

COMPILED ORDINANCES

OF THE

City of Council Bluffs,
Ordinances, etc.

AND CONTAINING

The Statutes Applicable to Cities of the First-Class, Organized Under the laws of Iowa.

COMPILED AND ARRANGED BY
G. A. HOLMES *AND* E. E. AYLESWORTH.

PUBLISHED BY AUTHORITY.

COUNCIL BLUFFS:
THE GLOBE-PRINTERS.
1887.

11. Peddlers of small articles of household ornament or necessity, ten dollars per year. Each peddler's license shall be for one person only.

12. Railroad ticket broker, ten dollars per year.

13. Advertising agent or bill poster, ten dollars per year.

RUNNERS.

Runners.

SEC. 3. No person shall act or serve as a runner in this city without a license therefor from said city, and the charge for such license shall be fifteen dollars per year. The term "runner" as used in this ordinance, shall mean any person who shall in any manner solicit customers for or secure or attempt to secure the stopping or business of any passengers or other persons at any hotel, inn, boarding house, restaurant, railroad ticket broker's office or other public place, or any other trade, business or other vocation whatever, or any other person who shall in any manner solicit passengers or business for any steamboat or railroad, or shall in any way solicit passengers or baggage to be carried or conveyed to any place within said city, in any hack, omnibus, carriage, wagon or other vehicle.

What specified

SEC. 4. The license issued to runners shall specify the name of such hotel, inn, boarding house, ticket broker's office, or other public house, or other trade, business or vocation whatever, for which the licensee desires to act as a runner, and shall authorize the licensee to run for the house, business or office so specified, and no other. If the licensee desires to quit running for the house, business or office named in such license, and to run for another, it shall be the duty of the City Clerk, on request of the licensee, to erase the name of the house, business or office mentioned in said license, and insert the name of the one for which such licensee desires to run.

Name of hotel or business.

How transferred.

SEC. 5. Every person obtaining a runner's license shall be furnished by the City Clerk, at the expense of such person, with a

metal badge, with the word "runner" thereon, and such person shall, while engaged in the business for which his license was granted, wear such badge on the front part of his hat or cap. No person not licensed as a runner shall wear any such badge. Badge.
Approved
Aug. 8, 1882.

SEC. 6. No runner while engaged in his business shall, at any place in this city, cry out in a loud, unusual or boisterous manner, or use or utter any profane, obscene or unseemly language, or push, take hold of, jostle or otherwise annoy, vex, harass, disturb or interfere with passengers or any other persons. Noise
prohibited.

SEC. 7. Every person applying for a license to engage in or carry on the business of a runner, shall at the time such license is issued to him, enter into a bond to the City of Council Bluffs, with two or more good and sufficient securities, residents of the city, to be approved by the Council, in the penal sum of one hundred dollars, conditioned that said applicant will strictly and faithfully observe all ordinances and regulations of the city in relation to runners or other business, and will pay all costs, fines and penalties incurred on account of his failure or neglect in that behalf. Said bond shall be filed with the City Clerk. Bond of
runners.

STREET STANDS.

SEC. 8. No person shall keep a street stand without a license therefor from said city, and the charge for such license shall be ten dollars per year. Any stand or place, near to or adjoining any sidewalk, alley or other public highway or place where candies, fruits, confectionaries, nuts, lemonade, or any other articles or things which are eaten or drank, or cutlery, hardware, pocket-books, jewelry, or other articles of ornament or necessity are sold, offered or exposed for sale, shall be deemed a street stand. Amount of
license.

PUBLIC BUILDINGS AND HALLS.

SEC. 9. No person owning or controlling a public building, or any part thereof, as lessee, agent, or otherwise, shall use or allow any other person or persons to use such building or any part thereof, for proper purposes as a public building, without a license Halls,
license per an-
num.

therefor from said city, and the charge for such license shall be [one hundred] dollars per year. Every building of which the whole or a part may be designated or used for the giving of theatrical exhibitions shall be deemed a public building.

Prohibitions.

