

CHAPTER 11.

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Article I. In General.

Sec. 11-1. Permit to operate private institutions--Required; posting.

It shall be unlawful for any person to establish, maintain, conduct or carry on any private institution, day nursery, boardinghouse, home or other place for the reception or care of one or more children, or any home for aged people or indigents, in the city without first having obtained from the city council a permit to do so. Such permit shall at all times be kept in a conspicuous place in such home or institution; provided, that if such permit shall have been revoked by the city council, it shall be unlawful for such place, home or institution to continue to operate until a new permit is obtained from the city council. (Mun. Code, Sec. 9500)

Sec. 11-2. Same--Contents; issuance; revocation.

Every permit under section 11-1 shall specify the name and residence of the person so undertaking the care of such children or aged people or indigents, the place where the same are kept and the number of children, aged people or indigents allowed to be received, boarded or kept therein. Such permit shall be revocable by the city council in any case where the provisions of this section or the rules of the city council in relation thereto are violated, or in any case where in the opinion of the city council such institution, day nursery, boardinghouse, home or other place is being managed, conducted or maintained without regard for the health, comfort or morality of the inmates thereof or without due regard to proper sanitation or hygiene. Such permits shall not be issued unless it appears to the city council that such institution, day nursery, boardinghouse, home or other place established or maintained or conducted for the reception and care of children or aged people or indigents conforms in arrangements, sanitation and equipment to provisions imposed by the city council and the rules and regulations of the city council pertaining thereto; provided, that this section shall not apply to the care or keeping by any person of children who are relatives, apprentices or wards of such person. (Mun. Code, Sec. 9501)

Sec. 11-3. Records of operation of slaughterhouses.

It shall be unlawful for any person owning, operating or managing any slaughterhouse, or any business, place or premises where any animal or animals is or are slaughtered, to slaughter any horse or any mule without first having made a permanent record in writing of each horse or mule so slaughtered. Such record shall be kept in a permanently bound book, which book shall be open to inspection of any peace officer during business hours or at any time such slaughterhouse, business, place or premises is open.

Such record shall contain a description of each such horse or mule, including its sex, approximate size or weight, its color, any peculiar color marking thereon and a description of any brand or other distinguishing mark placed thereon, the name, address, general description and signature, as furnished by him, of the person selling or furnishing such horse or mule to, or leaving the same at or with, such slaughterhouse, business, place or premises, together with the date thereof. After such horse or mule shall have been slaughtered, the date of the slaughtering thereof shall be written into such record.

Such record of any such horse or mule slaughtered shall be preserved and kept for a period of not less than two years after the date of slaughtering thereof. (Mun. Code, Secs. 9530 to 9532)

Article II. Permits from City Council.

Sec. 11-4. Required for certain businesses.

In addition to the payment of a license fee as provided for in this Code, certain businesses, professions, trades or occupations as set forth in this article shall first obtain from the city council a permit to operate such business, profession, trade or occupation within the city pursuant to the terms and provisions of this article. No person shall operate a business, profession, trade or occupation as hereinafter set forth without first obtaining a permit to do so. The city clerk or his authorized deputy shall not issue a license or accept a license fee from any person to conduct a business, profession, trade or occupation as hereinafter set forth unless such person has in existence a valid and unexpired permit from the city council to perform such business, profession, trade or occupation. (Mun. Code, Sec. 3300)

Sec. 11-5. Businesses enumerated.

It shall be unlawful to conduct the following businesses without having a permit to conduct the same issued pursuant to the hearing before the city council. Each application for a permit pursuant to the provisions of this article shall be placed on the agenda of the city council by the city clerk as soon as possible after an application meeting all requirements of this article is filed with the city clerk. The city council shall thereafter hold a special hearing on the issuance of the permit, giving the applicant at least five days written notice of the time and place of the hearing, unless the applicant appears before the city council and waives the notice. Some of the businesses, trades and professions requiring a permit are as follows:

- (a) Advertising by benches.
- (b) Advertising by sound truck. The procedure set forth in chapter 37, governing the registration and the issuance of the permits for sound trucks, shall be in lieu of the permit procedure outlined in this article and compliance with such chapter shall be sufficient compliance to meet the requirements of this article.
- (c) Auctioneer and auction establishment. The intent of this section is to provide a procedure for obtaining an auctioneer permit on premises for a temporary and limited period of time when an auction is not in the normal course of business at said location. Notwithstanding the above, in order to use premises as an auction establishment as part of normal business conducted thereon, a permit from the city council must be obtained as provided in this article.

It shall be unlawful to conduct an auction for business without first obtaining a valid permit approved by the city manager or city clerk.

Such persons conducting an auction for business shall first file an application for permit to the office of the city manager. Applicant will be notified in writing within fourteen days regarding the approval or denial of application.

Applicants shall have the right of appeal on all denied permits to the city council in the manner and procedure set forth in section 11-21 of this chapter.

No auctioneer's permit or license shall be required from any person selling his own property at his own private residence.

- (d) Bankrupt stock, bankrupt sales or closeout sales.
- (e) Circus.
- (f) House number painter.
- (g) Massage parlors.
 - (1) Definition. Every person conducting or managing a massage parlor where facial massages, fomentations, massage, electric or magnetic treatment or alcohol rubs are administered or given.
 - (2) Exception. This article does not apply to any treatment administered in good faith in the course of the practice of any healing art by any person licensed to practice any such art or profession under the provisions of the Business and Professions Code of the state or of any other law of this state.
- (h) Coin operated games of skill. Coin operated machines of the so-called games of skill nature shall not be installed unless a permit to do so has been obtained from the city council and a previous report received from both the city attorney and sheriff as to whether or not such machine would be legal under state and local ordinances, and also as to the feasibility of licensing such a machine.
- (i) Fertilizer processors.
- (j) Hospitals, sanatoriums, rest homes and similar institutions.
- (k) Picture arcades, still and motion pictures, adult films, peep shows.
- (l) Itinerant restaurants.
- (m) Game arcades. Game arcades shall be subject to but not limited to the following definition and provisions.
 - (1) Game arcade is defined as any place operated as a commercial business where four or more coin or token operated amusement machines are kept or maintained and persons are permitted to use such games.

- (2) The hours of operation for the coin or token operated games of skill shall be as follows:
 - a. Weekdays not during regular scheduled hours of daytime instruction of any Paramount Unified School District elementary, intermediate or secondary school, or in any case no earlier than 10:00 A.M. or no later than 9:30 P.M.
 - b. Saturdays and Sundays, no earlier than 10:00 A.M. and no later than 9:30 P.M.
- (3) No person shall remain on the premises during the hours when such games are inoperative as required by condition one, except the permittee or employees.
- (4) No person under the age of eighteen years shall be permitted to play at any coin or token operated game of skill or be, remain in, enter or lounge about the premises unless accompanied by his or her parent or legal guardian or upon written, notarized consent of his or her parent or legal guardian on file at the location. The owner, manager, proprietor or operator shall not permit a violation of this section within his or her establishment.
- (5) The owner, operator, manager or proprietor shall not maintain any coin or token operated game of skill where there is placed, constructed or maintained any screen, partition, barrier, closet, alcove or object which obstructs the visibility of any part of such establishment, except restrooms, from the street or sidewalk.
- (6) The business interior shall be well lighted both during the hours of operation and non-operation.
- (7) The business frontage shall be free of obstruction to permit clear visibility from the sidewalk and street.
- (8) The owner or operator shall conspicuously display signs both indoor and outdoor, prohibiting loitering, consumption of alcoholic beverages and gambling on the premises.
- (9) Exterior security and parking lot lighting must be installed and conform to section 44-133 of the Paramount Municipal Code.
- (10) Any person assuming managerial control must be an adult, and must remain on the premises during business hours.
- (11) It is hereby declared to be the intent that if any provision of this permit is held or declared to be invalid, the exception shall be void and the privileges granted hereunder shall lapse.
- (12) It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute or ordinance is violated, the permit shall be subject to revocation.
- (13) In the event of sale, transfer or other changes in ownership or managerial control, this permit shall immediately become null and void and the coin or token operated machine operation shall cease and desist.
- (14) The game arcade shall not be located closer than five hundred feet to any school building attended by students below the age of sixteen years.

