

Athena Ordinances

ORDINANCE NO. 710

AN ORDINANCE REGULATING AND LICENSING BUSINESSES, PROFESSIONS, PURSUITS AND OCCUPATIONS IN THE CITY OF ATHENA; FIXING THE PENALTY FOR THE VIOLATION OF THE SAME AND REPEALING ALL PREVIOUS ORDINANCES.

The city of Athena, Oregon ordains as follows:

Section 1. The term “person,” as used in this ordinance shall be deemed to mean and include any person, firm, co-partnership, association or corporation.

Section 2. That no person shall engage in, prosecute or carry on any business, profession, pursuit or occupation within the limits of the City of Athena unless or until he shall have first obtained a license therefore, and shall have paid to the City of Athena the license fee as hereinafter prescribed.

Section 3. Said license fee is renewed on an annual basis. Said fee to be reviewed by the city council on an annual basis at the regular November council meeting. Any increase deemed appropriate by the council shall take effect immediately on January 1 of the next year.

Section 4. No license shall be required for any nonresident person engaged in wholesale business, nor shall the licensing provisions of this ordinance apply to any business or occupation specifically exempted by Oregon statutes.

Section 5. If a person, firm, association or corporation be engaged in carrying on in the city of Athena more than one trade, profession, occupation, pursuit or business, then such person, firm, or corporation shall pay the license herein levied for as many of said trades, professions, occupations, pursuits and businesses as are carried on.

Section 6. It shall be unlawful for any person to carry on any business, trade, profession, pursuit or occupation or to transact any business as in this ordinance specified without first obtaining a license from the City of Athena as herein provided.

Section 7. On or before January 1, of each and every year, every person, firm, association or corporation transacting business, trade, profession, pursuit or occupation shall make application to the city recorder, upon suitable form, for a license to carry on such business, trade, profession, pursuit or occupation, and make payment of the license fee as herein provided for. The city recorder shall issue a license to the applicant when payment for such license is made, and the city recorder and his/her agents have made their investigation and deemed that the applicant has complied with the requirements

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herein specified; and every person receiving such license shall keep and retain on his person or on the premises or place where such person customarily transacts or engages in the business, trade, profession or occupation so licensed, and shall exhibit the same to any police official of the city of Athena upon demand.

Section 8. Police officers, chief of [the] fire department and health officers and their agents and subordinates are hereby directed and empowered to investigate and examine all places of business licensed or subject to license under the terms of this ordinance at any and all reasonable times, for the purpose of determining whether such place of business is safe, sanitary and suitable for the business so licensed or for which application for license is made. In the event it is determined by such officers or their agents that any such place of business is dangerous to public health, safety or likely to become a menace, a report of such determination and the reasons therefore shall be made in writing to the city council, which shall then take such action as it may deem necessary and advisable.

Section 9. No transfer or assignment of any license issued hereunder shall be valid or permitted; except that whenever any person shall sell or transfer in whole a business for which such license has been paid, then the vendee thereof shall not be required to pay any additional license thereon for the balance of that year.

Section 10. All licenses levied hereunder shall be for each year ending December 31; the office of the city recorder shall bill each business the first week of January of the following calendar year, such bill to show the cost of the business licenses as voted on by the city council at the December council meeting. All businesses shall have thirty (30) days from the date of the initial billing in which to pay their license fee. At the end of that time the bills shall become delinquent and the business shall be considered to be operating without a license.

Section 11. Any person violating any provision hereof shall, upon conviction thereof, be punished by a fine set by the current fine schedule.

Section 12. If any provision, section, sentence, clause or phrase, or other part of this ordinance, is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining parts thereof.

Section 13. All ordinances and/or parts of ordinances in conflict herewith shall be and are hereby repealed.

Passed by the council and approved by the mayor February 12, 1991, Ord. #244

Passed by the council and approved by the mayor May 27, 1994, Ord. #424

Passed by the council and approved by the mayor November 15, 2007, Ord. #710