

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING CHAPTER 1, DIVISION 1, TITLE VIII (BUSINESS LICENSES, FRANCHISES AND MUNICIPAL SOLAR UTILITY PROGRAMS) OF THE HUMBOLDT COUNTY CODE.

The Board of Supervisors of the County of Humboldt ordain as follows:

**SECTION 1. PURPOSE OF THE AMENDMENTS**

Amendments to the Business Licenses, Franchises and Municipal Solar Utility Programs Ordinance section 811 of Chapter 1 of Division 1 of Title VIII of the Humboldt County Code are intended to align the business license ordinance with current business license practices and procedures.

**SECTION 2. BUSINESS LICENSE ORDINANCE AMENDMENTS**

Section 811 regarding Business Licenses in Title VIII, Division I, Chapter 1 of the Humboldt County Code is modified to read as follows:

**TITLE VIII - BUSINESS LICENSES, FRANCHISES  
AND MUNICIPAL SOLAR UTILITY PROGRAMS  
DIVISION 1  
BUSINESS LICENSES**

**Chapter 1 - Business Licenses**

- § 811-1. Required Approval Prior to Issuance of Licenses.
- § 811-2. License Administrator and Duties.
- § 811-3. Payments of Application and License Fees.
- § 811-4. License Period and Transferability.
- § 811-5. Display of License.
- § 811-6. License Required.
- § 811-7. Denial of License.
- § 811-8. Revocation of License.
- § 811-9. Appeal Process.
- § 811-10. License Types.
- § 811-11. Cannabis License Types.
- § 811-12. Carnivals and Special Events.
- § 811-13. Retail and Wholesale Establishments.
- § 811-14. Public Lodging Accommodations.
- § 811-15. Travelling Merchants.
- § 811-16. Exemptions.
- § 811-17. Violations and Penalties.
- § 811-18. Pleading Prior to Recovery.
- ~~§ 811-11. Licenses Required.~~
- ~~§ 811-12. License Tax Collector.~~
- ~~§ 811-13. Duties of License Tax Collector.~~
- ~~§ 811-14. Auctioneers.~~

- ~~§ 811-15. Bankers and Financiers.~~
- ~~§ 811-16. Theaters and Other Places of Amusement.~~
- ~~§ 811-17. Carnivals, Caravans, Menageries, Etc.~~
- ~~§ 811-18. Exceptions.~~
- ~~§ 811-19. Retail and Wholesale Establishments.~~
- ~~§ 811-20. Public Lodging Accommodations.~~
- ~~§ 811-21. Traveling Merchants, Hawkers and Peddlers.~~
- ~~§ 811-22. Animals Used for Stud Purposes.~~
- ~~§ 811-23. Horses and Carriages for Hire.~~
- ~~§ 811-24. Ferries.~~
- ~~§ 811-25. Wharves.~~
- ~~§ 811-26. Violations and Penalties.~~
- ~~§ 811-27. Pleading Prior Recovery on Action.~~

## **Chapter 2 - Film Permits**

- § 812-1. Definitions.
- § 812-2. Permits and Exemptions.
- § 812-3. Permits.
- § 812-4. Applicants and Issuance.
- § 812-5. Liability Provisions.
- § 812-6. Violations.

## **Chapter 3 - Regulation of Wood Products**

- § 813-1. Applicability.
- § 813-2. Permit Requirement.
- § 813-3. Application for Permit.
- § 813-4. Copies.
- § 813-5. Fee.
- § 813-6. Issuance of Permit.
- § 813-7. Effect of Permit.
- § 813-8. Suspension of Permit.
- § 813-9. Revocation of Suspension.
- § 813-10. Renewal of Permit.
- § 813-11. Display of Permit.
- § 813-12. Portable Sawmills.
- § 813-13. Penalty.
- § 813-14. Enforcement.

## **Chapter 4 - Regulation of Peddlers**

- § 814-1. Definitions.
- § 814-2. License Requirement.
- § 814-3. Duties of Tax Collector Regarding Collection of Fees.
- § 814-4. Issuance of Licenses.
- § 814-5. Transferability of Licenses.
- § 814-6. Payment of License Fees.
- § 814-7. Amount of Fees.
- § 814-8. Display of License.
- § 814-9. Requirement of Bond or Insurance.
- § 814-10. Entry for Inspection.
- § 814-11. Exemption for Growers and Producers.
- § 814-12. Exemption for Commercial Salesmen and Business Engaged Exclusively in Hauling or Trucking.
- § 814-13. License Period.
- § 814-14. Revocation of License.
- § 814-21. Penalty.
- § 814-22. Civil Liability.
- § 814-23. No Bar to Further Action.