- (n) Live entertainment. Live entertainment shall be subject to but not limited to the following definition and provisions:
- (1) Live entertainment shall mean every form of live performance, exhibition, show or act, including but not limited to every playing of a musical instrument, singing, dancing, performing a pantomime, or acting a role in a play, sketch, scene, reciting of any prose or poetry, exhibiting or modeling any clothing, done or performed by or participated in by one or more persons for the purpose of gaining or holding the attention and interest of guests, patrons, or invitees, or for the purpose of diverting or amusing guests, patrons, or invitees assembled in or upon any business or commercial establishment or premises or any other public place, and shall specifically include the appearance of any person, employee or otherwise, in such premises in any costume or state of dress or in any conduct or activity, if costume, dress, conduct or activity is referred to directly or indirectly, in any sign, poster, or other advertisement relating to such premises.
 - (2) Business or commercial establishment means any place of business where goods, ware, merchandise or services are advertised, demonstrated, displayed or sold, or where amusements or entertainments are conducted or performed for a charge or admission fee.
 - (3) Permit required. No person owning, operating, managing or conducting a business or commercial establishment shall provide or permit any amusement or live entertainment in or upon any such business or commercial establishment where food or beverages are sold or served for consumption on the premises, except in strict accordance with a permit to do so, issued by the city council and in full force and effect. Every permit shall expire one year from the date of issuance or upon change of ownership or substantial modification of type of ownership.
 - (4) Application for permit. Any person seeking a permit to maintain, conduct or permit live entertainment shall make application therefore in accordance with section 11-8 and set forth the following additional information:
 - a. A description of the type or nature of the business or commercial enterprise conducted at or upon the premises;
 - b. A statement of what foods and alcoholic beverages are sold or distributed on the premises;
 - c. The days and hours during which such public live entertainment and amusement is to be conducted;
 - d. A statement as to whether the conduct or performance of such live entertainment or amusement is to be restricted to a stage, platform, or other fixed location upon the premises, together with an accompanying sketch of the premises clearly designating the entertainment or amusement area;
 - e. A statement of the type of live entertainment or amusement proposed to be conducted, the number of performers or entertainers to be engaged in such activity;
 - f. A statement as to whether any such entertainer or performers are to be employed by the applicant in any other capacity in or upon the premises, with full details and identifications;

- g. A description of the clothing or costuming to be worn, particularly specifying in detail the costuming of any revealingly-dressed performers;
 - h. A statement as to whether minors will be permitted upon the premises during such entertainment;
 - i. Exterior security and parking lot lighting must be installed and conform to section 44-133 of this Code;
 - j. Any person assuming managerial control must be an adult and must remain on the premises during business hours;
 - k. It is hereby declared to be the intent that if any provision of this permit is held or declared to be invalid, the exception shall be void and the privileges granted hereunder shall lapse;
 - l. It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute or ordinance is violated, the permit shall be subject to revocation; and
 - m. In the event of sale, transfer or other changes in ownership and/or managerial control, this permit shall immediately become null and void.
- (5) Security. On-site security may be required as a condition of this permit only after an investigation and recommendation by the chief of police.
- (6) Exemptions. Exemptions from this chapter are governed pursuant to section 26-4 of this Code.
- (7) Conditions: Unrestricted access. No live entertainment or amusement shall be provided or permitted in any business or commercial establishment unless all entrances and exits are clearly revealed and designated and remain unlocked for unrestricted ingress and egress while guests, patrons or invitees are in the establishment.
- (8) Issuance of permit: Term. No permit shall be issued by the city council except upon a reasonable finding and determination by the city council that the applicant and his employees having the management or supervision of applicant's business are of good and moral character and reputation and that the proposed amusement or live entertainment operation under the permit will comport with the peace, health, safety, convenience, morals and general welfare of the public. Each permit issued shall be subject to the requirements and conditions imposed by this part unless expressly waived by the city council. A permit issued hereunder shall be issued for a term of one year, unless the application seeks a shorter term.

- (9) Referral or applications for licenses and permits to other departments and agencies.
- a. Upon receiving an application for a live entertainment permit or upon receiving an application for a business license, the appropriate city official shall refer any such application to the department of building inspection, the police department, the fire department and the planning department, which departments shall inspect the premises proposed to have live entertainment, and shall make written recommendations to the planning department concerning compliance with the codes that they administer. The Los Angeles County Department of Health shall also be requested to make written recommendations. All recommendations shall be considered during the permit review process or during any hearing required prior to the issuance of any permit. A permit shall not be issued if it is found that the proposed establishment does not conform to the requirements of this chapter or any state or local law.
 - b. Conformance of the buildings or structures on the commercial establishment with the standards of the City Building Code relating to public assemblage.
 - c. An application shall be under oath, and shall include among other things, the true names and addresses of all persons financially interested in the business. The past criminal record, if any, of all persons financially interested in the business shall be shown on such application. The term "persons financially interested" shall include the applicant and all persons who share in the profits of the business, on the basis of gross or net revenue, including landlords, lessors, lessees, and the owner of the building, fixtures or equipment.

The chief of police shall make such investigation as is necessary to determine the background of the applicant and other persons financially interested. The chief of police shall report to the city council his findings and recommendations.
 - d. Upon denial of any application for a live entertainment permit, the city council shall set forth the denial in writing. The written reasons for denial shall be sent to the applicant at the address specified on the application by means of certified or registered mail or by hand delivery.
- (10) Standards for issuance or denial. In granting or denying a permit under this section, the city council may consider the following factors in determining whether any conditions are to be imposed, modified, or waived in respect of the granting of said permit, and in determining that said permit should be denied in the interests of protecting the public peace, health, safety, morals or general welfare:
- a. The proximity of the proposed operation to residential areas, schools, churches, parks and public buildings;
 - b. Conformance of the buildings or structures on the commercial establishment with the standards of the City Building Code relating to public assemblage;
 - c. Noise, traffic and other factors interfering, or which might interfere, with the quiet and peaceful enjoyment of the surrounding neighborhood;
 - d. Increased law enforcement, if any, necessitated or which might probably be necessitated by the activity for which the permit is requested;

- e. Any additional circumstances or conditions which might probably be created by the type of entertainment or amusement proposed to be provided under said permit which would conflict with or endanger the public health, safety, morals or general welfare; and
 - f. Cooperation of the applicant or his predecessors with police or the city in maintaining the public peace, and in procuring compliance with lawful city or state laws, ordinances, rules and regulations, including permit requirements and terms.
- (11) Revocation or suspension. When the council shall issue any permit under the terms of this chapter, the same may be revoked or suspended at any time thereafter by the council in the manner and in accordance with the procedure set forth in chapter 26.
- (12) Violation penalty. Violation of this chapter is punishable pursuant to section 1-16 of this Code. (Mun. Code Sec. 3309, Ord. Nos. 285, 291, 447, 481, 539, 542)

(o) Acupressure establishments.

(1) Definitions.