SEC. 10. No person owning or controlling a public hall, as lessee, agent or otherwise, shall use or allow any other person or persons to use such public hall as a public hall, without a license therefor from said city, and the charge for such license shall be [one hundred] dollars per year. Every hall kept for rent or use for dances, balls, concerts, lectures or such like entertainments, shall be deemed a public hall.

COMMON CARRIERS.

Approved
July 25, 1885.
What vehicles
licensed.

SEC. 11. [That it shall be unlawful for any person or persons to engage in or directly or indirectly carry on the business or occupation of carrying for hire from any point to any point in said city, whether by the day, job, contract, parcel or parcels, person or persons, load or loads, or parts of the same, any goods, wares, merchandise, coal, wood, furniture, baggage, or any kind or description of personal property, person or persons, passenger or passenger, save and except building material and earth, unless such person or persons, companies, co-partnerships or corporations shall have first taken out a license therefor from said city. That the amount of said license shall be ten dollars [per year.]

Bond.

SEC. 12. That the owner or owners of each and all vehicles, wagons, drays, carts, omnibus or omnibusses, express wagon, or wagons or other description of implement or implements, or machinery used in whole or in part in the business, occupation or act of carrying for hire, as provided for and designated in section one [11] of this ordinance, shall execute a good and sufficient bond to said city in the sum of \$200, with approved security, conditioned as required by law.

Amount \$200.

Duty of
drivers.

SEC. 13. It shall be unlawful for any teamster or driver of any vehicle used in the carrying trade in said city for him to absent

himself or leave his seat in or on said vehicle at any time while the same is attached to a horse or horses, unless on business connected with said vehicle in the carrying business or occupation.

SEC. 14. The hauling of any goods, wares or merchandise, ^{What violation} person or persons, passenger or passengers for hire from any point to any point in said city, without a license from said city, shall be taken as presumptive evidence of a violation of the terms and provisions of the ordinance to which this is an amendment.

SEC. 15. This shall be presumptive evidence of a violation ^{Presumptive evidence.} of the provisions of section four [13] hereof, for any teamster or driver of any vehicle described in section one [10] hereof to be found off said vehicle when attached to a horse or horses, mule or mules, except when loading or unloading the said vehicle.

SEC. 16. A violation of the provisions of this ordinance shall constitute a misdemeanor under the ordinances of said city, ^{Penalty for violations.} for which every person so violating shall be fined in the sum of five dollars for the first offense, and ten dollars for the second and every subsequent offense. A second conviction for a violation of any of the provisions of this ordinance shall make a forfeiture of the license under which the vehicle is used or operated, providing such person is the owner of the vehicle.

SEC. 17. It shall be the duty of the City Marshal and his ^{Duty of Police} deputies, Chief of Police and his deputies, and all executive officers of said city to enforce the provisions of this ordinance and the ordinances to which this is an amendment,

SEC. 18. Nothing herein shall be so construed as to affect ^{Not carrier} persons using their own team or teams or other vehicle in moving their own goods, wares and merchandise within or without said city, or from employing and operating means of transportation by the month, nor persons hauling earth or brick for hire.]

Approved
July 3, 1883.
City Clerk's
books.

Badge
required.

Rates to be
charged.

Intoxication
prohibited

SEC. 19. A book shall be kept by the City Clerk in which all vehicles licensed shall be registered, containing the number of the vehicle, the name of the owner, and the time when the license is issued, together with its expiration. The City Clerk shall deliver to the owner or driver of each vehicle a metallic plate upon which shall be plainly marked the registered number of the vehicle licensed. Upon receiving said metallic plate, the owner or driver shall fasten the same securely upon the vehicle licensed in some conspicuous place thereon and keep the same so fastened. No other person shall have, place or use any such metallic plate, or any metallic plate resembling the same, upon any vehicle unless such vehicle is duly licensed.

