

thermal machines or other medical devices causing interference, provided such interference is reduced so far as reasonably possible and equipped with usable device tended to reduce interference.

Sec. 2.—Any person violating any provision of the ordinance shall be guilty of a misdemeanor, and when any person has been notified in writing by any peace officer that he is violating this ordinance he shall within a reasonable time not to exceed ten days be required to correct the interference, and his failure to do so shall be considered a separate offense under this ordinance. But the giving of such notice shall not be a pre-requisite for prosecution of a single offense hereunder.

ARTICLE XV Fireworks Permit

Sec. 1.—Fireworks Business Regulated. No person shall sell or offer for sale, or give away any fireworks except under permit. The fee for such permit shall be \$1.00. Such permits shall be valid only between June 25 and July 4 of the year in which issued, and shall not be construed to authorize the sale of fireworks, the use of which has been forbidden.

ARTICLE XVI Regulating Billiard Halls

Sec. 1.—Definition. The term "billiard hall" shall embrace any place where one or more billiard or pool tables are kept for hire.

Sec. 2.—License Application Fee. No billiard hall and no bowling alley may be conducted as a public place of business without a license. Application for said license shall be filed with the clerk. The license fee for each billiard hall and bowling alley shall be five dollars (\$5.00) per year for each table or bowling alley, payable in advance.

Sec. 3.—Refusal of License. The council will not issue a license to any person who, or to any firm or corporation of which any member, officer or director, has been convicted of a felony or is of immoral character or is a habitual user of intoxicating liquors or narcotic drugs. The council may, in any case, for other reasonable cause, refuse to issue the license.

Sec. 4.—Issuance. When so ordered by the council the clerk shall issue the license. The license shall specify the name of the licensee, the specific place where the business is to be carried on, the number of tables or alleys authorized and the beginning and expiration dates.

Sec. 5.—Posting License. No person shall post such license upon premises other than those for which the license was issued nor deface or destroy any such license.

Sec. 6.—Practices Prohibited. It shall be unlawful for a licensee or for any licensee in such licensed place,

or in any appurtenant or connected place,

(1)—To permit any form of gambling.

(2)—To permit any person to become disorderly.

(3)—To operate such licensed business, either as a private club or otherwise between 12 P. M. and 6 A. M., or at any time on Sunday.

(4)—To sell or possess or allow the sale or possession of any intoxicating liquors.

(5)—Knowingly to employ any person who has been convicted of a felony.

Sec. 7.—Responsibility of Licensee. The conduct of the agents and employees of a licensee in said business shall be deemed the conduct of the licensee himself.

Sec. 8.—Revocation. A second conviction for violation of this article shall automatically revoke any license. The council may at any time, for cause, and on such reasonable hearing as it may prescribe, revoke a license and such revocation shall be final. No license shall be granted to any person, or to any firm or corporation with which any person is connected, if such person or a firm or corporation with which he was connected has within the year immediately preceding suffered a revocation of its license.

Sec. 9.—Duplicate Licenses. A duplicate license to replace a lost original or a license for a different location, the original being surrendered, may be issued by the council at its discretion, under such regulations as it may prescribe and on the payment of a fee of two dollars (\$2.00.)

ARTICLE XVII Public Dances

Sec. 1.—State Law to Govern. All dances held in this village hereafter shall be conducted in accordance with the provisions of Chapter 139 of the Session Laws of Minnesota for 1923, regulating the conduct of dances as heretofore or hereafter amended. The definitions of terms in the first section of said act are hereby adopted, except that the term "public dancing place" shall be taken to mean any place in which dancing may be or is being carried on, other than a private residence, and the term "public dance" shall be taken to apply to every dance held in a public dancing place, whether an admission fee is charged or not.

Sec. 2.—Permits. No person shall conduct a public or private dance in this village unless a permit shall have been procured therefor from the village clerk. The fees for such permit shall be \$2.00 for each dance or \$25.00 for the year or otherwise as set by resolution of the council.