- a. Acupressure means the stimulation or sedation of specific meridian points and trigger points near the surface of the body by the use of pressure, including massage, applied by the acupressurist in order to prevent or modify the perception of pain or to normalize physiological functions, including pain control, in the treatment of certain diseases or dysfunctions of the body.
- b. Acupressurist means a person who administers acupressure.
- c. Acupressure establishment means a place wherein acupressure is administered.
- d. Employee shall mean any person, other than an acupressurist, who renders any service to an acupressure establishment, and who receives compensation directly from the acupressure establishment permittee or his agent.
- e. Recognized school of acupressure means (1) any school or other institution of learning which has been approved by the California Department of Education under Section 94311 of the California Education Code and whose acupressure curriculum satisfies the minimum requirements set forth in Section 18818, Title 5, Division 21 of the California Administrative Code, and (2) any school or other institution of learning outside the State of California whose acupressure curriculum would satisfy the minimum requirements set forth in Section 18818, Title 5, Division 21 of the California Administrative Code.

(2) Permit application for acupressure establishment.

- a. No person shall qualify for an acupressure establishment permit who is not at least eighteen (18) years of age.
- b. Submission of an application for a permit does not authorize the applicant to operate an acupressure establishment.
- c. In addition to obtaining a permit from the city council, every applicant shall supply the following information in writing to the Los Angeles County Sheriff's Department:
 1. The date of the application.
 2. The applicant's full true name and any other used, date of birth, sex, height, weight, color of hair, color of eyes, California Drivers' Permit Number or California Identification Number, Social Security Number, present residence address, and present residence telephone number. Additionally, the applicant shall submit two photographs of the applicant to be taken by the Sheriff's Department and, if required by the city clerk, the applicant must furnish its fingerprints.
 3. The applicant's residences and the dates thereof, for the five (5) years preceding the date of the application.

4. The applicant's business, occupation, and employment history, and the dates thereof, for the five (5) years preceding the date of application.
5. The applicant's entire permit and permit history, and the dates and types thereof, including any permit or license issued by any agency, board, city, county, territory, or state. Such history shall include the address, city and state, and the approximate dates, if any, where and when the applicant practiced a similar business, either alone or in conjunction with others. The applicant shall indicate whether any such permit or license was revoked or suspended and, if so, the reasons for such revocation or suspension.
6. The applicant's entire record of criminal convictions (except non-felony traffic offenses) and ordinance violations, and the dates and places thereof.
7. A complete description of all services to be provided at the acupressure establishment and of any other business to be operated on the same or, when owned or controlled by the applicant, adjoining premises.
8. Acceptable written proof that the applicant is at least eighteen (18) years of age.
9. The name, address, and date of birth of each acupressure therapist and each employee who is or will be employed in the acupressure establishment.
10. The name and address of any acupressure establishment or other like establishment, including, but not limited to massage establishments, owned or operated by any person whose name is required to be given pursuant to this section.

11. If the applicant is a corporation, its name exactly as shown in its Articles of Incorporation or Charter, its state and date of incorporation, and the names and residence addresses of each of its current officers, directors, and any stockholders holding more than five percent (5%) of the corporation's stock.
12. If the applicant is a partnership, the name and residence address of each of the partners, including limited partners. If the applicant is a limited partnership, it shall furnish a copy of its certificate of limited partnership as filed with the county clerk. If one or more of the partners is a corporation, the provisions of subsection 13 pertaining to corporate applicants shall apply.
13. If the applicant is either a corporation or partnership it shall designate on the application one of its officers or general partners as its responsible managing officer. Such person shall complete and sign all application forms required of an individual applicant under this section. Only one application fee shall be required.

The corporation's or partnership's responsible managing officer must at all times meet all of the requirements set for permittees by this section. If a violation of this duty should occur, the permit issued to this corporation or partnership permit shall be suspended until a responsible managing officer who meets such requirements is designated. If no acceptable person should be found within ninety (90) days of a violation, permit issued to the corporation or partnership permit shall be deemed canceled and a new initial application for a permit must be filed.

- d. The applicant or, if the applicant is a partnership or corporation, its designated responsible managing officer shall personally appear at the city clerk's office to submit the application containing the required information as described in this section and to pay the required application fee.
- e. The applicant shall notify and cause the Los Angeles County Health Department to inspect the premises sought to be licensed to ensure compliance with all applicable health laws. If the department determines that the premises are in full compliance, the applicant shall submit a copy of the Department of Health's report to the city clerk. If the city clerk does not receive such a report within sixty (60) days of the date of filing, the application shall be deemed void and a new application, including the payment of all associated fees, shall be required for a permit. All fees charged by the Los Angeles County Health Department shall be incurred by the applicant separately of any other fees or charges set forth in this section.
- f. The applicant shall submit any change of address which may occur during the procedure of applying for an acupuncture establishment permit.

- (3) Permit nonassignable. Subject to the exception below for partnerships, no acupuncture establishment permit may be sold, transferred, or assigned by the permittee, or by operation of law, to any other person or persons; any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to be a voluntary surrender of the permit and it shall thereafter be deemed terminated and void. If the permittee is a corporation, its acupuncture establishment permit shall be deemed terminated and void under this section when either any outstanding stock of the corporation is sold, transferred or assigned after the issuance of a permit, or any stock authorized but not issued at the time of the granting of a permit, is thereafter issued and sold, transferred, or assigned.

Notwithstanding the foregoing, if one or more partners of a partnership which is a permittee dies during the life of the permit, one or more of the surviving partners may acquire, by purchase or otherwise, the interest of the deceased partner or partners without effecting a surrender or termination of such permit; in such case, the permit shall thereafter be deemed to be the surviving partner(s).

- (4) Acupuncture establishment: Operating requirements. No person shall engage in, conduct, or carry on, or so permit, any acupuncture establishment unless each and all of the following requirements are met:

- a. Each person employed or acting as an acupuncturist shall have a valid acupuncturist permit, as provided in subsection (s) of Section 11-15, issued by the city clerk. It shall be unlawful for any owner, manager, operator, responsible managing employee or permittee in charge of or in control of an acupuncture establishment to employ or permit a person to act as an acupuncturist who is not in possession of a valid, unrevoked acupuncturist permit issued pursuant to subsection (s) of Section 11-15.

The possession of a valid acupuncture establishment permit does not authorize the possessor to perform work for which an acupuncturist permit is required.

- b. Acupuncture treatments may be carried on or conducted and the premises may be open, only between the hours of 7:00 a.m. and 10:00 p.m.
- c. A list of available services and the cost of such services shall be posted in an open public place within the premises and shall be described in readily understandable language. No owner, manager, operator, responsible managing employee, or permittee shall permit, and no acupuncturist shall offer or perform, any service other than those posted.

- d. The acupuncture establishment permit and a copy of the permit of each and every acupuncturist employed in the establishment shall be displayed in an open and conspicuous place on the premises.
- e. Every acupuncture establishment shall keep a written record of the date and hour of each treatment, the name and address of each customer, the name of the acupuncturist administering the treatment, and the type of treatment authorized and administered. The records shall be maintained for a period of two (2) years.

Only those officials who are charged with enforcement of this chapter shall inspect these records and they shall not use any information contained therein for any purpose other than enforcement of this chapter.

No acupuncture establishment permittee or acupuncture establishment employee shall utilize the records in any manner or for any purpose which is unrelated to enforcement of this chapter.

