provided, it shall direct the City Recorder to publish in one issue of a newspaper of general circulation in the City of Brookings a notice which shall be substantially in the following form:

NOTICE OF WARRANT CALL
Notice is hereby given that the following numbered warrants issued by the City of Brookings Oregon, and drawn on the..... (name of fund).....Fund, and endorsed "Not Paid for Want of Funds" are called for payment. Commencing with Warrant No., dated, and including Warrant No., dated..... Interest on the above numbered warrants cease(date)..... (Signed) (name of city recorder) City Recorder.

Section 5. The City Recorder shall prepare and present to the Council an accurate statement of the City's finances once each month at a regular meeting of the Council. The statement to be so prepared and presented shall show the following:
(a) The amount of money received during the previous month.
(b) The amount of money withdrawn from each fund and the balance on hand therein.
(c) The total amount of money remaining in his custody and not yet deposited in the account with the depository to the credit of the fund to which it belongs.

Section 6. 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.

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Ordinance No. 8

An Ordinance Creating A Municipal Court, Creating the Office of Municipal Judge, Prescribing the Jurisdiction of Said Court and Judge, Providing for the Making of Rules of Said Court, Providing for Procedure of Said Court, and Declaring an Emergency.

Section 1. There is hereby created a Court for the City of Brookings to be known as "The Municipal Court for the City of Brookings."

Section 2. There is hereby created the office of Municipal Judge.

Section 3. The Municipal Judge shall be the judicial officer of the City of Brookings and shall preside over the Municipal Court of the City of Brookings.

Section 4. All of the incorporated area, now or hereafter, within the City of Brookings shall be within the territorial jurisdiction of the Municipal Court and the Municipal Judge.

Section 5. The Municipal Judge shall exercise original and exclusive jurisdiction of all crimes and offenses defined and made punishable by ordinance of the City of Brookings and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by an ordinance of the City of Brookings.

Section 6. The Municipal Judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the City of Brookings, to commit any such person to jail or admit him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before him, to compel obedience to such subpoenas, to assue any process necessary to carry in effect the judgment of the Municipal Court.

Section 7. When governed by ordinance or by charter of the City of Brookings, all proceedings in the Municipal Court for the City of Brookings for the violation of a City ordinance shall be governed by the applicable general laws of the State of Oregon governing Justices of the Peace and Justices Courts.

Section 8. Trials in the Municipal Court for the City of Brookings of cases for violation of City Ordinances shall be had without juries.

Section 9. The Municipal Judge shall have authority to form and adopt such reasonable rules for the conduct of the business of the Municipal Court for the City of Brookings; provided, however, that he shall not form or adopt any rule which is in contravention with the Constitution of the United States, the Constitution of the State of Oregon, the laws of the State of Oregon or any ordinance of the City of Brookings.

Section 10. The Municipal Judge shall set the days and hours that the Municipal Court for the City of Brookings shall be in session for the transaction of judicial business, but once the Municipal Judge has set said days and hours, they shall not be changed or altered except by order of the Municipal Judge, which order shall be published at least once in a newspaper of general circulation in the City of Brookings ten days in advance of the effective date of such order; provided, however, that no change or alteration of said days or hours shall be made which will result in ad-

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vancing or postponing the trial date of any cause already set for trial at the time of making the order.

Section 12. 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.

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NOTICE

No trespassing on my property, consisting of 160 acres on Wheeler Creek and Winchuck River, unless permission is first granted. R. C. LUDLUM, Harbor. 33-3*

Garth M. Cross
Licensed Surveyor
Lots, Subdivisions and
Timber Surveys
Care Southern Curry
Realty Company.

Gilbert's Shoe Shop
All Work Guaranteed!
We use only the best quality materials in all repair work.
Next Door to Fire Station

USED FURNITURE
Brought and Sold!

B. B. Crabb Co.
Accounting-Bookkeeping
Payroll & Income Taxes
Gardner Building
Brookings, Oregon

Just Received
Big Bundle of
Calcutta Poles

in original wrappings from India. Come in and get them before they are picked over.

Also Have Assorted Reels!
J. J. Gallagher
Sporting Goods
In the Center of Brookings
ON HIGHWAY 101