## **Chapter 5 - Regulation of Junk Dealers**

[§§ 815-1 through 815-41, repealed by Ord. 2364, § 6, 06/20/2006]

**Chapter 6 - Licensing of Astrologers, Fortune Tellers and Spiritualists**

[§§ 816-1 and 816-2 repealed by Ord. No. 2298, § 3, 04/01/2003]

**TITLE VIII - BUSINESS LICENSES, FRANCHISES  
AND MUNICIPAL SOLAR UTILITY PROGRAMS**

**DIVISION 1**

**BUSINESS LICENSES**

**CHAPTER 1**

**BUSINESS LICENSES**

**811-1. Required Approval Prior to Issuance of Licenses.**

Every business required to have a license under the provisions of this chapter shall make an application on forms designated by the License Administrator. Each application for a new business license, pursuant to the provisions of § 811-1 through § 811-27, shall, before such license is issued, this chapter must be approved by each of the following departments: Humboldt Del Norte County Department of Public Environmental Health, Humboldt County Department of Public Works, Humboldt County Planning Department, Humboldt County Building Department, Humboldt County Sheriff's Department, Humboldt County Air Pollution Control District, and the Chief of the Fire Department within whose jurisdiction the enterprise will be located (Permitting Departments) and if applicable, the requirements of Business and Professions Code section 16100.3. For each application made hereunder that must be reviewed by the Planning and Inspection Department, the License Administrator Treasurer Tax Collector shall collect an application review fees as detailed in section 811-3 of Ten Dollars (\$10.00) when application is made. No new business licenses shall be issued until the approval of the aforesaid Permitting Departments is obtained. (Ord. 587, § 1, 2/7/67; Ord. 1704, § 1, 9/3/85; Ord. \_\_\_\_\_, § \_\_, x/x/2020)

**811-2. License Administrator and Duties.**

(a) The Treasurer-Tax Collector of the County of Humboldt shall be the License Administrator and shall be responsible for coordinating approvals from each Permitting Department as necessary for the type of business license requested by an applicant. (Ord. 8, § 23, 3/2/1885; Ord. \_\_\_\_\_, § \_\_, x/x/2020)

(b) The License Administrator will make diligent inquiry to all persons or entities in the county required to obtain a license pursuant to the chapter and shall have the power to determine the merits of applications. Action may be taken pursuant to section 811-17 against any person or entity required to take out a license who fails, neglects or refuses to take out such license. (Ord. 8, § 21, 3/2/1885); Ord. \_\_\_\_\_, § \_\_, x/x/2020)

(c) The issuance of a business license by the License Administrator shall not entitle the holder to transact or to carry on any business called for by the license unless the licensee has complied with all requirements of this chapter and any other applicable federal, state, or local regulations pertaining to such business. (Ord. \_\_\_\_\_, § \_\_, x/x/2020)

(d) No business license issued under the provisions of this chapter shall be construed as authorizing or the waiving by the county of the enforcement against the conduct or the continuance of any illegal or unlawful business or activity. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(e) Personal information collected for purposes of issuing a business license shall be confidential, shall not be available to the public for inspection, and shall not be disclosed except as required to administer the business license program or comply with a judicial warrant, subpoena, or court order. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-3. Payments of Application and License Fees.**

All application and license fees shall be paid in advance for the term of the license provided and deposit collected at the time the application is submitted to the License Administrator. All application and license fees shall be deposited by the License Administrator. Current application and license fees are set forth in this division and the corresponding county adopted fee schedule. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-4. License Period and Transferability.**

(a) Any business license issued pursuant to the provisions of this division shall remain in force for the period of one (1) year. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(b) No business license granted or issued under any provisions of this chapter may be transferred in any manner. A change in ownership or location of a business requires reapplication and payment of application and license fees. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-5. Display of License.**

Every person or business having a license issued under the provisions of this chapter shall keep such license posted and exhibited in a conspicuous part of any premises used for said purpose. Where any vehicle, pushcart, wagon, automobile or truck is used for peddling, there shall be attached thereto, or in the possession of the driver or operator thereof, a duplicate of said license. The original and/or all duplicates of any license issued shall be produced and exhibited whenever a renewal, assignment or transfer thereof is required, or whenever requested to do so by any person authorized to issue or inspect the same or to collect any fee therefore. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-6. License Required.**