- f. All employees, including acupuncturists, shall at all times while on the premises of the acupuncture establishment be clean and shall wear clean, non-transparent outer garments covering the body from knee to neck; the use of such garment shall be restricted to the acupuncture establishment. Separate dressing rooms for each sex, equipped with individual lockers for each employee, shall be available on the premises.
- g. No persons shall enter, be, or remain in any part of an acupuncture establishment while in the possession of, consuming, or using alcoholic beverages or drugs, except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, manager, or permittee shall not permit any person in violation of this section to enter or remain upon the premises.
- h. No acupuncture establishment permittee may place, publish, or distribute, or so direct or permit, any advertising matter which either depicts any portion of the human body or includes matter in its text which could be reasonably construed as suggesting to prospective customers or clients that any service is available other than those acupuncture treatments and any other services which the acupuncture establishment permittee is legally authorized to provide on the premises.
- i. No acupuncture treatment shall be given in an acupuncture establishment within any cubicle, room, booth, or other area which is fitted with a door.
- j. All exterior and interior doors shall remain unlocked during business hours.
- k. No acupuncture treatments may be administered unless the patron wears clothing which fully covers the patron's genitals and, if the patron is female, breasts. No acupuncture treatments or massage may be administered to the patron's genital area and, if the patron is female, no acupuncture treatments or massages may be administered to the breasts.

- l. No acupuncture establishment may be open for business unless there is on the premises at all times at least one acupressurist holding a current, unrevoked permit.
- m. No persons other than the person receiving acupuncture treatment and the administering acupressurist may be within a room in an acupuncture establishment wherein acupuncture treatment is being administered.
- n. Male patrons shall receive acupuncture treatment only by male acupressurists. Female patrons shall receive acupuncture treatment only by female acupressurists.
- o. At least one (1) artificial light with an intensity of not less than a 60 watt bulb shall be hung from the ceiling directly above any work table or booth where acupuncture services are being performed on a patron.
- p. Separate closed cabinets shall be provided for the storage of clean and soiled linen, and shall be plainly marked "Clean Linen" and "Soiled Linen."
- q. All walls, ceilings floors, sinks, and all other physical facilities shall be kept in a clean and sanitary condition and in good repair.
- r. A minimum of one (1) separate wash basin shall be provided for each acupressurist who works at the establishment at any one time. Such a basin shall provide soap or detergent and hot and cold running water at all times, and shall be located as close as practicable to the area devoted to the administration of acupuncture. In addition, sanitary towels shall be provided at each wash basin in permanently installed dispensers.
- s. A clean sheet or other effective sanitary covering shall be placed over any table, floor or other area upon treatment. The sheet or other covering shall be deposited in the "Soiled Linen" cabinet at the conclusion of any acupuncture treatment. Acupressurists shall thoroughly wash their hands and arms with hot water and soap before and after each acupuncture treatment.
- t. No acupuncture treatment shall be performed or applied to any patron nor by any acupressurist when the owner, manager, operator, responsible managing employee, or permittee has any reasonable basis to believe the patron or acupressurist might be infected with a virus, bacteria, or other infectious agent which could be transmitted by the process of an acupuncture treatment.
- u. The holder of an acupuncture establishment permit shall notify the city clerk, in writing, of any change in information concerning the original application within thirty (30) days of such change.
- v. The holder of an acupuncture establishment permit shall notify the city clerk, in writing, of the name and address of each person employed as an acupressurist within five (5) business days of that person being employed.

- (5) Acupressure establishment: Inspection. The city manager or his designee and a representative of the Los Angeles County Health Department shall have the right to periodically enter and inspect any acupressure establishment for the purpose of enforcing compliance with all applicable regulations and laws. No permittee under this Section shall interfere with such an inspection by signaling verbally or by mechanical or electronic device to employees of the establishment that an inspection is to occur.
- (6) Acupressure establishment: Change of location or name.
- a. No holder of an acupressure establishment permit may relocate an acupressure establishment currently within the city to another location within the city without first securing separate written statements signed by the city clerk and by the Director of Community Development which state that the proposed location and facilities comply with the provisions of this section.
- b. No holder of an acupressure establishment permit may operate under any name not specified in the original permit without first securing from the city clerk a permit which has been amended to record the change.
- (7) Acupressure establishment: Renewal of permits. A permittee shall pay an annual permit renewal fee \$100 to the city clerk to defray, in part, the cost of investigation required by this section.
- (8) Permit revocation. The procedure for permit revocation shall be as prescribed by Section 11-13 of the Paramount Municipal Code. (Ord. No. 782)

Sec. 11-6. Businesses not enumerated.

It is the intention of this article to provide a special permit procedure for those businesses enumerated in this article. The omission to enumerate other businesses and activities covered in other sections of this code requiring permits or subject to franchises shall not be deemed or construed as an intention upon the part of the city council to relieve such businesses or occupations from the permit procedure or franchise procedure under which they may be governed by other sections of this code or state law. (Mun. Code, Sec.3301)

Sec. 11-7. Fortune-telling.

(a) Definitions.

- (1) Council shall mean the city council.
- (2) For pay shall mean for a fee, reward, donation, loan or receipt of anything of value.
- (3) Fortune-telling shall mean telling of fortunes, forecasting of futures, or furnishing of any information not otherwise obtainable by the ordinary process of knowledge, by means of any occult, psychic power, faculty, force, clairvoyance, clairaudience, cartomancy, psychology, psychometry, phrenology, spirits, tea leaves or other such reading, mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mind reading, telepathy, or other craft art, science, cards, talisman, charm, potion, magnetism, magnetized article or substance, gypsy cunning or foresight, crystal gazing, oriental mysteries or magic, of any kind or nature.

(b) Permit and compliance with conditions required.

- (1) No person shall conduct, engage in, carry on, participate in, or practice fortune-telling or cause the same to be done for pay without having first obtained permit from the council and without having posted and maintained in full force and effect a surety bond as required in subsection (f).
- (2) No person shall violate any of the terms and conditions of a permit issued pursuant to this chapter nor any of the regulations and provisions within this chapter. Each day such a violation or violations occur shall constitute a separate offense.

(c) Permit application. Every natural person who, for pay, actively conducts, engages in, carries on, or practices fortune-telling shall file a separate, verified application for a permit with the city clerk. The application shall contain:

- (1) The name, home and business address, and home and business phone number of the applicant.
- (2) The record of conviction for violations of the law excluding minor traffic violations.
- (3) The fingerprints of the applicant on a form provided by the sheriff's department.
- (4) The address, city and state, and the approximate dates where and when the applicant practiced a similar business, either alone or in conjunction with others.
- (5) The name, address and written consent of property owner.

- (d) Investigation. Upon the filing of the application, it shall be referred by the city clerk to the sheriff's department for investigation, report and recommendation. The investigation shall be conducted to verify the facts contained in the application and any supporting data. The investigation shall be completed and a report and recommendation made in writing to the council within fourteen days after the filing of the application, unless the applicant requests or consents to an extension of the time period. If the report recommends denial of the permit to the applicant, the grounds for the recommended denial shall be set forth. At the time of the filing of the report and recommendation with the council, a copy thereof shall be served personally or by certified mail by the city clerk on the applicant, accompanied by a notice to the applicant may request to be heard when the council considers the application and report.
- (e) Hearing and decision by the council.
- (1) The council shall consider the application and the report and recommendation at a hearing held at a regularly scheduled meeting on or before the thirtieth day after the filing of the report and recommendation referred to in subsection (d).
 - (2) Notice of the time and place of the hearing shall be given to all parties by the city clerk at least three days prior to the hearing.
 - (3) Any interested party shall be heard upon a reasonable request.
 - (4) City shall have the burden of proof to show the permit should be denied.
 - (5) The decision of the council to grant or deny the permit shall be in writing, and if adverse to the applicant, shall contain findings of fact and a determination of the issues presented.
 - (6) Unless the applicant agrees in writing to an extension of time, the council shall make its order denying or granting the application within twenty-four hours after completion of the hearing on the application for a permit and shall notify the applicant of its action by personal service or certified mail.
 - (7) Any member of the council who is absent from the hearing or has not read or heard the record of the proceedings shall not vote on the decision.
- (f) Issuance of permit.
- (1) The council shall approve the issuance of the permit if they find:
 - a. All the information contained in the application and supporting data is true.
 - b. The applicant has not, within the previous six months, been convicted of any violation of this chapter or any law relating to fraud or moral turpitude.
 - c. The applicant appeared in person at the hearing.
 - d. The applicant agrees to abide by and comply with all conditions of the permit and this chapter.

