

ORDINANCE NO. 613, FOURTH SERIES.

AN ORDINANCE LICENSING AND REGULATING THE RETAIL SALE OF FLOWERS AND PLANTS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. It shall be unlawful for any person, firm, partnership or corporation within the limits of the City of Sacramento to engage in the retail business of selling cut flowers, funeral sprays, wreaths, designs, corsages, potted plants, bedding plants or any other form of natural flowers, plants or bushes without first having obtained from the City Controller a license to engage in such retail business.

SECTION 2. It shall be necessary before obtaining a license for each person, firm, partnership or corporation selling flowers at retail to obtain, and thereafter to maintain, a storeroom or greenhouse, which shall be equipped properly to care for such flowers, plants, shrubs and cut flowers.

SECTION 3. Each retail merchant who has been engaged in the business of selling cut flowers, plants, shrubs, funeral sprays, wreaths, designs, corsages, potted plants, bedding plants, or any other form of natural flowers, plants, or bushes, for more than 180 days last past shall pay the sum of \$6.00 annually for a license to continue in such business, which license shall be issued in the name of the person, firm, partnership or corporation so engaged in business, which license shall not be transferable.

SECTION 4. Every person, firm, partnership or corporation desiring to engage in such business and not heretofore having been so engaged for at least 365 days last past shall, in addition to obtaining the above described license, post a cash bond, to be approved by the City Controller, in the sum of \$500.00 with said Controller with a penalty that said bond shall be forfeited to the City of Sacramento if said person, firm, partnership or corporation does not remain in such business for a period of 180 days in the City of Sacramento at the location for which such license is issued.

SECTION 5. The application for a license shall be furnished by the City Controller and shall provide for the names of the persons interested in the business for which the application is filed, the place of business, length of time engaged in such business, size of the store, building or greenhouse to be occupied. In addition thereto, the applicant shall give the name, age and place of residence, if an individual, and no license shall be issued to an individual under the age of 21 years. No license shall be transferable to any other person, firm, partnership or corporation.

SECTION 6. It shall be unlawful to display or offer for sale upon any public sidewalk or doorway any cut flowers, plants or shrubs.

SECTION 7. This ordinance shall not apply to any person, firm, partnership or corporation engaged in the wholesale business of selling cut flowers, potted plants, wreaths, funeral sprays, designs, corsages, cut flowers or bedding plants, nor to a producer who

directly furnishes and delivers to any person any articles in this section above described, in an established market place, being the produce of his own garden or farm.

This ordinance shall not apply to any person, firm, partnership or corporation which is engaged in the business of selling only dry bulbs, tubers, corms, unpotted, hardy perennial, deciduous plants and evergreens, either at wholesale or retail.

SECTION 8. That any person, firm, partnership or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars (\$500.00), or by imprisonment in the City Jail for a period of not more than six (6) months, or by both such fine and imprisonment.
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Each/person firm, partnership or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued or permitted by such person, firm, partnership or corporation, and shall be punishable therefor as provided by this ordinance.

SECTION 9. This ordinance is hereby declared to be an emergency measure and shall take effect immediately; said emergency being the necessity of providing for the licensing and regulating of florists, some of whom are selling on the sidewalks and in doorways and obstructing free passage.

PASSED: March 22, 1934.

EFFECTIVE: March 22, 1934.

ATTEST:

H. G. Denton
CITY CLERK

Wm. P. Sullivan
MAYOR