(a) All businesses require a physical base of business, including a mobile business or peddling business. If the business is based from a residence or commercial space that is not located in unincorporated Humboldt County proof of an existing business license issued from the agency that licenses the physical base of operation must be provided. Proof of an insurance policy covering business operations in unincorporated Humboldt County is required. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(b) All persons and entities under contract or agreement with the county or public entity for which the Board of Supervisors is the governing body must have a valid Humboldt County business license or a State of California license or exemption which releases that person or entity from local business license requirements. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(c) The fact that a person or entity represents they are engaged in, or exhibits any sign or advertising for, a business for which a business license

is required shall be substantial evidence the person or entity is in fact engaged in that business. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**§ 811-7. Denial of License.**

(a) An application may be denied if the License Administrator or any Permitting Department determines, based on substantial evidence, that the applicant for a business license has applied for the license by misrepresentation, refused to complete all portions of the license application, or has failed to comply with one or more of the specific provisions of this chapter or any other county ordinance or state requirement. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(b) An application may be denied if the License Administrator or any Permitting Department determines, based upon substantial evidence, that the applicant has not obtained or does not currently hold each and every one of the prerequisite approvals, or alternatively, that the application did not identify certain required prerequisite approvals which the applicant does not have. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**§ 811-8. Revocation of License.**

(a) A business license may be revoked if the License Administrator determines, based upon substantial evidence, that the holder of a license has obtained the license by misrepresentation or has failed to comply with one or more of the specific provisions of this chapter. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(b) Furthermore, a business license may be revoked if the license administrator determines, based upon substantial evidence, that the licensee has not obtained or does not currently hold each and every one of the prerequisite approvals, or alternatively, that the licensee did not identify, on the application, certain prerequisite approvals that the licensee does not have. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**§ 811-9. Appeal Process.**

Within ten days of the notice of the denial or revocation of a business license, the applicant or holder may request in writing a hearing with the License Administrator. The applicant shall file a written request for a hearing which states the specific grounds on which the revocation or denial of the license is contested. Within ten days of the date of the notice of the License Administrator's decision after the hearing, the applicant may appeal the decision of the License Administrator to the County Administrative Officer by filing a notice of appeal stating the grounds for appeal with that office.

**§811-10. License Types.**

A business license must be obtained for the purposes below and as detailed in this chapter, for which the License Administrator shall require payment pursuant to the provisions of this chapter. (Ord. 8, § 3, 2/11/1885; Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

(a) **Mobile:** Any business based from a residence with no customer traffic. Additional permits may be required from the Humboldt County Planning Department.

(b) **Special:** Any businesses with a physical base and business license not located in unincorporated Humboldt County or any business that's purpose is an independent contractor for an already established licensed business. (Example: Booth space in a hair salon)

(c) **Storefront:** Any business with on-site customer traffic or commercial zoning.

(d) **Vacation Rentals:** A short-term rental arrangements of 30 days or less including all vacation rentals for occupying a room or rooms, or other living space, in a hotel, inn, tourist home or house, motel, or other lodging within the unincorporated area of the County. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-11. Cannabis License Types.**

Cannabis applicants must register with the Planning Department prior to submitting a Cannabis Business License Application. Additional documents may be required. The following Cannabis business types are available for licensing:

(a) Cultivation/Processing

(b) Dispensary

(c) Transporter: for independent transportation contractors, based in unincorporated Humboldt County. Cannabis Transportation Affidavit must be completed with application.

(d) Transporter-Special: independent transportation contractors with a physical base and license **not** located in unincorporated Humboldt County. Cannabis Transportation Affidavit must be completed with application.