- (2) The council shall deny the permit only if it cannot make each of the findings set forth above.
- (3) If the council approves the permit, the city finance officer shall thereafter issue the permit when:
 - a. The fee required by subsection (i) has been paid. Said fee shall be payable in advance and accompany the application.
 - b. The applicant has posted with the city clerk, surety bond in the principal sum amount of ten thousand dollars executed as surety by a good and sufficient corporate surety authorized to do a surety business in the State of California and as a principal by the applicant. The form of the bond shall have been approved by the city attorney and shall have been given to insure good faith and fair dealing on the part of the applicant and as a guarantee of indemnity for any and all loss, damage, theft, or other unfair dealings suffered by any patron of the applicant within the city during the term of the permit.
- (4) The term of the permit shall be for no more than the term of a regular business tax certificate. A renewal application shall be filed no later than thirty days prior to the expiration of the permit and shall be processed in the same manner as a new application.
- (g) Permit revocation. Upon the discovery of any false or misleading statement in the application or any misrepresentation by the applicant procuring the permit or upon the termination of the bond required hereunder or upon the applicant's violation of any provision of this chapter, the council may conduct a hearing upon five days written notice to the applicant to determine whether the permit should be revoked.

(h) Exceptions.

- (1) The provisions of this section shall not apply to any person solely by reason of the fact that he or she is engaged in the business of entertaining the public by demonstrations of mind reading, mental telepathy, thought conveyance, or the giving of horoscopic readings, at public places and in the presence of and within the hearing of other persons and at which no questions are answered, as part of such entertainment, except in a manner to permit all persons present at such public place to hear such answers.
 - (2) No person shall be required to pay any fee or take out any permit for conducting or participating in any religious ceremony or service when such person holds a certificate of ordination as a minister, missionary, medium, healer, or clairvoyant, hereinafter collectively referred to as minister, from any bona fide church or religious association maintaining a church and holding regular services and having a creed or set of religious principles that is recognized by all churches of like faith; provided that:
 - a. Except as provided in c. hereof, the fees, gratuities, emoluments, and profits thereof shall be regularly accounted for and paid solely to or for the benefit of the bona fide church or religious association, as defined in this subsection (2).
 - b. The minister holding a certificate of ordination from such bona fide church or religious association, as defined in this subsection (2), shall file with the city clerk a certified copy of the minister's certificate of ordination with the minister's name, age, street address, and phone number in this city where the activity set forth in this subsection (2) is to be conducted.
 - c. Such bona fide church or religious association, as defined in this subsection (2), may pay to its ministers a salary or compensation based upon a percentage basis, pursuant to an agreement between the church and the minister which is embodied in a resolution and transcribed in the minutes of such church or religious association.
- (i) Permit fee. The permit fee for fortune-telling permit shall be five hundred dollars per year for each fortune-teller.
- (j) Zoning. Fortune-telling, as defined, shall be permitted only in the C-3 (General Commercial) zone of the city.
- (k) Severability. If any section, subsection, subdivision, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The city council hereby declares that it would have passed this ordinance and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional. (Mun. Code, Sec. 3302 as amended by Ord. Nos. 619, 620)

Sec. 11-8. Application.

The application for any permit required by this article shall be filed with the city clerk, shall be signed and verified by the applicant and shall set forth the following:

- (a) The name and address of the applicant.
- (b) The name and address of the person by whom employed, if any. If filed in behalf of a partnership, corporation or association, the names and addresses of the partners or principal officers of such corporation or association.
- (c) The nature of the business for which a permit is requested.
- (d) The place where such business is to be conducted.
- (e) A brief description of the nature and amount of equipment to be used in such business.
- (f) The personal description of the applicant.
- (g) Evidence of the identity of the applicant of such character as the council, may require.
- (h) Fingerprints and thumbprints of applicant only when specifically required. (Mun. Code, Sec. 3303)

Sec. 11-9. License and permit fee.

Unless otherwise stated in this article, the fee for filing an application for a permit pursuant to this article shall be five dollars, payable in advance. The license fee prescribed in chapter 26 for the particular business and the permit fee shall accompany the application. (Mun. Code, Sec. 3304)

Sec. 11-10. Issuance; conditions.

Except as provided in this article the council, after investigation of the application and of the business proposed to be conducted, may grant or refuse to grant a permit. The council shall have the right to refuse any such permit if it shall determine that the granting of the same or the conduct of the business will be contrary to the preservation of the public peace, health, safety, morals or welfare of the city or its inhabitants. If such permit is granted the council may impose such terms, conditions and restrictions upon the operation and conduct of such business, not in conflict with any Paramount law, as it may deem necessary or expedient to protect the public peace, safety, morals or welfare of the city or its inhabitants. Any applicant for such permit shall be entitled to a hearing thereon before the council upon a request therefor. If a permit be denied the license fee paid shall be refunded; the permit fee shall not be refunded. (Mun. Code, Sec. 3305)

Sec. 11-11. Posting.

A permit issued under this article shall be posted in a conspicuous place on the premises where the business for which such permit is issued is conducted, and shall remain so posted during the period the permit shall be in force. (Mun. Code, Sec. 3306)

Sec. 11-12. Nontransferable.

No permit issued under this article shall be transferable except by the consent of the council. (Mun. Code, Sec. 3307)

Sec. 11-13. Revocation or suspension.

When the council shall issue any permit under the terms of this article, the same may be revoked or suspended at any time thereafter by the council in the manner and in accordance with the procedure set forth in chapter 26. (Mun. Code, Sec. 3308)

Article III. Permits from City Clerk.

Sec. 11-14. Required for certain businesses.

In addition to the payment of a license fee as provided for in chapter 26, certain businesses, professions, trades and occupations, as set forth in this article, shall obtain first a permit from the city clerk to operate such business, profession, trade or occupation within the city pursuant to the terms and provisions of this article. No person shall operate a business, profession, trade or occupation as hereinafter set forth without first obtaining a permit to do so from the city clerk. (Mun. Code, Sec. 3400)

Sec. 11-15. Businesses enumerated.

It shall be unlawful to conduct the following businesses without having a permit to conduct the same issued by the city clerk pursuant to this article:

- (a) Ambulance.
- (b) Automobile repair shop.
- (c) Auto wrecker.
- (d) Cafe, food establishment, public eating place or hawker. A permit from the city health officer is prerequisite to the issuance of a permit under this section.
- (e) Locksmith.
 - (1) "Locksmith business" defined. "Locksmith business" means the business, trade or occupation of making, fashioning or duplicating keys for locks or similar devices, or constructing, reconstructing or repairing or adjusting locks, or opening or closing locks for others by mechanical means other than the regular keys furnished for that purpose by the manufacturer of the locks.
 - (2) Information. Every application for a locksmith permit may in addition contain such additional information as the city clerk shall deem necessary. The city clerk shall consult from time to time with the law enforcement agency concerning the additional information necessary for the application.