Sec. 3.—Application. Any person desiring a permit to hold or conduct a public or private dance in this village shall make application therefor to the clerk. The application shall set

forth the name and address of the person, persons, committee or organization who are to conduct the dance; time and place where such dance is to be held; and the area of the dance floor. The application shall also show affirmatively that each of the applicants is a person of good moral character and reputation in the community in which he lives, and that none of the applicants has within five years prior to the making of such application been convicted of a felony, gross misdemeanor, or of violating any of the provisions of Chapter 139 of the Session Laws of Minnesota for 1923 or of any ordinance or law regulating dances any place in the United States; also that no one of the applicants is a keeper of any disorderly house of any kind; also that the place where the dance is to be conducted does not have any so-called "Private apartments" or "Private rooms" furnished or used for any other than legitimate business purposes which adjoin such dancing places or which may be reached by elevator, stairway, or passageway leading from such dancing place; also that the place where the dance is to be given is properly ventilated and equipped with necessary toilets, wash rooms, and lighting facilities. Such application shall also be accompanied by the affidavits of two freeholders in the village to the effect that they have read the application as signed by the applicant and that all the statements made therein are true of their own personal knowledge.

Sec. 4.—Granting of A Permit. Permit to Be Posted. The village clerk shall refer such application and the accompanying affidavits to the council, which in its discretion may grant or refuse to grant the permit applied for. The persons named in the permit shall be responsible under the law for the manner in which such dance is to be held and conducted.

ARTICLE XVIII Auction Sales

Sec. 1.—No person shall conduct or cause to be conducted any auction sale in this village without first securing therefor a license from the Village Clerk. The fees shall be \$5.00 for the first day on which said auction is to be conducted and \$1.00 for each succeeding day except for the Lambertson Sales Pavilion which is sponsored by the Village of Lambertson, and wherein the license to be procured from the Village Clerk shall be \$1.00 for each day and each succeeding day for a transient auctioneer conducting any auction sale therein, and the fees for said licenses herein may be changed or set from time to time by resolution of the village council. This article shall not apply to judicial sales conducted by a court officer, nor to any sale by a transient merchant as elsewhere defined in this ordinance.

ARTICLE XIX

Transient Merchants, Hawkers, Peddlers, and Solicitors

Sec. 1.—Definitions. The following terms are hereby defined as used in this article:

- (a)—“Transient Merchant.” Any person who is engaged in selling any goods, wares, or merchandise, either as principal or agent from a stationary location in a building or upon a vacant lot which he occupied as a tenant at will, or under a lease for a shorter term than six months or from a railroad car, or from a truck, or from a vehicle stationarily located in the street is a transient merchant.
- (b)—“Hawker.” Any person who shall sell and edible goods or products from a wagon, vehicle, or pack, going about from place to place carrying said goods or products for the purpose of sale and delivery, is a hawker.
- (c)—“Solicitor.” Any person selling goods by sample or taking orders for future delivery and accepting a deposit or advance payment, is a solicitor; provided, that any person taking orders which are to be filled by goods shipped from other states and delivered to the purchaser in the original package shall not be included in the term “solicitor.”
- (d)—“Peddler.” Any person who shall sell any non-edible goods or product from a wagon, vehicle, or pack, going about from place to place, carrying said goods or product for the purpose of sale and delivery is a peddler.

Sec. 2.—License Required. It shall be unlawful for any transient merchant, hawker, peddler, or solicitor to sell or offer for sale any goods, wares or merchandise or to do any business or attempt to do any business in this village without first having obtained from the village clerk a license to do so.

Sec. 3.—Application for License. Before and license shall be issued to any person to vend, sell, hawk, or peddle goods, or solicit orders under this article, the person desiring said license shall file a written application therefor with the village clerk. Said application shall show:

- (1)—The name of the applicant and of all persons associated with him in his business;
- (2)—The type of business for which the license is desired;
- (3)—The place where the business is to be carried on in case of transient merchants;
- (4)—The length of time for which said license is desired;
- (5)—A general description of the thing or things to be sold;
- (6)—The present place of business of the applicant;
- (7)—The places of residence of the applicant for the five years just past.

Blank applications shall be issued by the clerk on payment of \$1.00 which amount is credited on the license fee if the license is granted.