(e) Manufacturer

(f) Distributor/Distribution

(g) Testing

(h) Nursery

(i) Tourism

Cannabis Transporter Allowance in Conjunction with Cultivator License: A cultivator's business license application may include 'transporter' as type of license applied for, but approval does not allow for transport of product grown by any other cultivator, and is granted only for transport of the applicant cultivator's product. (Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-12. Carnivals and Special Events.**

For each exhibition for pay for a caravan, carnival, menagerie, or any collection of animals, circus, or other acrobatic performance, or for any show for pay of any figures, jugglers, necromancers, magicians, wire or rope dancing, sleight of hand exhibitions or any combination thereof, or any combination thereof with any other form of amusement or entertainment, including any mechanical contrivances for the amusement of the public, shall pay the County as and for a daily special permit the sum of Twenty-five Dollars (\$25.00) per day for each and every day that the same shall be exhibited in said County. (Ord. 200, § 1, 6/25/40; Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-13. Retail and Wholesale Establishments Quarterly Payments.**

Every person, firm, association, corporation or manager who, at a fixed place of business, sells any goods, wares or merchandise, drugs or medicine, jewelry or wares or precious metals, or butchers meat, whether on commission or otherwise (except the produce of any stock, dairy or poultry farm when sold by the producer thereof, and except such produce as is sold by auctioneers at public sale under license), shall obtain a license for each branch of such business from the License Administrator of Humboldt County and pay quarterly, in each year therefor, an amount of money to be determined by the class in which such business is placed by the said License Administrator. Such business is to be classified and regulated by the amount of the average

monthly sales made in accordance with the rates specified in the county fee schedule.

**811-14. Public Lodging Accommodations.**

[Must all be licensed as Short-Term Lodging operations as defined in State Revenue and Taxation Code 7280 and must abide by county Transient Occupancy Tax requirements per Title VII, Division 1, Chapter 2 of county code; Ord 712-1 - 712-15]. (Ord. 587, § 1, 2/7/67; Ord. 1704, § 1, 9/3/85; Ord. , § , x/x/2020)

**811-15. Travelling Merchants.**

Every non-resident traveling merchant, hawker or peddler who vends goods, wares and merchandise of any kind must obtain a special license. Application and license fees for the special license are nonrefundable and shall be collected at the time the application is submitted. (Ord. 15, § 2, 4/13/1887; Ord. , § , x/x/2020)

**811-16. Exemptions.**

The following are exemptions from the requirement of this chapter:

(a) No business license is required of a cafe musician as defined in Business and Professions Code section 16110.5.

(b) No business license is required of a federally chartered veterans' organizations as defined in Business and Professions Code section 16110.7 that solicit donations for the support of veterans.

(c) No business license fee that is measured by the licensee's income or gross receipts will be levied upon any nonprofit organization as defined in Business and Professions Code section 16110(b).

(d) No business license fee will be levied on an honorably discharged veteran as defined in Business and Professions Code section 16102 who is engaged in the business of hawking, peddling or vending any goods, wares or merchandise with the exceptions of spirituous, malt, vinous or other intoxicating liquor.

(e) No business license fee will be levied against any commercial traveler whose business is limited to goods, wares and merchandise sold or dealt in at wholesale in the state. (Ord. , § , x/x/2020)

**811-17. Violations and Penalties.**

(a) It shall be unlawful for any person or entity to violate, refuse or fail to comply with any of the provisions of this chapter. A violation of this chapter is deemed a misdemeanor. Such person or entity shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed or continued. (Ord. 8, § 16, 2/11/1885; Ord. , § , x/x/2020)

(b) As an alternative to criminal or civil action, violations of this chapter may be addressed via administrative civil penalties as authorized in Title III, Division 5, Chapter 2 of the Humboldt County Code. The applicable administrative fines shall be \$100 for a first offense, \$200 for a second offense and \$500 for any subsequent offense. (Ord. , § , x/x/2020)

(c) The amount of the rate fixed as the license for the transaction of such

business shall be deemed a debt due to the county, and all persons, corporate bodies and association, their agents and employees, or either of them, shall for each and every violation of this chapter be responsible for payment thereof. (Ord. 8, § 16, 3/2/1885; Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-18. Pleading Prior to Recovery.**

Upon the commencement of a trial or administrative action authorized by this chapter, the defendant is deemed not to have procured the proper license unless they either produce the business license or provide proof they did procure the business license. (Ord. 8, § 22, 3/2/1885; Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-12. LICENSE TAX COLLECTOR.**

The Sheriff of the County of Humboldt shall be the License Tax Collector and shall ascertain by an affidavit the amount of business transacted by any party applying for a license. (Ord. 8, § 23, 2/11/1885)