- (3) Processing. All such applications shall be forwarded to the law enforcement agency for a report or recommendations by the law enforcement agency. If the law enforcement agency reports to the city clerk recommending that the permit be denied, the city clerk shall deny the issuance of the permit.
- (f) Taxicab driver. "Taxicab driver" means an individual who drives or operates a taxicab in which passengers are solicited or accepts for hire either at a taxicab stand or elsewhere in the city.
- (g) Used car dealers.
- (h) Solicitors.
- (i) Secondhand dealers. The city clerk shall not issue a permit to any secondhand dealer unless and until the application for such license has been approved by the sheriff. The application fee for such permit shall be ten dollars.
- (j) Junk and salvage dealers. The city clerk shall not issue a permit to any junk and salvage dealer unless and until the application for such license has been approved by the sheriff. The application fee for such permit shall be ten dollars.
- (k) Swap meets. The city clerk shall not issue a permit to any swap meet operator unless and until the application for such license has been referred to the sheriff for investigation, and a report on such investigation has been received from the sheriff.
- (l) Collection agencies. The city clerk shall not issue a permit to any collection agency or collection company unless and until the applicant for such license has filed with the city clerk, in a form approved by the city attorney, a policy of insurance or undertaking inuring to the benefit of any person who may be damaged or injured by any action of such licensee. The minimum obligation under such policy of insurance or undertaking shall be the sum of five thousand dollars for the licensee and the sum of five thousand dollars for each agent and employee thereof.
- (m) Pawnbrokers. The city clerk shall not issue a permit to any pawnbroker unless and until the application for such license has been approved by the sheriff. The application fee for such permit shall be ten dollars.
- (n) Foundries. The city clerk shall not issue a permit to any foundry operator unless and until the application for such license has been approved by the sheriff. The application fee for such permit shall be ten dollars.

- (o) Oil tool exchanges. The city clerk shall not issue a permit to any oil tool exchange operator unless and until the application for such license has been approved by the sheriff. The application fee for such permit shall be ten dollars.
- (p) Auctioneers. The city clerk shall not issue a permit to any auctioneer unless and until the application for such license has been approved by the sheriff.
- (q) Garbage and rubbish collectors. The city clerk shall not issue a permit to the operator of any business engaged in the collection, removal or disposal of garbage, rubbish or other refuse material unless and until the application for such license has been approved by the sheriff. The application fee for such permit shall be ten dollars.
- (r) Publication vending machines. (Mun. Code, Sec. 3410; Ord. Nos. 185, 366, 782)
- (s) Acupressurists.
 - (1) Definitions.
 - a. Acupressurist means a person who administers acupressure.
 - (2) Permit requirements.
 - a. No person shall qualify for an acupressurist permit who is not at least eighteen (18) years of age.
 - b. Any person who engages in, conducts, or carries on, the operation of an acupressurist without first obtaining a valid acupressurist permit issued pursuant to the provisions hereinafter set forth shall be guilty of a misdemeanor.
 - c. The application for a permit does not authorize the applicant to engage in the business of an acupressurist until such permit has been granted.

- d. In addition to obtaining a permit from the city clerk, every applicant shall supply the following information in writing to the Los Angeles County Sheriff's Department:
1. The date of the application.
 2. Each and every fact set forth in paragraphs two through six and eight of Section 11-5(o)(2)c.
 3. Whether the applicant currently possesses or has applied for an acupressurist permit.
 4. The full name, address and telephone number of the acupressure establishment at which the applicant will be employed. If, subsequent to the original application, the applicant seeks employment at an acupressure establishment other than that indicated thereon, the applicant shall submit another application stating the change. In such event, the applicant shall pay an additional application fee.
 5. Such other information as the city clerk may require in order to discover the truth of the matters herein required.
- e. If the applicant has been convicted of any charges relating to a sexual offense, such as prostitution, lewd conduct, or any other sexual offense, or any felony, such conviction(s) may constitute grounds for denial of a permit.
- f. A permittee shall pay an annual permit renewal fee of \$100 to the city clerk to defray, in part, the cost of investigation required by this section.

(3) Prohibited conduct.

- a. Acupressurists shall at all times on the premises of the acupressure establishment be clean and wear non-transparent outer garments covering the body from knee to neck.
- b. No acupressurist may perform any acupressure treatments in any location other than at an acupressure establishment holding a valid acupressure permit.
- c. No acupressurist may administer acupressure treatments at any location other than that location specified on the acupressurist's permit.
- d. No acupressurist shall administer acupressure treatments unless the patron wears clothing which fully covers the patron's genitals and, if the patron is female, breasts. No acupressure treatments or massage may be administered to the patron's genital area, and if the patron is female, no acupressure treatment or massage may be administered to the breasts.

(4) Permit revocation.

- a. The city clerk shall revoke an acupressure establishment or acupressurist permit upon receiving satisfactory evidence that either: (1) the permittee has been convicted of or entered a plea of guilty or nolo contendere to any violation of Sections 647a or 647b of the California Penal Code, or any lesser included offense thereof; or (2) the permittee has violated, or has permitted an employee, representative or agent to violate, any provision of this chapter on two (2) separate occasions within a twelve (12) month period.
- b. The procedure for such revocation shall be as prescribed by Section 11-24 of the Paramount Municipal Code. The action of the city clerk is appealable by the permittee to the city council.
- c. Whenever a permit has been revoked under the terms of this section, the former permittee, whether a person, partnership, or corporation, shall not be granted a new permit for a period of one (1) year from date of revocation. (Ord. No. 782)

Sec. 11-16. Businesses not enumerated.

It is the intention of this article to provide special permit procedure for those businesses enumerated in this article. The omission to enumerate other businesses and activities covered in other sections of this Code requiring permits or subject to franchises shall not be deemed or construed as an intention upon the part of the city council to relieve such businesses or occupations from the permit procedure or franchise procedure under which they may be governed pursuant to this article or state law. (Mun. Code, Sec. 3401)

Sec. 11-17. Unlawful businesses.

Notwithstanding any other provision of this article, the city clerk shall not issue a permit to anyone to operate or participate in the operation of any business, profession, trade, occupation, service or activity which is made unlawful by this Code or other city ordinance, state or federal law. (Mun. Code, Sec. 3402)

Sec. 11-18. Application.

The application for any permit required by this article shall be filed with the city clerk and shall be signed and verified by the applicant, and shall set forth the following:

- (a) The name and address of the applicant.
- (b) The name and address of the person by whom employed, if any. If filed in behalf of a partnership, corporation or association, the names and addresses of the partners, or principal officers of such corporation or association.
- (c) The nature of the business for which a permit is requested.
- (d) The place where such business is to be conducted.
- (e) A brief description of the nature and amount of equipment to be used in such business.
- (f) The personal description of the applicant.
- (g) Evidence of the identity of the applicant of such character as the city clerk may require.
- (h) Fingerprints and thumbprints of applicant only when specifically required (Mun. Code, Sec. 3403)

Sec. 11-19. License and permit fee.

Unless otherwise stated in this article the fee for filing an application for a permit pursuant to this article shall be one dollar, payable in advance. The license fee prescribed in chapter 26 for the particular business and the permit fee shall accompany the application. (Mun. Code, Sec. 3404)

Sec. 11-20. Issuance.

Except as provided in this article, the city clerk, after investigation of the application and after the processing of the application as provided for in this article, may grant the permit; provided, that all the terms and conditions of this article are met. (Mun. Code, Sec. 3405)

Sec. 11-21. Appeal to city council.

Any person aggrieved by the action of the city clerk in the refusal to issue a permit as provided in this article shall have the right to appeal to the city council. Such appeal shall be taken by filing with the city clerk, within ten days after notice in writing of the action of the city clerk complained of has been received by the applicant or has been mailed to applicant's last known address, a written statement setting forth in general that an appeal to the city council has been taken from such refusal to issue a permit and setting forth the reasons why the appeal is taken. The city clerk shall set a time and place for hearing on such appeal before the city council and notice of such hearing shall be given to the applicant by mailing notice postage prepaid to applicant's last known address at least five days prior to the date set for hearing. The hearing shall be set within thirty days following receipt of the notice of appeal. The hearing may be continued from time to time by the city council as it deems necessary. The city council may in its discretion grant or refuse the permit based upon the public peace, health, safety, morals or welfare. (Mun Code, Sec. 3406)

Sec. 11-22. Posting.

