

ORDINANCE NO. 468, FOURTH SERIES

AN ORDINANCE AMENDING SECTION 10B AND SECTION 80 OF ORDINANCE NO. 18, FOURTH SERIES, PASSED SEPTEMBER 22ND, 1921, AND ENTITLED: "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS TRADES, CALLINGS AND OCCUPATIONS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT OCTOBER 1st, 1921." AS AMENDED, AND REPEALING SECTION 10C.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO, AS FOLLOWS:

SECTION 1. Section 10b and Section 80 of Ordinance No. 18, 4th Series, passed September 22nd, 1921, are hereby amended to read as follows:

SECTION 10B. In the event of the cancellation for cause of any license issued by the City of Sacramento for any business at a particular location, no other license shall thereafter be issued to any person for the same kind of business at said location, nor for the conducting of any of the following business at said location; soft drink parlors for the retailing of non-intoxicating alcoholic beverages, billiard halls or pool rooms, restaurants carrying a non-intoxicating alcoholic beverage permit, coffee houses, social clubs, within one year after said cancellation, except on a permit from the City Council and every person applying for a license hereunder as in this paragraph provided shall present to the City Council a statement in writing, verified by the oath of said applicant, which statement shall set forth the following:

(a) The full, true name, age and place of nativity of the applicant, or applicants if there be more than one interested in said business.

(b) The location of the premises by street and number, and where there is no street and number by such other description as will enable the same to be easily located.

(c) That the applicant is of good moral character.

(d) That if granted a license the applicant will conduct said business in a lawful manner, will not permit any offensive, immoral or indecent practices to be committed upon the premises, will not commit or suffer to be committed any violation of the laws of the United States or of the State of California, or the ordinances of the City of

Sacramento, in the conducting of or in connection with said business.

(e) Whether or not the applicant has had a license revoked, and whether or not a license has been revoked at said premises and if so, the circumstances attending the revocation, with location of premises, date and cause of revocation, together with a sworn statement of the owner of said premises that he was in no wise cognizant of, and that he used due diligence and reasonable effort to prevent any violation of law on said premises.

The permit for said license may be granted or refused at the discretion of the City Council and any license issued as herein provided may be revoked as provided in Sec. 102 $\frac{1}{2}$ of this ordinance, as amended by Ordinance No. 373, 4th Series.

SECTION 80. For every person, firm or corporation conducting, managing or carrying on the business of selling, serving, dispensing or giving away, to be consumed upon the premises, vinous, spirituous, malt, cereal, or mixed non-intoxicating, alcoholic liquors having an alsoholic content not greater than that permitted by any law of the United States that is now or may be hereafter in force, \$21.00 per quarter. Provided, that this section shall not conflict in any manner with Section 78 or Section 82 of this ordinance.

Provided, further, that a license under this Section shall not be issued except on a permit from the City Council and every person applying for a license hereunder shall present to the City Council a statement in writing, verified by the oath of said applicant, which statement shall set forth the following:

(a) The full, true name, age and place of nativity of the applicant or applicants, if there be more than one interested in said business.

(b) The location of the premises by street and number and where there is no street and number, by such description as will enable the same to be easily located.

(c) That the applicant is of good moral character.

(d) That if granted a license the applicant will conduct said business

in a lawful manner, will not permit any offensive, immoral or indecent practice to be committed upon the premises, will not commit or suffer to be committed any violation of the laws of the United States or of the State of California or the ordinances of said city.

(e) Whether or not the applicant has had a license revoked, and whether or not a license has been revoked at said premises and if so, the circumstances attending the revocation, with location of premises, date and cause of revocation, together with a sworn statement of the owner of said premises that he was in no wise cognizant of, and that he used due diligence and reasonable effort to prevent any violation of law on said premises.

The permit for said license may be granted or refused at the discretion of the City Council and any license issued as herein provided may be revoked by the City Council as in Section 102 $\frac{1}{2}$ of this ordinance, as amended by Ordinance No. 373, 4th Series.

Provided further, that, in the event of the cancellation of any license in this ordinance provided, no licenses hereunder can thereafter be granted to the holder or holders of said cancelled license unless, in addition to the requirements hereinbefore set forth, the applicant shall deposit with the City Controller the sum of \$500.00 in cash. Said deposit shall abide the action of the City Council relative to the granting of the license to the said applicant and, in the event a license is so granted, the said deposit shall remain as security that the licensee will not violate nor permit to be violated any law of the United States or the State of California, or of any ordinances of the City of Sacramento in the conducting of or in connection with the said business. In the event that the City Council shall determine after hearing upon 5 days notice to the holder of said license at which the licensee shall be permitted to have counsel and introduce evidence in his behalf that any of said laws or ordinances have been violated or permitted to be violated by the licensee in the conducting of or in connection with the said business, the Council shall have the right to declare said deposit forfeited to the City of Sacramento.

Any deposit made pursuant to the provisions of this section, shall be returned to the licensee or his assigns on the expiration of the period

of one year from the date of the issuance of said license, provided, all the conditions of the license for which the said deposit stands as security have been fully performed up to that time.

SECTION 2. Section 10C of Ordinance No. 18, 4th Series, as amended by Ordinance No. 182, 4th Series, is hereby repealed.

PASSED: May 8th, 1930

EFFECTIVE: June 7th, 1930.

C. H. S. Bidwell.
MAYOR

ATTEST:

H. G. Deutor

CITY CLERK