**811-13. DUTIES OF LICENSE TAX COLLECTOR.**

(a) The License Tax Collector must prepare and have printed blank licenses for all classes of businesses, with a blank receipt attached for the signature of the License Tax Collector when sold. The License Tax Collector shall fill out the stub and number and sign the receipt of each license when sold. Thereupon, the license must be taken to the County Auditor, who shall enter the number, date the amount of the license in a book kept for that purpose, and attest the license with his/her signature. No license shall be valid without the attesting signature of the County Auditor. (Ord. 8, § 18, 1885)

(b) On the first Monday of the months of February, May, August and November of each year, the License Tax Collector must file with the County Auditor the stubs of all licenses sold by him/her during the preceding quarter. (Ord. 8, § 19, 2/11/1885)

(c) On the first Monday of each month, the License Tax Collector must pay into the County Treasury, for the use of the County general fund, all moneys collected for licenses during the preceding month, take the Treasurer's receipt therefor, and file duplicates with the Auditor. The Auditor must credit the License Tax Collector and charge the Treasurer therewith. (Ord. 8, § 20, 2/11/1885)

(d) The License Tax Collector must make diligent inquiry as to all persons in the County liable to pay license taxes as provided in this chapter. Against any person required to take out a license who fails, neglects or refuses to take out such license, the License Tax Collector must direct civil or criminal prosecutions, or both, to be brought. In case a civil action is brought for the recovery of the license tax, either the License Tax Collector or any attorney may make the necessary affidavit for and a writ of attachment may issue without any bonds being given on behalf of plaintiff. (Ord. 8, § 21, 2/11/1885)

**811-14. AUCTIONEERS.**

Auctioneers shall pay a license fee of Seven and 50/100 Dollars (\$7.50) per quarter. (Ord. 8, § 1, 2/11/1885) ( Ord. \_\_\_\_\_, § \_\_\_\_\_, x/x/2020)

**811-15. BANKERS AND FINANCIERS.**



~~Persons engaged in banking, loaning money at interest, or in buying or selling notes, bonds or other evidence of indebtedness of private persons, or in buying or selling State, County or city stocks or other evidence of State, County or city indebtedness, or stocks, bonds, notes or other evidence of indebtedness or incorporated companies, are divided into two (2) classes and must pay a license as follows:~~

~~(a) Those doing business in the aggregate to the amount of Twenty-five Thousand Dollars (\$25,000.00) and over per quarter constitute the first class and must pay a license of Fifteen Dollars (\$15.00) per quarter.~~

~~(b) Those doing a business in any amount less than Twenty-five Thousand Dollars (\$25,000.00) per quarter constitute the second class and must pay a license of Seven and 50/100 Dollars (\$7.50) per quarter. (Ord. 8, § 2, 2/11/1885) ( Ord. \_\_\_\_\_, § \_\_, x/x/2020)~~

~~**811-16. THEATERS AND OTHER PLACES OF AMUSEMENT.**~~

~~A license shall be granted to theaters and other places of amusement within the County to operate theaters and places of amusement, and it shall be unlawful for the same to operate without such license. Said license fee shall be Ten Dollars (\$10.00) per quarter or any portion thereof and shall be payable on the first day of January, April, July and October, or upon the date of the opening for business of any such theater or place of amusement, if the same be on a different date than above specified.~~

~~The said license shall be required of all persons, firms and corporations save and except only charitable organizations or institutions. A charitable organization or institution is hereby defined and limited to the following: any church or organization or association affiliated therewith, or any lodge or organization employing the net proceeds to be derived from the operation of any such theater or place of amusement solely to charity. (Ord. 201, § 1, 7/31/40) ( Ord. \_\_\_\_\_, § \_\_, x/x/2020)~~

~~**811-17. CARNIVALS, CARAVANS, MENAGERIES, ETC.**~~

~~For each exhibition for pay for a caravan, carnival, menagerie, or any collection of animals, circus, or other acrobatic performance, or for any show for pay of any figures, jugglers, necromancers, magicians, wire or rope dancing, sleight of hand exhibitions or any combination thereof, or any combination thereof with any other form of amusement or entertainment, including any mechanical contrivances for the amusement of the public, shall pay the County as and for a license fee the sum of Twenty-five Dollars (\$25.00) per day for each and every day that the same shall be exhibited in said County. (Ord. 200, § 1, 6/25/40)~~

~~**811-18. EXCEPTIONS.**~~

~~The provisions of §§ 811-16 and 811-17 do not apply to exhibitions or entertainments given for the benefit of churches, schools or other charitable entertainments by an amateur dramatic association or literary society of the town or district in which such exhibitions or entertainment is given. (Ord. 8, § 6, 2/11/1885)~~