A permit issued under this article shall be posted in a conspicuous place on the premises where the business for which such permit is issued is conducted, and shall remain so posted during the period the permit shall be in force. (Mun. Code, Sec. 3407)

Sec. 11-23. Transferability.

No permit issued under this article shall be transferable except by the consent of the council. (Mun. Code, Sec. 3408)

Sec. 11-24. Revocation or suspension.

Any permit issued pursuant to the terms of this article may be revoked or suspended at any time thereafter by the city council in the manner and in accordance with the procedure set forth in chapter 26. (Mun. Code, Sec. 3409)

Article IV. Registration of Certain Businesses.

Sec. 11-25. Required.

It shall be unlawful to conduct any of the following businesses, professions, trades or occupations unless the person so owning, managing, conducting or carrying out the business, profession, trade or occupation shall first register with the city clerk:

- (a) Advertising by distributing handbills.
- (b) Advertising by posting.
- (c) Advertising by searchlight.
- (d) Advertising by banner, pennants, flags or decorations suspended over, along or on any street or sidewalk.
- (e) Automobile rental. Every person conducting the business of renting motor vehicles without drivers shall register pursuant to this article with the city clerk. In addition, every person conducting the business of renting motor vehicles without drivers shall keep a record of all rentals on a form to be prescribed by the sheriff. A person shall not rent any motor vehicle without a driver unless the person who is to operate such vehicle exhibits to the lessor a valid existing operator's license or chauffeur's license permitting such operator to operate such vehicle upon the public streets and highways of the state. All information required by the sheriff's department appearing upon such license shall be taken from such license. A license issued pursuant to chapter 26 to conduct the business of renting motor vehicles without drivers does not permit the sale of such vehicle.
- (f) Charitable solicitations.
- (g) Key duplicator. Every person not principally engaged in the locksmith business, who in his place of business duplicates keys for locks or similar devices, shall be classified as a key duplicator.
- (h) Massage parlors.
- (i) Pawnbrokers.
 - (1) Definition--Pawnbroker. Any person engaged in any one or more of the following businesses:
 - a. Pawnbroking.
 - b. Lending money for himself or any other person upon personal property, pawns or pledges, in the possession of the lender.
 - c. Purchasing articles of personal property and reselling or agreeing to resell such articles to the vendors or assignees at prices agreed upon at or before the time of such purchase.
 - (2) Same--Pawnshop. Any room, store, building or other place in which the business of pawnbroker is engaged in, carried on, or conducted.

- (j) Rubbish, waste and garbage collection and transportation.
- (1) General. Every person operating one or more trucks in the business of collecting, transporting, conveying, hauling or disposing of any rubbish, garbage, waste or refuse from the property where such materials originate, to any location for transfer, salvage or disposal, within or outside of the city, where such acts are not being carried on or conducted pursuant to a franchise or contract granted or entered into by the city, shall, before so conducting such business, register with the city clerk as provided herein and meet the other requirements and conditions of this article.
 - (2) Householders exclusion. Householders hauling occasional loads of waste, refuse or manure not containing garbage from his own premises to a legal point of disposal shall be excepted from the provisions of this article.
 - (3) Gardeners exclusion. This article does not apply to hauling and disposal of grass cuttings, pruning, manure or other rubbish not containing garbage to or at a legal point of disposal as a part of gardening or horticulture.
- (k) Vending and other coin operated machines. In addition to the requirements of this article, each owner or operator of a vending or other coin operated machine shall register with the city clerk the location or place of each machine and give the city clerk a complete description of the type of machine so located and the type of amusement, service entertainment, goods, wares, merchandise, edibles or liquids supplied by the machine. Such a machine shall not be moved from this location unless the registrant files a written statement with the city clerk to relocate the machine.
- (1) Swap meet operators. Any person conducting or operating the business of a swap meet on any premises in the city, not including the participants therein, shall be classed as an operator. (Mun. Code, Sec. 3500)

Sec. 11-26. Registration statement.

The registration statement required under this article shall state the following:

- (a) Name and address of registrant.
- (b) Name and address of business.
- (c) Nature and purpose of business.
- (d) Names and addresses of all persons carrying out the business, profession, trade or occupation within the city.
- (e) The place where the business is to be conducted.
- (f) A brief description of the nature and amount of equipment to be used.
- (g) Personal description of the applicant.
- (h) Such other information or evidence as required by this chapter or the city clerk.

(Mun. Code, Sec. 3501)

Article V. Pawnbrokers, Secondhand Dealers, Junk Dealers, etc.¹

Sec. 11-27. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (a) Buy-form. The name of the form furnished by the sheriff to the licensee for the purpose of recording and furnishing by the licensee to the sheriff of the required information relative to purchases, pledges or consignments.
- (b) Licensee. The persons enumerated in sections 11-28 and 11-29. (Mun. Code, Sec. 9542)

Sec. 11-28. Applicability of article generally.

The provisions of this article shall apply to all pawnbrokers, secondhand dealers, owners or operators of foundries, owners or operators of oil tool exchanges, junk dealers and auctioneers doing business in the city. (Mun. Code, Sec. 9540)

Sec. 11-29. Application of article to swap meet operators.

The provisions of this article shall apply to the owner and operator of every swap meet in the city. The provisions of this article shall apply to all items or articles of property sold or exchanged at or in any swap meet or in connection with the business of operation of a swap meet. The owner or operator of each swap meet shall be responsible for compliance with the provisions of this article on the part of each participant therein. The owner or operator of each such swap meet shall be responsible for compliance with the provisions of this article as to all items or articles of property sold or exchanged in connection with the operation of such business. (Mun. Code, Sec. 9541)

¹For state law as to secondhand goods, see B. & P. C., Secs. 21500 to 21639. As to resale of goods, see B. & P. C., Secs. 21650 to 21653. As to permits for junk dealers, see Sec. 11-15 of this Code. As to permits for pawnbrokers, see Sec. 11-15. As to permits for secondhand dealers, see Sec. 11-15.

Sec. 11-30. Buy-form required.

Every licensee shall at the close of each business day mail to the sheriff the buy-form made out during that day. Such buy-forms shall contain a full, true and complete report of all goods, wares, merchandise or other things received on deposit, pledged or purchased during that day, except household furniture, used tires or used batteries, which household furniture, used tires or used batteries were taken in part payment for new tires or new batteries, and except merchandise originally sold new by the licensee and subsequently taken as a trade-in on other merchandise sold by the same licensee, and shall also contain other information required by the sheriff which, considering the type of business of the licensee, may assist in the detection of stolen property. (Mun. Code, Sec. 9544)

Sec. 11-31. Identification of seller or pledger to licensee.

Every person who sells, pledges or consigns any property to any licensee in the course of business covered by such license, except household furniture, used tires or used batteries taken in part payment for new tires or new batteries, and except merchandise originally sold new by the licensee and subsequently taken as a trade-in on other merchandise sold by the same licensee, shall furnish true, positive identification to the licensee by which such person can be located by the sheriff. (Mun. Code, Sec. 9546)

Sec. 11-32. Recording of identification of seller or pledger by licensee.