SEC. 20. The rates for conveying of persons and transportation of property by such licensed persons shall be as follows: For conveying each person with one hundred pounds of baggage to or from the steamboat landings, railroad depots or other places within the city limits, fifty cents; provided that children under 6 years of age in care of any person shall be free of charge; for carrying each load of goods, wares, merchandise or other property from the boat landings, levies or depots, one dollar; for carrying such load of goods, wares, merchandise or other property any distance less than one mile, fifty cents; for carrying articles, packages or goods weighing less than three hundred pounds in the aggregate not to exceed one-half the above rates. Two thousand pounds avoirdupois, of heavy articles, shall be deemed to be and shall constitute one load, and of light or bulky articles as much as can be safely loaded upon an ordinary wagon; provided, that in all cases where there shall be less than a full load, and not less than three hundred pounds, the same shall be deemed a full load, unless it is otherwise agreed upon between the parties at the time, or prior to the time, or prior to the loading of the same.

SEC. 21. Any driver of any licensed hack, carriage, omnibus, sleigh, or other public vehicle used for carrying passengers, who shall be found in a state of intoxication while on duty, as such

driver shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the Superior Court, shall be fined not less than fifteen dollars nor more than one hundred dollars. when driving. Penalty.

SEC. 22. Persons owning or driving vehicles used for carrying passengers shall not refuse to carry any passenger to any place within the limits of this city, except such passenger refuse to pay the rate fixed by this ordinance for such service. No owner or driver shall deceive any passenger who may ride in such public vehicle, or who may desire to ride in any such vehicle, as to his destination, or the price authorized by ordinance to be charged for such services, or shall convey such passenger, or cause him to be conveyed to a place other than as directed by him. Not to refuse carrying.

SEC. 23. Persons owning or driving hacks, carriages, omnibuses or other public vehicles used in carrying passengers, shall at all times keep posted in a conspicuous place in such vehicle a card on which shall be printed in plain letters the amount fixed by ordinance for carrying passengers in the City of Council Bluffs, and any owner or driver of any vehicle used in conveying passengers, goods, wares or merchandise, who shall ask or charge, or attempt to charge, or cause, or allow to be asked or charged, for such service, a rate higher than fixed by ordinance, or any person who shall hire such public vehicle for the purpose of riding therein, or transporting any goods, wares or merchandise, and shall refuse to pay the rate therefor as fixed by ordinance, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars. Rates to be posted. Misdemeanor by passengers.

SEC. 24. No person who is a non-resident of said city, having a license for such purpose, shall be permitted to transfer the same, and if such license shall be transferred, it shall thereupon become void. Transfers by non-residents prohibited.

SEC. 25. It is hereby made a misdemeanor for any person who is a non-resident of the City of Council Bluffs to represent himself to the City Clerk of said city to be a resident of said city Penalty for deceiving clerk to obtain license

ORDINANCES,

for the purpose of procuring a license for the purpose named in the next preceding section.

SEC. 26. It is hereby made a misdemeanor for any person who is a resident of said city to falsely represent himself to the City Clerk of said city to be the owner of any carriage, hack, hackney coach, omnibus, wagon or other vehicle for the purpose of procuring a license for any of the purposes named in this ordinance, under a penalty of not less than ten dollars nor more than one hundred dollars.

Standing
places.

SEC. 27. That it shall be unlawful for any person having the control (of) or owning an express wagon or other vehicle engaged in the business as a common carrier of said city under license therefrom, to stand an express wagon, or other vehicle, except hacks and omnibuses, which may stand in front of any business house, by consent of the owner and the adjoining business men, while not employed, or while not waiting for employment or business on any street or alley, except as follows: On Fourth street, and all streets on the north side of Broadway, except North Main street, upon which no express wagon or vehicle licensed as aforesaid, shall stand while not employed, or waiting for business, at a point north of said street, from the Bechtele alley crossing, or intersecting said North Main street, between Broadway and said alley, is hereby prohibited, and any person so offending shall be guilty of a misdemeanor, and, on conviction, shall be fined in a sum not exceeding ten dollars and costs, which said fine shall be collected and enforced, as is now provided by ordinance in case of misdemeanors.

Penalty.

ENTERTAINMENTS.

Licensed en-
tertainments

SEC. 28. No person shall give a public entertainment, for gain or profit, without a license from said city, and the charge for such license shall be as follows:

Approved
Aug. 8, 1882.
Circus or me-
nagerie

1. Menagerie or menageries, or circus, [seventy-five dollars for each exhibition.]

2. Any other show than a menagerie or circus, twenty-five dollars per day.

Other shows

3. Street exhibition, ten dollars per day.

Street exhibition.