~~**811-19. RETAIL AND WHOLESALE ESTABLISHMENTS.**~~

~~Every person, firm, association, corporation or manager who, at a fixed place of business, sells any goods, wares or merchandise, drugs or medicine, jewelry or wares or precious metals, or butchers meat, whether on commission or otherwise (except the produce of any stock, dairy or poultry farm when sold by the producer thereof, and except such produce as is sold by auctioneers at public sale under license), shall obtain a license for each~~

~~branch of such business from the License Tax Collector of Humboldt County and pay quarterly, in each year therefor, an amount of money to be determined by the class in which such business is placed by the said Collector. Such business is to be classified and regulated by the amount of the average monthly sales made, and at the following rates:~~

~~(a) Those businesses which are estimated by the Collector to have an average monthly gross income in the sum of Five Thousand Dollars (\$5,000.00) and over constitute the first class and shall pay Ten Dollars (\$10.00) per quarter.~~

~~(b) Those businesses which are estimated by the Collector to have an average monthly gross income in an amount of Two Thousand Five Hundred Dollars (\$2,500.00), but less than Five Thousand Dollars (\$5,000.00), shall pay Seven and 50/100 Dollars (\$7.50) per quarter.~~

~~(c) Those businesses which are estimated by the Collector to have an average monthly gross income in the sum of Six Hundred Dollars (\$600.00), but less than Two Thousand Five Hundred Dollars (\$2,500.00), shall pay Five Dollars (\$5.00) per quarter.~~

~~(d) Those businesses which are estimated by the Collector to have an average monthly gross income in the sum of less than Six Hundred Dollars (\$600.00) shall pay Three Dollars (\$3.00) per quarter. (Ord. 242, § 1, 12/1/47)~~

#### ~~811-20. PUBLIC LODGING ACCOMMODATIONS.~~

~~Every person, firm, association, corporation, manager or keeper engaged in the business of renting or letting any rooms in any hotel, rooming house, boarding house, apartment house, lodging house, auto court or motel, or furnishing trailer space, shall obtain a license from the License Tax Collector of Humboldt County and pay quarterly therefor the amount of license fee to be determined by the class in which such business is placed by the Collector. Such business is to be classified and regulated by the amount of the average monthly gross income, and at the following rates:~~

~~(a) Those businesses which are estimated by the Collector to have an average monthly gross income in the sum of Five Thousand Dollars (\$5,000.00) and over constitute the first class and shall pay Ten Dollars (\$10.00) per quarter.~~

~~(b) Those businesses which are estimated by the Collector to have an average monthly gross income in an amount of Two Thousand Five Hundred Dollars (\$2,500.00), but less than Five Thousand Dollars (\$5,000.00), shall pay Seven and 50/100 Dollars (\$7.50) per quarter.~~

~~(c) Those businesses which are estimated by the Collector to have an average monthly gross income in the sum of Six Hundred Dollars (\$600.00), but less than Two Thousand Five Hundred Dollars (\$2,500.00), shall pay Five Dollars (\$5.00) per quarter.~~

~~(d) Those business which are estimated by the Collector to have an average monthly gross income in the sum of less than Six Hundred Dollars (\$600.00) shall pay Three Dollars (\$3.00) per quarter. (Ord. 242, § 2, 12/1/47)~~

#### ~~811-21. TRAVELING MERCHANTS, HAWKERS AND PEDDLERS.~~

~~Every traveling merchant, hawker or peddler who carries a pack and vends goods, wares and merchandise of any kind must pay a license of Five~~

~~Dollars (\$5.00) per quarter, and every such traveling merchant who uses a wagon with one (1) or more animals for the purpose of vending such goods, wares or merchandise must pay a license of Seven and 50/100 Dollars (\$7.50) per quarter. (Ord. 15, § 2, 5/1/1887)~~

**~~811-22. ANIMALS USED FOR STUD PURPOSES.~~**

~~Every person who keeps a stallion, jack or bull, and who permits the same to be used for the purpose of propagation for hire, must annually obtain a license therefor from the License Tax Collector and pay therefor a sum equal to the price charged by such person for the service of such stallion, jack or bull by the season. (Ord. 8, § 12, 2/11/1885) ( Ord. \_\_\_\_\_, § \_\_, x/x/2020)~~