Every licensee shall enter upon the buy-form positive identification furnished by the seller, pledgemaker or consignee, such as driver's license number, work badge number, auto or truck license number, junk collector's business license number, in addition to the individual's true name and address. In lieu of the positive identification mentioned above, the licensee shall require the seller, pledgemaker or consignee to furnish a plain impression print of his right index finger, or next finger in the event of amputation, upon the face side of the original sheet of the buy-form. (Mun. Code, Sec. 9545)

Sec. 11-33. Records to be retained.

Every licensee shall preserve for a period of two years a copy of the buy-form provided for that purpose, containing a carbon copy record thereon of the original writing made by the licensee, agent or employee, the original of which has been furnished to the sheriff. Every such record and property pledged, purchased or received by such licensee shall be produced for inspection to any peace officer. (Mun. Code, Sec. 9547)

Sec. 11-34. Records of sheriff.

The sheriff shall maintain a file of all reports received pursuant to the terms of this article for a period of two years and such reports shall be open to inspection by any peace officer. (Mun. Code, Sec. 9548)

Sec. 11-35. Goods to be held at least fourteen days after making report of purchase; exception.

A person, other than a used car dealer, shall not melt, destroy, sell or otherwise dispose of any article, goods, wares, merchandise or thing obtained or used in any business for the conduct of which a license is required by this article until fourteen days after making a report to the sheriff as required by section 11-30 that such article, goods, wares, merchandise or thing has been purchased or received by such person. (Mun. Code, Sec. 9549)

Sec. 11-36. Melting, selling, etc., certain metal.

A foundry or junk dealer shall not melt, destroy, sell or otherwise dispose of any metal purchased or received by it which is, or by economically feasible repair can be made usable for the purpose for which it was originally designed until twenty-one days after making a report to the sheriff as required by section 11-30 that such metal has been received by the foundry or junk dealer. (Mun. Code, Sec. 9550)

Sec. 11-37. Goods not to be altered.

Until any article, goods, wares, merchandise or thing pledged to or purchased by any licensee under this article are held for the time required by this article or released by the sheriff, such licensee shall not clean, alter, repair, paint or otherwise change the appearance of such articles, goods, wares, merchandise or things. At all times during business hours, he shall expose the same to public view. (Mun. Code, Sec. 9551)

Sec. 11-38. Goods released by sheriff.

The sheriff may release any property covered by this article which he inspects, if after such inspection he is satisfied that such property is in the lawful possession of the licensee. (Mun. Code, Sec. 9552)

Sec. 11-39. Issuance of hold order by sheriff.

The sheriff may place a hold order upon any property acquired by the licensee in the course of his business for a period of ninety days, and upon release of such property may require the licensee to keep a true record of such property and included therewith the true name and address of the person to whom such property was sold, or any other method of disposition. (Mun. Code, Sec. 9553)

Sec. 11-40. Export from county.

A licensee under this article shall not export from this county any goods, wares, merchandise, or things pledged to or received by such licensee in his capacity as licensee until the sheriff has inspected and released such property. (Mun. Code, Sec. 9554)

Sec. 11-41. Sales between similar licensees.

The waiting period mentioned in section 11-36 and the making of buy-forms mentioned in section 11-30 does not apply to property purchased from a licensee holding a similar city license, if in the sale of such property such licensee has complied with all the provisions of this article. This section does not apply to purchases made by junk dealers from junk collectors. A junk collector's license is not similar to a junk dealer's license. (Mun. Code, Sec. 9555)

Sec. 11-42. Exemption from article.

The provisions contained in sections 11-33 and 11-36 shall not be deemed to apply to the purchase or the sale by junk dealers or junk collectors of rags, bottles, other than milk or cream bottles, secondhand sacks, other than cement sacks, barrels, cans, shoes, lamps, stoves or household furniture, with the exception of sewing machines and musical instruments, or the purchase or sale by secondhand dealers of household furniture, with the exception of sewing machines, all musical instruments and typewriters. (Mun. Code, Sec. 9556)

Sec. 11-43. Purchases from established business.

The waiting period required by section 11-36 does not apply to property purchased on a bill of sale or invoice from a regularly established place of business. As used in this section, an established place of business means a place of business which has been dealing in the type of articles purchased at the same location for not less than two years. (Mun. Code, Sec. 9557)

Sec. 11-44. Furnishing copy of article.

A copy of this article shall be furnished each new licensee upon the first delivery of the buy-form by the sheriff. The licensee shall be furnished with all subsequent amendments that affect the type of business of the licensee. Additional copies of this article and amendments may be procured from the city clerk by the licensee upon demand. (Mun. Code, Sec. 9558)

Article VI. Publication Vending Machines.

Secs. 11-45. to 11-56. Repealed by Ordinance No. 533, Sec. 1.

Article VII. Sale and Display of Narcotic and other Paraphernalia.

Sec. 11-57. Minors--Sales establishments to restrict presence.

No owner, manager, proprietor or other person in charge of any room in any place of business selling, or displaying for the purpose of sale, any device, contrivance, instrument or paraphernalia for smoking, injecting or consuming marijuana, hashish, PCP or any controlled substance as defined in the Health and Safety Code of the state, other than prescription drugs and devices to ingest or inject prescription drugs, as well as roach clips and cigarette papers and rollers designed for the smoking of the foregoing, shall allow or permit any person under the age of eighteen years to be or remain in, enter or visit such room unless such minor person is accompanied by one of his parents or a legal guardian. (Ord. No. 468)

Sec. 11-58. Same--Not to be present in sales establishments.

A person under the age of eighteen years shall not be or remain in, enter or visit any room in any place used for the sale or displaying for sale of devices, contrivances, instruments or paraphernalia for smoking or injecting marijuana, hashish, PCP or any controlled substance other than prescription drugs and devices to ingest or inject prescription drugs, including roach clips and cigarette papers and rollers designed and used for smoking the foregoing, unless such person is accompanied by one of his parents or a legal guardian. (Ord. No. 468)

Sec. 11-59. Sale and display rooms to be separate from rooms where minors permitted.

A person shall not maintain in any place of business to which the public is invited the display for sale, or the offering to sell, of devices, contrivances, instruments or paraphernalia for smoking or injecting marijuana, hashish, PCP or any controlled substance other than prescription drugs and devices to ingest or inject prescription drugs, including roach clips and cigarette papers and rollers designed and used for smoking the foregoing, unless within a separate room or enclosure from which minors not accompanied by a parent or legal guardian are excluded. Each entrance to such a room shall be posted in reasonably visible and legible words to the effect that narcotic paraphernalia are being offered for sale in such a room and that minors, unless accompanied by a parent or legal guardian are excluded. (Ord. No. 468)

Sec. 11-60. Nuisance declared; abatement generally.

The distribution or possession, for the purpose of sale, exhibition or display, in any place of business from which minors are not excluded as set forth in this section, of devices, contrivances, instrument or paraphernalia for smoking or injecting marijuana, hashish, PCP or any controlled substance other than prescription drugs or devices to ingest or inject prescription drugs, including roach clips and cigarette papers and rollers designed and used for smoking the foregoing, is hereby declared to be a public nuisance and may be abated pursuant to the provisions of section 731 of the Code of Civil Procedure. This remedy is in addition to any other remedy provided by law, including the penalty provisions applicable for violation of the terms and provisions of this Code. (Ord. No. 468)

(Mun. Code, Secs. 3300, 3301, 3302, 3304, 3305, 3306, 3307, 3308, 3309, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3500, 3501, 9500, 9501, 9530 to 9532, 9540, 9541, 9542, 9544, 9545, 9546, 9547, 9548, 9549, 9550, 9551, 9552, 9553, 9554, 9555, 9556, 9557, 9558; Ord. Nos. 185, 285, 291, 366, 447, 468, 481, 539, 542, 619, 620, 782)