4. For each theatrical performance, the sum of five dollars; for six performances, eighteen dollars; for twelve performances, twenty-four dollars; for twenty-four performances, thirty dollars; provided that no theatrical license shall extend beyond one month from the date thereof, [when the same is not in a licensed hall of the city.]

Theatrical.
Approved
Aug. 8, 1882.

5. For a museum of natural and artificial curiosities, painting and works of art, not accompanied by theatrical representations, ten dollars per month, [when the same is not in a licensed hall in the city.]

Museums.

Approved
Aug. 8, 1882.

6. For every other exhibition, concert or performance for profit, not given by residents of the city, the sum of five dollars, [when the same is not in a licensed hall of the city.]

Concerts.
Approved
Aug. 8, 1882.

7. No license shall be required for any entertainment given by the citizens of this city, when the same shall not be for gain or profit to the persons giving such entertainment.

CHAPTER II.

BILLIARD TABLES, ETC.

SECTION 1. No person shall keep for gain or profit any billiard table, pool table, bagatelle table, pigeon hole table, shovel board, for use by others, without a license therefor from said city, and the charge for such license shall be twenty-five dollars per year for one table or board, and fifteen dollars a year for each additional table or board, [which said license may at the request of the licensee be taken out semi-annually by payment of half said amount with license fee therefor.]

Billiard and
pool tables

Approved
July 28, 1883.

SEC. 2. No licensee or his employe, or other person in charge of any billiard table, pool table, bagatelle table, pigeon hole table, or shovel board, shall, at any time, with or without gain or profit, permit or allow any such table or board to be used by any minor, for any purpose whatever. Any person violating, failing, neglecting or refusing to comply with any provision, regulation or requirement of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Superior Court, shall be fined not less than ten dollars nor more than one hundred dollars, and in addition thereto said Superior Court shall adjudge and declare such license forfeited to the City of Council Bluffs, and thereafter it shall be unlawful for such licensee or any other person to do business under such forfeited license.

Penalty.

Forfeitures

SEC. 3. The City Clerk shall keep a book wherein he shall register the number of any and all such tables and boards that are licensed. Upon licensing a table or board, said City Clerk shall deliver to the licensee a metallic plate. The licensee shall securely fasten the same in some conspicuous place upon such licensed table or board, and keep the same so fastened during the time such license is in force, and upon the expiration or forfeiture of such license, said licensee shall return said metallic plate to said City Clerk.

Record kept

City Clerk

SEC. 4. No person shall keep or take part in keeping any pin alley or ball alley, for gain or profit, without license therefor from said city, and the charge for such license shall be twenty-five dollars per year.

Ten pin alleys

SHOOTING GALLERY.

SEC. 5. No person shall carry on or take part in carrying on any pistol gallery or shooting gallery without license therefor from said city, and the charge for such license shall be ten dollars per month, or fifty dollars per annum.

Shooting galleries

SEC. 6. No licensee or his employe, or any person in charge of any pin alley, ball alley, pistol gallery or shooting gallery, shall

at any time, without gain or profit, permit or allow any minor to be or remain in or about the same to play thereat, under penalty of the same fine and forfeiture as set forth in section 2 of this chapter.

HOROSCOPIC VIEWS.

SEC. 7. No person shall keep horoscopic views for gain or profit, without a license therefor from said city, and the charge for such license shall be five dollars per month. ^{Horoscopic views.}

LUNG TESTERS, ETC.

SEC. 8. No person shall, for gain or profit, keep for use by others any lung tester or muscle developer without a license therefor from said city, and the charge for such license shall be five dollars per month. ^{Lung testers, etc.}

LICENSEE DEFINED.

SEC. 9. The word "person" wherever used in this ordinance shall mean and include the plural number and corporations in all cases where the word "corporation" or "corporations" are not used. ^{Definition of "person."}

ARTICLES INCLUDED IN LICENSE.

SEC. 10. Where several articles or subjects to be licensed are owned by the same person or corporation, the several articles or subjects, shall, at the request of the owner, be included in one license.

EXPIRATION OF LICENSES.

SEC. 11. All licenses issued by this city, in pursuance of any ordinance, shall expire and terminate on the first day of July of each year, except licenses for public meetings, lectures, shows, theatrical and other exhibitions, equestrian performances, concerts, menageries, horoscopic views, pedestrian or wrestling exhibitions, lung testers, muscle developers, and in which exceptional cases the number of days shall be specified for which the license is to run. In all cases where licenses are taken out, save in the cases excepted aforesaid, the amount to be paid therefor shall be in proportion to the time the same shall run from the date of issuing ^{When licenses expire.}

Void issuance. the same to the time of its termination. Provided that in no case whatever shall the same be less than five dollars, except in cases of vehicles and common carriers, in which case no license shall be issued for less than the full compensation provided for the same for the year. Any license issued contrary to the provisions of this section shall be deemed utterly void.

Proviso.

Marshal's list SEC. 12. The Marshal shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration, and to whom issued. In order that said record shall be complete and perfect the City Clerk shall furnish said Marshal at the end of every week a complete list of all the licenses issued during the week, showing the nature of the license, its date, expiration and to whom issued. At the end of each month both the City Clerk and said Marshal shall furnish the City Solicitor and Council a list of all persons delinquent in license dues.

To be furnished by clerk.

Licenses in advance SEC. 13. The City Clerk shall not issue any license until the party applying for the same shall have paid into the city treasury the sum of money charged therefor by ordinance.

By whom signed. SEC. 14. All licenses shall be signed by the City Clerk and countersigned by the Mayor, and shall be invalid for all purposes until so signed and countersigned. They shall prescribe the form of all licenses.

Register of licenses. SEC. 15. The City Clerk shall keep a register of all licenses, showing their nature, date, expiration and to whom issued.

Corporations licensed SEC. 16. A license may be issued to any corporation, association or partnership, or two or more persons engaged in any joint enterprize, the same as to a single person, and for the same charge, except in cases provided for in section two chapter one hereof.

License protect employees SEC. 17. Licenses in favor of employer shall protect the employe of the person, partnership, association or corporation, in-

cluding officers of corporations engaged by the licensee or licensees in conducting and carrying on the business, trade, vocation or profession licensed.

SEC. 18. Any person who shall violate, fail, neglect, or re- Penalty
fuse to comply with any provision, regulation or requirement of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Superior Court, shall, in case the defendant if prosecuted for want of license, be fined in a sum not less than the smallest amount herein required, and in any other case where no special penalty is provided, a sum not less than two dollars nor more than one hundred dollars, provided, that whenever any person be brought before the Superior court, charged with carrying on any business mentioned in this ordinance, without having a license therefor, and such person shall, after his arrest, procure the license required by this ordinance, and shall enter the plea of guilty to such charge, such court shall, in addition to costs, enter a fine against said person of not less than ten dollars nor more than fifty dollars.

DOLLAR STORES.

SEC. 19. That hereafter any person or persons who shall sell Dollar stores or expose for sale any pictures, photographs, chromos, jewelry or other goods, wares or merchandise usually kept in dollar stores or stores of like character, offering gifts or prizes to purchasers, or wherein gifts or prizes are offered, or chances or options are given or offered to such purchasers with the sale or purchase of such goods, shall be deemed the keeper of a dollar store.

SEC. 20. That any person or persons who desires to keep a Requisites.
dollar store as defined in the first preceding section of this ordinance, shall first be required to take out a city license therefor, which license shall not extend beyond the period of one year, or be taken out for a period of less than one month from the taking out, and the price of said license shall be fifteen dollars per month, or one hundred dollars per annum, and the usual license

fee of one dollar; provided nothing herein contained shall apply to peddlers selling upon the streets or from house to house.

Penalty for
misdemeanor.

SEC. 21. Any person or persons keeping a dollar store as defined by this ordinance, without having first taken out and paid for a license therefor, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in a sum not less than ten dollars nor more than one hundred dollars.

TRANSIENT MERCHANTS.

Transient
merchants

SEC. 22. It shall be unlawful for any transient merchant to engage in business as such within the limits of the City of Council Bluffs without first procuring from said city a license therefor, as provided by this ordinance, and he shall pay therefor the sum of twenty-five dollars, which said license shall be valid to the end of the current license year.

Definition of

SEC. 23. A transient merchant for the purpose of this ordinance is defined, and shall be construed to be any person who shall temporarily place any stock of goods, wares or merchandise into any building in said city for the purpose of sale thereof or therefrom at retail.

AUCTION HOUSES.

Auction
houses.

Bond required

SEC. 24. Any person desiring to establish and carry on an auction house in the City of Council Bluffs, shall, before engaging in such business, file with the City Clerk a good and sufficient bond in the sum of \$1,000, with at least three resident freehold sureties, to be approved by the City Council, conditioned for the prompt and full payment to the proper party or parties entitled thereto, all monies or other property coming into his hands on account of sales, or entrusted to him for sale at auction, and for the prompt and faithful delivery to the proper party entitled thereto all property sold at auction, and for a full compliance with the ordinances of the city.

SEC. 25. Upon the approval of the said bond and the payment to the City Clerk the sum of one hundred dollars, he shall execute and deliver to the applicant the license asked for; provided, however, that any person licensed to keep an auction house shall be authorized to carry on the business of an auctioneer. Amount of license.

CANVASSERS.

SEC. 26. That from and after the taking effect of this ordinance it shall be unlawful for any person or persons, by themselves or agents, to canvas from house to house, and to receive and take orders for any goods, wares, merchandise, books, maps, plats or other thing of value, to be delivered at a future time, unless such person or persons, agent or agents, first procure a license therefor. Said license shall be five dollars per month or fifty dollars per year; provided, that nothing herein contained shall apply to the retail sale and delivery of any goods, wares, merchandise, groceries, meats or other things of any resident business man or any other person of the City of Council Bluffs, having and carrying on a regular place of business in said city, from selling goods as aforesaid, from his place of business, or the sale of any articles, as aforesaid, by wholesale, any person or persons, agent or agents of any foreign firm or business house. Canvassers. Proviso.

PAWNBROKERS.

SEC. 27. Any person who loans money on deposit of personal property, or who deals in the purchase of personal property on condition of selling the same back again at a stipulated price, or who makes a public display at his place of business of the sign generally used by pawnbrokers to denote their business, to-wit: Three gilt or yellow balls, or who publicly exhibits any sign of money to loan on personal property, is hereby declared to be a pawnbroker. Pawnbrokers.

SEC. 28. No person shall carry on or engage in business as a pawnbroker in this city without having first obtained a license License required.

therefor from said city, and such license shall conform to those now provided for, or that may hereafter be provided by ordinance.

SEC. 29. Before such license is issued the applicant therefor shall make an affidavit before some officer authorized by law to administer oaths, that he will faithfully observe and carry out all the provisions, regulations, and requirements of any ordinance then in force or that may be hereafter passed, in relation to pawnbrokers or their business, and shall also set out fully the street and number where such business is to be transacted. Said affidavit shall be filed with the City Clerk.

Bond required SEC. 30. Every person applying for a license to engage in carrying on the business of a pawnbroker, shall at the time such license is issued to him, enter into a bond to the City of Council Bluffs, with two or more good and sufficient securities, residents of the city, to be approved by the City Council, in the penal sum of two thousand dollars, conditioned that such applicant will strictly and faithfully observe all ordinances, regulations and requirements of said city in relation to pawnbrokers or their business, and will pay all costs, fines, and penalties incurred on account of his failure or neglect in that behalf, and will pay all damages resulting to any person by reason of his wrongful purchasing, taking or receiving in pledge or on deposit any stolen property of any minor; which bond shall be filed with the City Clerk and may be sued upon by any person damaged, as aforesaid, in the name of the City, to the use of such person, but in no event shall said city be liable for any costs in such suit.

Conditions.

Amount of license. SEC. 31. Every pawnbroker shall, for such license, pay the sum of \$50 per year, and shall pay the same in advance.

SEC. 32. Every pawnbroker shall keep at his place of business a register, in which he shall enter, in writing, a minute description of all property taken, purchased or received as aforesaid, including any number that may be in or upon any article, together with the time and name and place of residence, (giving street and