

ORDINANCE NO. 251

AN ORDINANCE relating to coin-operated music boxes; providing for the licensing thereof and fixing license fees; and providing penalties for violations.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF REDMOND:

Section 1 Purpose. The provisions of this ordinance shall be deemed an exercise of the police power and the power of the Town of Redmond to license for revenue and for regulation.

Sec. 2 "Music Box" Defined. A "music box" as used in this ordinance shall mean and include a device, instrument or machine for the reproduction of music by records, tape or other means whereby the same is operated or activated by means of a coin or other token of value.

Sec. 3 License Required. It shall be unlawful for any person, firm or corporation to place for operation, or any person, firm or corporation to operate within the Town of Redmond, any music box, as herein defined, without first having obtained and being the holder of a valid and subsisting license therefor in accordance with the provisions of this ordinance.

Sec. 4 Applications. Any person, firm or corporation desiring to place for operation or maintain, keep or operate any such music box shall make written application for license as to do and file the same with the Town Clerk or other designated officer. Such application shall state the name of the applicant, his residence, the address and nature of business at which any of such music boxes shall be maintained and operated, a description and serial number of each music box, ~~the number of music boxes to be covered by the license, and shall be accompanied by an application fee of \$~~

Sec. 5 Issuance of Licenses. Upon approval of the application by the Town Clerk or other designated officer, such officer shall compute the license fee required under the provisions of this ordinance and, upon payment thereof, shall issue to the applicant a license to maintain and operate music boxes for the calendar year in which issued. Such license shall be known as a "Music Box License" and shall be of two kinds: a "master" license to be required of the owner of the music boxes and an "operator's" license to be required of the owner of the business establishment in which the music box is placed.

Each license shall expire at the end of the calendar year in which it is issued, and a new license shall be required for each ensuing calendar year. Any license issued under and by virtue of the provisions of this ordinance shall be personal and non-transferable. Each license shall be numbered, and shall show the name of the licensee, business address and the kind of license issued.

Sec. 6 License Fees. The license fee for the privilege of operating and maintaining coin-operated music boxes shall be as follows:

- Master License - \$200.00 per year
- Operator's License - \$5.00 per music box per month

The master license fee shall be payable in full at the time the license is issued and shall not be pro-rated for any part of the

year. The operator's license shall be payable monthly in advance in accordance with the number of music boxes to be covered by the license. Music boxes placed in operation during the month will not be covered until the entire monthly fee for such machine has been paid without pro-rating the same. The operator's license shall be subject to immediate cancellation upon the non-payment of the monthly fee in advance as herein required.

**Sec. 7 License Tags.** At the time of issuing said license, the Town Clerk or other designated officer shall issue to said applicant a tag for each music box so licensed, and the same shall be at all times displayed upon any music box that is being maintained or operated in the Town of Redmond, said tag to be in such form and material as the Town Council shall determine. It shall be unlawful to operate, keep or display any music box unless such tag be conspicuously displayed thereon. No tag shall be transferred from one music box to another, and no music box which is licensed shall be transferred from one location to another except with the consent of the Town Council.

**Sec. 8 Operation of Music Boxes.** No music box licensed under the provisions of this ordinance shall be operated in a loud or noisy manner so as to unduly annoy or disturb the occupants of adjoining property or as to create a public disturbance or nuisance.

**Sec. 9 Revocation of License.** The Town Council shall have the right to revoke any and all such licenses issued hereunder when they deem the continuance of such license or licenses injurious to the public health and well-being with or without notice to the licensee. In the event any such license is revoked, the unearned portion of the license fee shall be forfeited to the Town of Redmond.

**Sec. 10 Violations & Penalty.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding \$100.00, or by imprisonment in jail not exceeding 30 days, or by both such fine or imprisonment.

**Sec. 11 Effective Date.** This ordinance shall be in full force and shall take effect on the 1st day of January, 1961.

PASSED by the Council of the Town of Redmond at a regular meeting thereof and APPROVED by the Mayor this 28<sup>th</sup> day of December, 1960.

TOWN OF REDMOND

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M A Y O R

ATTEST:

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Clerk

Approved as to Form:

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Town Attorney