Sec. 4.—License. Every application for license under this article shall bear the written approval of the president of the village council after an investigation of the moral character of the applicant. When the applicant presents to the clerk an application in proper form for any business not prohibited by law and pays the proper fee hereinafter set forth said clerk shall issue to said applicant a license to conduct, pursue, or carry on the business for which said license was requested for the period requested.

Sec. 5.—Licenses Prohibited. No licenses shall be issued to hawk or peddle meat; poultry; furs; eyeglasses; medicines; watches; jewelry; plated wear; or silverware.

Sec. 6.—License Fees. Fees for licenses under this article shall be as follows:

Solicitors, per day	.....\$ 5.00
Solicitors, per year	..... 15.00
Transient Merchant, per day	..... 10.00
Transient Merchant, per month	..... 50.00
Transient Merchant, six months	..... 150.00
Hawkers, on foot, per day	.. 1.00
Hawkers, with push cart, per day	..... 2.00
Hawkers, with wagon or auto, per day	..... 2.50
Hawkers, on foot, per year	.. 10.00
Hawkers, with push cart, per year	..... 15.00
Hawkers, with wagon, per year	..... 25.00
Hawkers, with automobile, per year	..... 50.00
Peddlers, on foot, per day	.. 2.50
Peddlers, with push cart, per day	..... 5.00
Peddlers, with wagon, per day	..... 7.50
Peddlers, with automobile, per day	..... 10.00

Sec. 7.—Duration of License. Each license shall be valid only for the period specified therein and no license may extend beyond the 31st day of March of each year.

Sec. 8.—License Not Transferable. Licenses issued under this article shall be non-transferable. No refunds shall be made on unused portions of licenses except upon resolution of the council. Each person engaged in the business of vending, hawking or peddling goods or soliciting orders must secure a separate license.

Sec. 9.—Practices Prohibited. No person, licensed under this article, shall call attention to his business or to his goods, wares, or merchandise, by crying them out, by blowing a horn, by ringing a bell, or by any loud or unusual noise.

Sec. 10.—Revocation of Licenses. Licenses issued under this article shall be revocable without notice, by the council whenever in their opinion

the good order of the village requires it.

Sec. 11.—Exemption. This article shall not be held to include the licensing of sales conducted pursuant to statute by the order of any court, nor of persons selling personal property at wholesale to retail dealers, nor of milkmen, nor icemen, nor of any farmer or truck gardener selling or offering the products of his own or any leased farm or stock, nor of any blind person who is a bona fide resident of Minnesota.

ARTICLE XX

Dog Tax

Sec. 1.—Restriction on Dogs At Large. Every dog at large in this village shall wear in plain sight a tag indicating that the dog license for the current fiscal year has been paid. No person shall allow any dog belonging to him or in his care to be at large except in conformity with this article.

Sec. 2.—License Fee. The annual dog license fee shall be as follows: Male or spayed dog—\$1.00. Female dog (if not spayed)—\$3.00. The payment of such fee shall authorize the dog for which it is paid, to be at large while wearing its tag, except as provided in sections 3, 6 and 7 below. Such fee shall be paid to the clerk who shall deliver to the person paying the tax a receipt therefor, and a metal tag to be worn by the dog. If such tag be lost, a duplicate may be issued, on presentation of the receipt and the payment of \$1.00.

Sec. 3.—Female Dogs. No person owning or keeping any female dog shall allow the same at large while in heat.

Sec. 4.—Counterfeiting Tags. No person shall counterfeit or attempt to counterfeit the tags provided for in section 2 of this article or take from any dog a tag legally placed upon it with the intent to place it upon another dog, or place such tag upon another dog.

Sec. 5.—Tags Not Transferable. Dog tags shall not be transferable and no refunds shall be made on any dog tax paid because of leaving the village or death of the dog before expiration of the license period.

Sec. 6.—Muzzling Proclamation. The president of the council is hereby authorized, and it is hereby made his duty, whenever in his opinion the danger to the public from rabid dogs, is imminent, to issue a proclamation ordering all persons owning or keeping a dog to confine the same securely on their premises unless a wire muzzle completely enclosing the head of such dog be placed on said dog and kept upon it at all the times it is at large. No person shall violate such proclamation and every police officer is hereby authorized and instructed to kill any dog running at large during the time fixed in said proclamation without said muzzle, without notice to the owner.