**~~811-23. HORSES AND CARRIAGES FOR HIRE.~~**

~~All person who keep horses and carriages for hire (except such as are used in the transportation of goods) must obtain a license from the License Tax Collector as prescribed in this chapter and make the following payment therefor:~~

~~(a) Those doing a business of One Thousand Five Hundred Dollars (\$1,500.00) or more per quarter constitutes the first class and must pay a license of Three Dollars (\$3.00) per quarter.~~

~~(b) Those doing a business of less than One Thousand Five Hundred Dollars (\$1,500.00) per quarter constitutes the second class and must pay a license of One and 50/100 Dollars (\$1.50) per quarter. (Ord. 15, § 3, 5/1/1887) ( Ord. \_\_\_\_\_, § \_\_, x/x/2020)~~

**~~811-24. FERRIES.~~**

~~Ferries are divided into two (2) classes and must pay license fees as follows:~~

~~(a) Ferries propelled by steampower constitute the first class, and every person who keeps such ferry must pay a license fee of Nine Dollars (\$9.00) per quarter.~~

~~(b) Ferries propelled by any other power than steam constitute the second class, and every person who keeps such ferry must pay a license fee of Three Dollars (\$3.00) per quarter. (Ord. 8, § 14, 2/11/1885) ( Ord. \_\_\_\_\_, § \_\_, x/x/2020)~~

**~~811-25. WHARVES.~~**

~~Wharves are divided into two (2) classes, and the owners or lessees thereof must pay license fees as follows:~~

~~(a) Those doing business in the aggregate to the amount of Five Thousand Dollars (\$5,000.00) or over annually constitute the first class and must pay a license fee of Nine Dollars (\$9.00) per quarter.~~

~~(b) Those doing a business in any amount less than Five Thousand Dollars (\$5,000.00) annually constitute the second class and must pay a license fee of Four Dollars (\$4.00) per quarter. (Ord. 8, § 15, 2/11/1885) ( Ord. \_\_\_\_\_, § \_\_, x/x/2020)~~

**~~811-26. VIOLATIONS AND PENALTIES.~~**

~~It shall be unlawful for any person or persons to engage in or carry on within the corporate limits of the County any vocation, trade, calling,~~

~~business or employment either in their own names, and for their own profit and benefit, or as agents and employees for any other person, persons or corporate body or otherwise for the transaction of which vocation, trade, calling, business or employment a license is required by this chapter, without first procuring from the License Tax Collector of said County a license to do so. If such person or persons, either for themselves or as agents or employees, or otherwise, shall engage in or carry on any vocation, trade, calling, business or employment aforesaid for which a license is required by this chapter, without having first procured such license, he shall be deemed guilty of a misdemeanor, and, upon conviction by any court having jurisdiction thereof, shall be punished by a fine not less than One Hundred Fifty Dollars (\$150.00) and not exceeding Five Hundred Dollars (\$500.00), or by imprisonment in the County Jail not exceeding six (6) months, or by both. The amount of the rate fixed as the license for the transaction of such business shall be deemed a debt due to said County, and all persons, corporate bodies and association, their agents and employees, or either of them, shall for each and every violation of this chapter be liable in an action directed by the License Tax Collector of said County in the name of the People of the State of California as plaintiff in any court of competent jurisdiction for recovery of the amount of the rate or tax fixed in this chapter for the license of such business as he or they may be engaged in, together with the costs of suit. In case of recovery by the plaintiff in said action, Twenty-five Dollars (\$25.00) damage must be added to the judgment and costs to be collected from defendants; and, when collected, Five Dollars (\$5.00) thereof must be paid to the License Tax Collector and Twenty Dollars (\$20.00) to the attorney prosecuting the suit. (Ord. 8, § 16, 2/11/1885)~~

**~~811-27. PLEADING PRIOR RECOVERY ON ACTION.~~**

~~Upon the trial of any action authorized by this chapter, the defendant is deemed not to have procured the proper license unless he either produces it or proved that he did procure it, but he may plead in bar of the action a recovery against him and the payment by him in a civil action of the proper license tax, together with the damages and cost. (Ord. 8, § 22, 2/11/1885)~~

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED, AND ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2020, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

\_\_\_\_\_  
Estelle Fennell, Chair  
Board of Supervisors of the County of Humboldt,  
State of California

(SEAL)

ATTEST:  
Kathy Hayes  
Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

By: \_\_\_\_\_  
Ryan Sharp, Deputy Clerk

Date: