

**TITLE VI.
BUSINESS AND OCCUPATIONS**

CHAPTER 600: ALCOHOLIC BEVERAGES

SECTION 600.010:DEFINITIONS

For the purpose of this Chapter, the following words and phrases shall have the meaning respectively ascribed to them by this Section:

INTOXICATING LIQUOR: Alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt or other liquors a part of which is spirituous, vinous or fermented, and all preparations or mixtures for beverage purposes containing in excess of three and two tenths percent (3.2%) of alcohol by weight.

MALT LIQUOR: Any beverage manufactured from pure hops or pure barley malt or wholesome grains or cereals and wholesome yeast and pure water, containing alcohol in excess of three and two tenths percent (3.2%) of alcohol by weight.

NON-INTOXICATING BEER: Any beer manufactured from pure hops or pure extracts of hops, and pure barley malt or other wholesome grains or cereals, and wholesome yeast, and pure water, and free from all harmful substances, preservatives and adulterants, and having an alcoholic content of more than one-half of one percent (.05%) by volume, and not exceeding three and two tenths (3.2%) percent by weight. (Ord. No. 2025, CC 1981 §50.010)

SECTION 600.020:POSSESSION OF ILLEGAL OR UNTAXED LIQUORS

No person shall possess intoxicating liquor in any quantity for any purpose within the City which has not been lawfully manufactured. (Ord. No. 2025, CC 1981 §50.020)

SECTION 600.030:SALE TO DRUNKARDS, MINORS

- A. No person or his employee shall sell or supply intoxicating liquor or non-intoxicating beer or permit the same to be sold or supplied to an habitual drunkard or to any person who is under or apparently under the influence of intoxicating liquor.
- B. Intoxicating liquor or non-intoxicating beer shall not be given, sold, or otherwise supplied to any person under the age of twenty-one (21) years, but this shall not apply to supplying of intoxicating liquor or non-intoxicating beer to a person under such age for

medicinal purposes only, or by the parent or guardian of such person, or to administering of such intoxicating liquor or non-intoxicating beer to such person by a physician.

- C. Any person under the age of twenty-one (21) years, who purchases, attempts to purchase or has in his possession, any intoxicating liquor is guilty of a misdemeanor.
- D. Any person under the age of twenty-one (21) years, who purchases or attempts to purchase any non-intoxicating beer is guilty of a misdemeanor.
- E. The possession, actual or constructive, of any intoxicating liquor, beer, wine or non-intoxicating beer commonly called "3.2 beer", by any person under the age of twenty-one (21) years is hereby prohibited. (Ord. No. 2025, CC 1981 §50.030)

SECTION 600.040:HOURS OF SALE

- A. *Intoxicating Liquor.* No person having a license under this Chapter nor any employee of such person shall sell, give away or otherwise dispose of, or suffer the same to be done upon or about his licensed premises any intoxicating liquor, in any quantity between the hours of 1:30 A.M. and 6:00 A.M. on weekdays, except Monday when sales shall cease at 12:01 A.M. or between the hours of 1:30 A.M. and 11:00 A.M. on Sunday.
- B. *Non-intoxicating Beer.* No person having a license under the provisions of this Chapter shall sell, give away or otherwise dispose of, or suffer the same to be done upon or about his premises, any non-intoxicating beer in any quantity between the hours of 1:30 A.M. on Sunday and 6:00 A.M. Monday. (Ord. No. 2089; Ord. No. 3033 §600.040, 6-14-93; Ord. No. 3054 §600.040, 9-12-94)

SECTION 600.050:RESTRICTIONS AS TO PLACE OF SALE--INTOXICATING LIQUOR

No person, agent or employee of any person in any capacity, shall sell intoxicating liquor in any other place than that designated in the license; nor at any other time or otherwise than is authorized in this Chapter and the regulation herein provided for. (Ord. No. 2025, CC 1981 §50.050)

SECTION 600.060:RESTRICTIONS AS TO PLACE OF SALE--BEER BY THE DRINK

No license shall be issued for the sale of malt liquor or intoxicating beer at retail by the drink, for consumption on the premises in the City, except where the place of such business, according to the application for such license, is to be located within the business district of this City. (Ord. No. 2025, CC 1981 §50.060)

SECTION 600.070:RESTRICTIONS AS TO PLACE OF SALE--MALT LIQUOR BY THE DRINK

Malt liquor containing alcohol in excess of three and two tenths (3.2%) percent by weight and not in excess of five percent (5%) by weight may be sold by the drink at retail for consumption on the premises where sold, when the person, partnership or corporation desiring to sell such malt liquor by the drink at retail for consumption upon the premises where sold, shall have been licensed to do so by the City, and under the provisions of this Chapter. (Ord. No. 2025, CC 1981 §50.070)

SECTION 600.080:ORIGINAL PACKAGE SALES--GENERALLY

Intoxicating liquor shall be sold at retail in the original package, only upon a license granted by the Board of Aldermen, and such intoxicating liquor so sold shall not be consumed upon the premises where sold, nor the original package opened on such premises of the vendor, except as otherwise may be provided in this Chapter. (Ord. No. 2025, CC 1981 §50.080)

SECTION 600.090:EXCEPTION TO CHAPTER; DRUGGISTS AND PHYSICIANS

Any druggist may have in his possession intoxicating liquor purchased by him from a licensed vendor under a license pursuant to this Chapter, or intoxicating liquor lawfully acquired at the place of acquisition and legally transported into this State and lawfully inspected and labeled as provided for in the Liquor Control Act of the State; such intoxicating liquor to be used in the business of a druggist in compounded medicines or as a solvent or preservative. Nothing in this Chapter shall prevent a regularly licensed druggist, after he procures a license therefor in compliance with this Chapter, from selling intoxicating liquor in the original package, but not to be consumed or the packaged opened on the premises where sold. Nothing in this Chapter shall be construed as limiting the right of a physician to prescribe intoxicating liquor in accordance with his professional judgement for any patient at any time or prevent a druggist from selling intoxicating liquor to a person on prescription from a regularly licensed physician as above provided.

(Ord. No. 2025, CC 1981 §50.100)

SECTION 600.100:VIOLATION; REVOCATION OF LICENSE

Any person violating any of the provisions of this Chapter shall upon conviction thereof be adjudged guilty of a misdemeanor, and shall be punished as provided in Section 100.100 of this Code.

1. Provided, that upon final conviction of any person for a violation of any of the provisions of this Chapter, such conviction shall automatically operate to revoke the license hereunder issued to such person.
2. Provided further, that the term "conviction" as used herein shall mean conviction upon final determination of any prosecution of any violation of this Chapter.
3. Provided further, that no person having been convicted of a violation of any of the provisions of this Chapter shall be issued a license or a renewal thereof for a period of one (1) year, from the date of such conviction. (Ord. No. 2025, CC 1981 §50.110)

SECTION 600.110: MUNICIPAL JUDGE TO REPORT CONVICTION

Upon conviction of any person under the provisions of this Chapter, it shall be the duty of the Municipal Judge to certify such conviction to the Board of Alderman. (Ord. No. 2025, CC 1981 §50.120)

SECTION 600.120:LICENSE REQUIRED

It shall be unlawful for any person, firm, partnership or corporation to manufacture, sell or expose for sale, either at wholesale or retail, in the City, intoxicating liquor, malt liquor or non-intoxicating beer as herein defined, in any quantity, without first having obtained a license from the City therefor, except as otherwise provided herein by ordinance. (Ord. No. 2025, CC 1981 §50.130; Ord. No. 3034 §600.120, 6-14-93)

SECTION 600.130:QUALIFICATIONS OF APPLICANT

No person shall be granted a license under this Chapter, unless such person is of good moral character and meets the requirements as specified by State law. (Ord. No. 2025, CC 1981 §50.140)

SECTION 600.140:ELIGIBILITY FOR ORIGINAL PACKAGE SALES LICENSE

No license shall be issued for the sale of intoxicating liquor in the original package except to a person engaged in, and for use thereby in connection with, the operation of one (1) or more of the following businesses:

- A drug store
- Cigar and tobacco store
- Confectionery or delicatessen store,
- General merchandise store
- Grocery store

nor shall such license be issued to any such person who does not have and keep in his store a stock of goods having a value, according to invoices at the time of making the application for license, of at least one thousand dollars (\$1,000.00), exclusive of fixtures and intoxicating liquors.

(Ord. No. 2025, CC 1981 §50.150)

SECTION 600.150:APPLICATIONS; PROCEDURE OF BOARD

All applications for licenses under the provisions of this Chapter, shall be made in writing to the Board of Aldermen. All applications, except for sale of malt liquors not in excess of five percent (5%) of alcohol by weight, shall be accompanied by an inventory and appraised valuation of stock of goods at the place of business proposed in such application, other than intoxicating liquor, which inventory and appraisal shall be under oath; such inventory and appraised valuation shall be the value according to invoice at the time of making the application for such license. No license shall be granted at the same meeting of the Board of Aldermen at which the application is presented, except by unanimous vote of the Board; Provided however, that such application may be passed on by the Board of Aldermen at the first meeting of the Board at which the application is presented, if such applicant has first served notice, in writing, of his intention to present such application (including a copy of the application) upon each member of the Board of Aldermen, at least five (5) days before the meeting of the Board of Aldermen at which such application is to be presented. (Ord. No. 2025, CC 1981 §50.160)

SECTION 600.160:LICENSE FEES GENERALLY

- A. The fees for licenses required under this Chapter shall be as established from time to time by ordinance of the Board of Aldermen and is on file in the office of the City Clerk.
- B. The fee for a liquor license for the sale and distribution of intoxicating liquor and/or malt liquor during the weekdays shall be twenty-five dollars (\$25.00). The sale of intoxicating liquor and/or malt liquor on Sunday shall be allowable upon the purchase of a license in the amount of twenty-five dollars (\$25.00). (Ord. No. 2025; CC 1981 §50.170; Ord. No. 3035 §600.160, 6-14-93)

SECTION 600.170:GRANTING; CONDITIONS TO BE MET

On approval of the application by the Board of Aldermen and payment of the license tax herein provided, the City Clerk shall grant the applicant a license to conduct business in the City for one (1) year from date of issuance of such license or for a fraction thereof as provided in Section 600.190. A separate license shall be required for each place of business.

1. Every license issued under the provisions of this Chapter shall particularly describe the premises at which intoxicating liquor may be sold thereunder, and such license shall not be deemed to authorize or permit the sale of intoxicating liquor at any place other than that described therein.
2. Provided that the City Clerk shall not deliver to any person a license under the provisions of this Chapter, until such person shall produce the receipt of the City showing that the taxes levied on such license have been paid. (Ord. No. 2025, CC 1981 §50.180)

SECTION 600.180:LICENSES NON-TRANSFERABLE

No license issued under this Chapter shall be transferable or assignable. (Ord. No. 2025, CC 1981 §50.190)

SECTION 600.190:DURATION; PRO-RATION AND REFUND OF FEES

All licenses issued under the provisions of this Chapter shall expire on December 31 following the issuance thereof. For a partial year license, the fee shall be pro-rated quarterly. No license fee shall be returned to the holder upon sale, transfer or dissolution of the business for which the license was issued.

(Ord. No. 2025, CC 1981 §50.200)

SECTION 600.200:REVOCATION AND SUSPENSION GENERALLY

The Board of Alderman may, on hearing, revoke or suspend any license issued under the provisions of this Chapter, for good cause shown, having first given such licensees not less than ten (10) days notice in writing of the application to revoke or suspend his license, prior to the order of revocation issuing.

1. Such notice shall contain the grounds for such revocation or suspension set out therein, and shall command the licensee to be present at a regular or special meeting of the Board of Aldermen (at the date, time, and location set forth in the notice) and show cause, if any, why such license should not be suspended or revoked.

2. The licensee shall have full right to be represented by counsel at such hearing, and may produce witnesses and evidence in his behalf at such hearing.
3. Service of the notice of revocation or suspension hearing shall be by the Chief of Police or his subordinator, and may be served upon the licensee by leaving a copy thereof with the licensee or any person or employee in charge of the place of business of such licensee.
(Ord. No. 2025, CC 1981 §50.210)

SECTION 600.210:REVOCATION TO FORFEIT LICENSE FEE

In case of revocation or forfeiture of any license granted and issued under the provisions of this Chapter for cause or otherwise, the City shall in no event return any part of the fee paid for such license.
(Ord. No. 2025, CC 1981 §50.220)

SECTION 600.220:LIMITATION OF NUMBER OF LICENSED ESTABLISHMENTS--INTOXICATING LIQUOR

The number of licenses which shall be issued and outstanding in the City for sale of intoxicating liquor in excess of five percent (5%) of alcohol by weight at retail in the original package, is hereby set, fixed, and determined at not more than one (1) for each five hundred seventy-five (575) persons, as per the most recent federal decennial census with a maximum of three (3) licenses in issuance at any one time.

Provided, that no one person now holding any such license shall be denied a reissuance thereof from time to time because of this Section, unless such license shall be permitted to lapse. (Ord. No. 2067)

SECTION 600.230:LIMITATION OF NUMBER OF LICENSED ESTABLISHMENTS--INTOXICATING OR NON-INTOXICATING BEER

The number of licenses which shall be issued and outstanding in the City for sale of intoxicating or non-intoxicating beer at retail is hereby set, fixed, and determined at not more than one (1) for each five hundred seventy-five (575) persons, residing within the City limits, as per the most recent Federal decennial census with a limit of three (3) licenses in issuance at any one time. (Ord. No. 2067)

CHAPTER 605: LICENSES AND OCCUPATION TAXES

SECTION 605.010: AMOUNT OF TAX

- A. There shall be hereby charged a flat rate of a twenty-five dollar (\$25.00) fee to every person, firm or corporation who shall sell or offer to sell any goods or merchandise of any kind within the City of Bloomfield, at retail, who has not heretofore received a license under any of the provisions of this Chapter, or other ordinances of the City of Bloomfield, shall pay a license tax as set in this Section. This Section is not limited to the sale of goods and merchandise, but shall extend to and include services as shown below:

Business.

Agriculture supplies
Appliances and TV sales
Amusement facilities with pool tables only
Amusement sales and supplies
Animal groomers
Animal kennels
Antique dealers
Asphalt sealers
Auctioneers
Auto repair and/or auto body shop
Auto parts
Automobile and truck, salesmen or dealers, provided they or the firm for which they work are not otherwise taxed under this Chapter
Bakery shops
Banks
Barber shops
Beauty shops
Beverage distributors
Book dealers
Bookkeeping services
Boat sales and service
Bowling alleys
Building and construction companies
Business machine sales and service
Cabinet makers
Car lot - new car sales and repair
Car washing establishments
Carpet and rug dealers
Carpet and rug cleaners
Caterers

Children's clothing stores (new or used)
Concrete construction
Convenience stores
Day care provider (group care or day care centers only)
Drapery and curtain sales
Dry wall contractors
Drug stores with prescription services
Eating establishments
Exercise and/or massage parlor
Electricians
Excavation, ditching or drainage contractors
Fabric shops
Farm implements, sales and service
Feed stores
Flower and/or gift shop
Food sales
Frozen food sales or lockers
Funeral directors
Furniture stores
Gasoline stations
Gasoline stations with groceries and eating facilities
Golf cart sales and/or repair
Grain elevators, with or without feed
Grain storage only
Grocery stores
Gun shops
Hardware stores
Heating and air conditioning sales and service
Hobby and/or craft shops
Hotels or motels with eating facilities
Hotels or motels without eating facilities
House trailer rental space
Insurance agents, real estate agents, bond salesmen, alone or combined except one
agency shall pay one tax only
Jewelers
Junk dealers
Laundry and/or cleaning
Laundry self-service
Liquor stores
Lumber yards
Machine shops
Magazine sales
Meat processing plants
Men and women's clothing stores (new or used)
Mobile home sales
New car sales and service

Office supply sales
Optical goods sales
Painting or papering, decorators or contractors
Paving contractors
Pawnbrokers
Pest control services
Pet shops
Photographic shop or studio
Pinball gamerooms and pool halls
Plasterers
Plumbers
Pool halls
Printing - job and/or newspaper
Produce stores with spraying, feed and other sidelines
Public accountants
Radio communications equipment and services
Ready mix concrete sales
Real estate sales
Roofers
Seed corn sales
Shoe repair
Stockyards - sales in all animals
Storage building sales
Street pavers
Tank wagon sales in gasoline or fuel oil
Tanning salons
Taverns
Telephone sales and services
Theaters
Tire dealers
Trailer sales
Trash hauling
Tree services
TV repair and/or radio repair
Variety stores
Vacuum cleaner sales and service
Video stores
Watch repair
Welding shop only
Welding shop and implement sales

- B. Any person, firm or corporation who shall in the City of Bloomfield hold for sale at auction any merchandise, except as hereinafter provided or conduct what is commonly known as an auction store upon the street, avenue or alley within the City.

- C. All persons having established places of business who are not taxed under any of the provisions of this Section or the ordinances of the City of Bloomfield who deal in the selling of cigars, candy, newspapers, magazines, or any other commodities. (CC 1981 §54.010; Ord No. 3031 §605.010, 6-14-93)

SECTION 605.020:OPERATION WITHOUT LICENSE PROHIBITED–PENALTY

- A. No person, or persons, firms or corporations shall engage in any of the businesses or occupations named and mentioned in this Chapter without first applying for and obtaining and having in his, their or its possession and publicly displayed in his, their or its place of business, if any, the license or licenses required and provided for in this Chapter, which said license and licenses shall have been fully paid for and in effect for the time or period during which the business or occupation is being carried on and engaged in.
- B. Licenses are due no later than the thirty-first (31st) day of December each year for the following year or within fourteen (14) days after said person, firm, or corporation commences business.
- C. Any person, firm or corporation violating Sections 605.010 through 605.020 shall pay a penalty in the sum of twenty-five dollars (\$25.00), if said license is not purchased within thirty (30) days of the due date set forth in Subsection (B) of this Section. (Ord. No. 2025; CC 1981 §54.030; Ord. No. 3032 §605.020, 6-14-93)

SECTION 605.030:CHANGE IN LOCATION

Every license shall state the location at which the business or occupation is to be established or engaged in, and upon moving to a new location the licensee shall procure from the City Clerk a removal permit stating the new location, which permit shall be issued without any additional charge.
(Ord. No. 2025, CC 1981 §54.040)

SECTION 605.040:CONTENTS OF LICENSE

Every license shall specifically state the name of the person, persons, firms or corporations to whom it is issued, the amount of the license tax, and the date of the issuance and the term for which it is issued. No license shall authorize any holder thereof to carry on business at more than one place at the same time. (Ord. No. 2025, CC 1981 §54.050)

SECTION 605.050 APPLICATION; ISSUANCE

All applications for licenses shall be made in writing to the City Collector and the amount of the license or licenses shall be paid to the City Collector at the time such applications are made. All licenses required by this Chapter shall be prepared by the City Collector. (Ord. No. 2025, CC 1981 §54.060; Ord. No. 3086 §605.050, 9-8-97)

SECTION 605.060 PENALTY

Any person who shall make a false certificate or who shall violate any of the provisions of this Chapter, and the managing officer of any corporation which shall make a false affidavit or which shall violate any of the provisions of this Chapter shall be guilty of a misdemeanor, and upon such conviction shall be fined not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00), and at the election of the Board of Aldermen of the City of Bloomfield the license or licenses of any such person, or persons, firms or corporations, after any such conviction, may be revoked and no new or other license shall be issued to such person, persons, firms or corporations unless the majority of the Board of Aldermen vote in favor thereof. Each day that any person, or persons, firms or corporations shall continue to operate or engage in any business or occupation without a valid and current license shall be a separate offense. (Ord. No. 2025, CC 1981 §54.070)

SECTION 605.070 MERCHANT DEFINED

MERCHANT: Shall include any and all persons who are now or who shall be hereafter engaged in the retail selling of any and all articles of merchandise. (Ord. No. 2025, CC 1981 §54.080)

SECTION 605.080:EVIDENCE OF WORKERS' COMPENSATION INSURANCE PRIOR TO LICENSE ISSUANCE

- A. No license required under the provisions of this Chapter shall be issued by the Finance Department to any person until such person produces a copy of a certificate of insurance for workers' compensation coverage if the applicant for the license is required to cover his liability under Chapter 287, RSMo. It is further made a violation of this Section to provide fraudulent information to the Department.
- B. Nothing in this Section shall be construed to create or constitute a liability to or a cause of action against the City in regard to the issuance or non-issuance of any license for failure to provide evidence of workers' compensation coverage.

- C. The Finance Department is directed to take appropriate actions including altering the license application form to require a statement and evidence of workers' compensation insurance.
(Ord. No. 3042 §§1–3, 8-28-93)

SECTION 605.090:PAYMENT OF INDEBTEDNESS TO CITY REQUIRED PRIOR TO LICENSE ISSUANCE

No person, firm, business, corporation, partnership, or any other type business establishment that is required to have a merchant's license to operate such business in the City of Bloomfield shall be issued or allowed to purchase a merchant's license if they are in arrears on the following indebtedness owing to the City of Bloomfield, including, real estate taxes, personal property taxes, vehicle registration, fees, or merchant's license owing to the City of Bloomfield. (Ord. No. 3081 §1, 4-14-97)

CHAPTER 610: PUBLIC AMUSEMENTS

SECTION 610.010:DEFINITIONS

As used in this Chapter, and unless otherwise defined or distinctly expressed, the following words and phrases shall have the meanings set out herein:

ADMISSION CHARGE: Any charge or consideration for the right or privilege to any amusement or entertainment, or admission to or entry to any area or facility, where such amusement or entertainment is conducted.

AMUSEMENT OR ENTERTAINMENT: Shall include carnivals, circuses and side shows, and street fairs, for which an admission charge is made.

CIVIC ORGANIZATION: Any not-for-profit organization, organized for civic, charitable, benevolent or religious purposes, the majority of members of which are residents of this City, and the purposes of which are primarily for the benefit of the City and its citizens. Political organizations are expressly excluded from being within the definition of such term. (Ord. No. 2025, CC 1981 §53.010)

SECTION 610.020:PERMIT REQUIRED

A permit must be obtained in order to conduct any amusement or entertainment within the limits of this City, under the provisions of this Chapter. Only a civic organization shall be issued a permit; other amusements or entertainments may be conducted, but only if the same has been licensed under the provisions of Chapter 605 of this Code. (Ord. No. 2025, CC 1981 §53.020)

SECTION 610.030: APPLICATION FOR PERMIT

Every civic organization proposing to sponsor or conduct any amusement or entertainment within the City shall apply, through a duly elected officer of the said civic organization, in writing to the City Clerk for a permit to operate such amusement or entertainment.

1. All applicants shall state on their application that they will indemnify the City for any claim resulting from the operation of the amusement or entertainment, and each application shall be accompanied by a certificate of insurance, showing the City as the named insured, covering any damage or liability to the City which may be caused by the operation of the amusement or entertainment, the amount of said insurance to be as required by such rules and regulations the promulgation of which is hereinafter provided, but in no event to be less than bodily injury limits of twenty

thousand dollars (\$20,000.00) for each occurrence and ten thousand dollars (\$10,000.00) for each person, and property damage limits of ten thousand dollars (\$10,000.00) for each occurrence and twenty thousand dollars (\$20,000.00) aggregate.

2. All applicants shall accompany their application with a bond in the amount of five hundred dollars (\$500.00), which bond shall secure the applicant's removing all litter from the site of the amusement or entertainment at its termination. Should it be necessary for the City to remove litter from the amusement site, the cost of such removal shall be deducted from the bond, and the remainder returned to the applicant.
3. The City Clerk may refuse to issue a permit to any amusement or entertainment, the operation of which does not comply with this Chapter, or which has in any previous operation in any other City, or in this City, violated the ordinance or requirements of such other City or this City.
4. Upon determination that the proposed amusement or entertainment shall comply with this Chapter, the City Clerk shall issue a permit and shall so notify the applicant. (Ord. No. 2025, CC 1981 §53.040)

SECTION 610.040:RULES AND REGULATIONS FOR OPERATION OF AMUSEMENT

Any amusement or entertainment conducted pursuant to this Chapter shall comply with the following rules:

1. Hours of operation shall be limited from eight o'clock (8:00) A.M. to twelve o'clock (12:00) midnight.
2. Adequate restroom facilities for both sexes shall be provided on the premises of such amusement or entertainment. Such facilities may be of a temporary nature, other than privies.
3. All electrical wiring and lighting must be approved by the City.
4. Adequate facilities for the disposal of trash and debris shall be provided on the premises.
5. The premises shall be inspected prior to operation by the City Clerk or his designate to determine that the requirements of this Chapter and any other ordinances of the City applicable to public rooms and buildings have been complied with.

6. The area or premises where such amusement or entertainment is conducted shall be cleaned and policed after the cessation of such amusement or entertainment and all trash, litter and debris shall be removed. (Ord. No. 2025, CC 1981 §53.050)

SECTION 610.050:ADDITIONAL RULES AND REGULATIONS

The Mayor is hereby given authority to establish and promulgate rules and regulations consistent with the terms of this Chapter, for the purpose of carrying out and enforcing compliance therewith, and a copy of such rules and regulations shall be on file and available for public examination in the office of the City Clerk. Failure or refusal to comply with any such rules and regulations established and promulgated under this Section shall be deemed a violation of this Chapter. (Ord. No. 2025, CC 1981 §53.060)

SECTION 610.060:REVOCATION OF PERMIT

Any permit issued pursuant to this Chapter may be revoked by the Mayor upon his determination that the amusement or entertainment is being operated or conducted in violation of this Chapter, or in violation of rules and regulations established and promulgated pursuant thereto or is so conducted or operated as to endanger substantially the public peace, health, safety, and welfare of the citizens of this City. (Ord. No. 2025, CC 1981 §53.070)

SECTION 610.070:FEEES FOR PERMIT

There shall be no fee for the permit required by this Chapter. (Ord. No. 2025, CC 1981 §53.080)

SECTION 610.080:AMUSEMENTS NOT SPONSORED BY CIVIC ORGANIZATION

Any amusement or entertainment which is not operated, conducted, or sponsored by a civic organization may be operated within this City, if a license for the same has been obtained under Chapter 605 of this Code. The requirements of Sections 610.030, 610.040, 610.050 shall apply to such amusement or entertainment. (Ord. No. 2025, CC 1981 §53.090)

SECTION 610.090:AMUSEMENTS OR CARNIVALS ALLOWED UNDER THE SUPERVISION OF A SPONSOR

- A. Any person, firm, or corporation, or association will be able to operate amusement rides, carnivals, amusement games, concession stands and entertainment on the streets of the City of Bloomfield, under the supervision of a sponsor.
- B. It shall be unlawful for any person, firm, corporation, or association to erect any carnival ride, or concession stand or amusement games of any type upon any street of the City of Bloomfield, without leaving a fire lane open for fire trucks and any other emergency vehicle.
- C. Any firm, person, corporation, or association violating the terms of Subsection (B) of this Section, shall upon conviction, be guilty of a misdemeanor, and upon conviction, shall be fined no less than one hundred dollars (\$100.00) a day for each day in which said violation occurred.
- D. It shall be the duty of the Chief of Police to impound any ride, concession stand, amusement booth, when so operated in violation of this Section, and to hold the same for payment of any fine which is assessed. (Ord. No. 2021 §§1-4)

CHAPTER 615: FOOD AND FOOD ESTABLISHMENTS

SECTION 615.010:DEFINITIONS

The following definitions shall apply in the interpretation and the enforcement of this Chapter.

EMPLOYEE: Any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.

HEALTH OFFICER: The individual designated by the Mayor of the City of Bloomfield or his authorized representative.

ITINERANT RESTAURANT: One operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

PERSON: Person, firm, corporation, or association.

RESTAURANT: Restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

UTENSILS: Shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

(Ord. No. 2025, CC 1981 §63.010)

SECTION 615.020:PERMITS

It shall be unlawful for any person to operate a restaurant in the City of Bloomfield who does not possess an unrevoked permit from the Health Officer. Such permit shall be posted in a conspicuous place. Only persons who comply with the requirements of this Chapter shall be entitled to receive and retain such a permit. A person conducting an itinerant restaurant shall be required to secure a permit.

Such a permit may be temporarily suspended, upon the violation by the holder of any of the terms of this Chapter, by the Health Officer, or revoked after an opportunity for a hearing by the Health Officer upon serious or repeated violation. (Ord. No. 2025, CC 1981 §63.020)

SECTION 615.030:EXAMINATION AND CONDEMNATION OF UNWHOLESOME OR ADULTERATED FOOD OR DRINK

Samples of food, drink, and other substances may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn and forbid the sale of or cause to be removed or destroyed, any food or drink which is unwholesome or adulterated. (Ord. No. 2025, CC 1981 §63.030)

SECTION 615.040:INSPECTION OF RESTAURANTS

At least once every six (6) months, the Health Officer shall inspect every restaurant located within the City of Bloomfield. In case the Health Officer discovers the violation of any item of sanitation, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this Chapter. Any violation of the same item of this Chapter on such second inspection shall call for immediate suspension of permit.

1. One (1) copy of the inspection report shall be posted by the Health Officer upon an inside wall of the restaurant, and said inspection report shall not be defaced or removed by any person except the Health Officer. Another copy of the inspection report shall be filed with the records of the Health Department.
2. The person operating the restaurant shall upon request of the Health Officer permit access to all parts of the establishment and shall permit copying any and all records of food purchased.
(Ord. No. 2025, CC 1981 §63.040)

SECTION 615.050:SANITATION REQUIREMENTS FOR RESTAURANTS

All restaurants shall comply with all of the following items of sanitation.

1. *Floors.* The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.
2. *Walls and ceilings.* Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

3. *Doors and windows.* When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.
4. *Lighting.* All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.
5. *Ventilation.* All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.
6. *Toilet facilities.* Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees, conforming with the ordinances of the City of Bloomfield. In restaurants hereafter constructed toilet rooms shall not open directly into any room in which food, drink, or utensils are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. In case privies or earth closets are permitted and used, they shall be separate from the restaurant building, and shall be of a sanitary type constructed and operated in conformity with the standards of the Division of Health.
7. *Water supply.* Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate, and of a safe, sanitary quality.
8. *Lavatory facilities.* Adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.
9. *Construction of utensils and equipment.* All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair. Utensils containing or plated with cadmium or lead shall not be used; provided, that solder containing lead may be used for jointing.
10. *Cleaning and bactericidal treatment of utensils and equipment.* All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single service containers shall be used only once.
 - a. All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be

thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

- b. No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils.
11. *Storage and handling of utensils and equipment.* After bactericidal treatment, utensils shall be stored in a clean, dry place, protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination as far as practicable. Single service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.
12. *Disposal of wastes.* All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles in such manner as not to become a nuisance.
13. *Refrigeration.* All readily perishable food and drink shall be kept at or below fifty degrees (50°F), except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.
14. *Wholesomeness of food and drink.* All food and drink shall be clean, wholesome, and free from spillage, and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device; Provided, that this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources, and if shucked, shall be kept until used in the containers in which they were placed at the shucking plant.
15. *Storage, display, and serving of food and drink.* All food and drink shall be so stored, displayed, and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches, and rodents shall be used.
16. *Cleanliness of employees.* All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.

17. *Miscellaneous.* The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employee's clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.
18. *Itinerant restaurants.* Itinerant restaurants shall be constructed and operated in a manner approved by the Health Officer. (Ord. No. 2025, CC 1981 §63.050)

SECTION 615.060: RESTAURANTS WHICH MAY OPERATE

From and after twelve (12) months from the date on which this Chapter takes effect no restaurant shall be operated within the City of Bloomfield, or its police jurisdiction, unless it conforms with the requirements of this Chapter; Provided, that when any restaurant fails to qualify, the Health Officer is authorized to suspend the permit. (Ord. No. 2025, CC 1981 §63.060)

SECTION 615.070: REINSTATEMENT OF PERMIT

Any restaurant the permit of which has been suspended, may at any time make application for the reinstatement of the permit. Within one (1) week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of this Chapter have been conformed with, the Health Officer shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the requirements, and, in case the findings indicate compliance, shall reinstate the permit. (Ord. No. 2025, CC 1981 §63.070)

SECTION 615.080: DISEASE CONTROL

No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he shall notify the Health Officer immediately. A placard containing this Section shall be posted in all toilet rooms. (Ord. No. 2025, CC 1981 §63.080)

SECTION 615.090:PROCEDURE WHEN INFECTION SUSPECTED

When suspicion arises as to the possibility of transmission of infection from any restaurant employee, the Health Officer is authorized to require any or all of the following measures:

1. The immediate exclusion of the employee from all restaurants;
2. The immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Health Officer;
3. Adequate medical examinations of the employee and his associates, with such laboratory examinations as may be indicated. (Ord. No. 2025, CC 1981 §63.090)

SECTION 615.100: ENFORCEMENT INTERPRETATION

This Chapter shall be enforced by the Health Officer in accordance with the interpretations thereof contained in the 1943 edition of the U.S. Public Health Service Code Regulating Eating and Drinking Establishments, a certified copy of which shall be on file at the City Clerk's office.

(Ord. No. 2025, CC 1981 §63.100)

CHAPTER 620: JUNK YARDS AND JUNK AUTOS

SECTION 620.010:DEFINITIONS

Except where otherwise indicated by the context, the following definitions shall apply in the interpretation and enforcement of this Chapter:

BUSINESS PREMISES or PREMISES: The area of a junk yard as described in a junk dealer's license or application for license, as provided for in this Chapter.

ITINERANT JUNK DEALER: An individual (natural person) who buys, sells, collects, or delivers junk within the City as a business or employment within the City, but who is not an operator of a junk yard within the City or an employee of such an operator.

JUNK: Any old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; bones; wastepaper and other waste or discarded material which might be prepared to be used again in some form; and any or all of the foregoing; and motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste, or scraps from the operation of his own business, or materials or objects held and used by a manufacturer as an integral part of his own manufacturing processes.

JUNK DEALER: A person who operates a junk yard, as defined above within the City.

JUNK YARD: A yard, lot, or place, covered or uncovered, outdoors or in an enclosed building, containing junk as defined above, upon which occurs one (1) or more acts of buying, keeping, dismantling, processing, selling or offering for sale any such junk, in whole units or by parts, for a business or commercial purpose, whether or not the proceeds from such act or acts are to be used for charity.

(Ord. No. 2025, CC 1981 §51.010)

SECTION 620.020:LICENSE REQUIRED

It shall be unlawful for any person to act as a junk dealer or itinerant junk dealer in the City, whether personally, by agents or employees, singly, or along with some other business or enterprise, without first having obtained a license therefor from the City Clerk in accordance with the provisions of this Chapter. (Ord. No. 2025, CC 1981 §51.020)

SECTION 620.030:APPLICATION

An applicant for license under this Chapter shall file with the City Clerk a written application upon forms provided by the City Clerk, and pay a fee as hereinafter prescribed.

Said application shall include the junk dealer or itinerant junk dealer's name, residence address, and telephone number of applicant; the exact address or location of the place where the business is or is proposed to be carried on; and such other information as the City Clerk may reasonably require.

(Ord. No. 2025, CC 1981 §51.030)

SECTION 620.040:LICENSE FEES

The fees for licenses required under this Chapter shall be as established from time to time by ordinance of the Board of Aldermen and on file in the office of the City Clerk.

(Ord. No. 2025, CC 1981 §51.040)

SECTION 620.050:INVESTIGATION; APPROVAL AND ISSUANCE OF LICENSE

- A. Upon receipt of an application for a junk dealer's license, as provided for herein, the Chief of Police shall cause an investigation to be made of the applicant's business responsibility and moral character.
- B. If the findings of said investigation are favorable to the applicant, the City Clerk shall within thirty (30) days after the filing of the application and payment of the fee, issue a junk dealer's license to the applicant. (Ord. No. 2025, CC 1981 §51.050)

SECTION 620.060:LICENSE NOT TRANSFERABLE

No license issued under this Chapter shall be transferred or assigned or used in any way by any person other than the one to whom it was issued. (Ord. No. 2025, CC 1981 §51.060)

SECTION 620.070:DURATION; PRO-RATION AND REFUND OF FEES

All licenses issued under the provisions of this Chapter shall expire on December 31 following the issuance thereof. For a partial year license, the fee shall be pro-rated quarterly. No license fee shall be returned to the holder upon sale, transfer or dissolution of the business for which the license was issued.

(Ord. No. 2025, CC 1981 §51.070)

SECTION 620.080:GENERAL OPERATING REQUIREMENTS

The following general operating requirements shall apply to all junk dealers licensed in accordance with the provisions of this Chapter.

1. The license issued pursuant to this Chapter shall be plainly displayed on the business premises.
2. The junk yard, together with the things kept therein, shall at all times be maintained in a sanitary condition.
3. No space not covered by the license shall be used in the licensed businesses.
4. No water shall be allowed to stand in any place on the premises in such manner as to afford a breeding place for mosquitoes.
5. Weeds and vegetation on the premises, other than trees, shall be kept at a height of not more than four (4) inches.
6. No garbage or other waste liable to give off a foul odor or attract vermin shall be kept on the premises; nor shall any refuse of any kind be kept on the premises; unless such refuse is junk as described herein and is in use in the licensed business.
7. No junk shall be allowed to rest upon or protrude over any public property, street, alley, walkway, or curb or become scattered or blow off the business premises.
8. Junk shall be stored in piles not exceeding ten (10) feet in height and shall be arranged so as to permit easy access to all such junk for fire fighting purposes.
9. No combustible material of any kind not necessary or beneficial to the licensed business shall be kept on the premises; nor shall the premises be allowed to become a fire hazard.
10. Gasoline and oil shall be removed from any scrapped engines or vehicles on the premises.
11. No junk or other material shall be burned on the premises in any incinerator not meeting the approval of the Chief of the Fire Department which approval shall not be unreasonably denied.
12. No noisy processing of junk or other noisy activity shall be carried on in connection with the license business on Sunday, Christmas, Thanksgiving, or at any time between the hours of six o'clock (6:00) P.M. and seven o'clock (7:00) A.M.
13. The area on the premises where junk is kept (other than indoors) shall be enclosed, except for entrances and exits, with a solid vertical wall or fence of a minimum

height of eight (8) feet measured from ground level. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of the licensed business. (Ord. No. 2025, CC 1981 §51.080)

SECTION 620.090: OPERATION OUTSIDE CITY LIMITS

Section 620.080 shall not apply to the operation of junk yards outside the City limits, even though the owner thereof be licensed in accordance with this Chapter. (Ord. No. 2025, CC 1981 §51.090)

CHAPTER 625: PEDDLERS AND SOLICITORS

SECTION 625.010:PERMIT REQUIRED

It shall be unlawful for any person to engage in the business of peddler as defined in Section 625.020 of this Chapter within the corporate limits of this City without first obtaining a permit therefor as provided herein. (Ord. No. 2025, CC 1981 §52.010)

SECTION 625.020:"PEDDLER" DEFINED

PEDDLER: As used herein shall include any person, whether a resident of this City or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or offering for sale, for later delivery, or seeking appointments for the purpose of at that time offering for sale; or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car, or other vehicle or conveyance; and further provided, that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this Chapter shall be deemed a peddler subject to the provisions of this Chapter. The word, "*peddler*" shall include the words, "*hawker*", "*huckster*", and "*solicitor*". (Ord. No. 2025, CC 1981 §52.020)

SECTION 625.030:APPLICATION FOR PERMIT

Applicants for permits under this Chapter must file with the City Clerk a sworn application in writing (in duplicate) on a form to be furnished by the City Clerk, which shall give the following information:

1. Name and description of the applicant.
2. Address (local and permanent).
3. A brief description of the nature of the business and the goods to be sold and in the case of products of farm or orchard, whether produced or grown by the applicant.
4. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
5. The length of time for which the right to do business is desired.

6. If a vehicle is to be used, a description of the same, together with credentials establishing the license number or other means of identification.
7. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. (Ord. No. 2025, CC 1981 §52.030)

SECTION 625.040: INVESTIGATION AND ISSUANCE

Upon receipt of such application, the original shall be referred to the Chief of Police, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of public good.

1. If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory, the City Marshal shall endorse on such application his disapproval and his reasons for the same, and return the said application to the City Clerk, who shall notify the applicant that his application is disapproved and that no permit will be issued.
2. If as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the City Marshal shall endorse on the application his approval. Upon receipt of the approved application, the City Clerk, upon payment of the prescribed permit fee, shall deliver to the applicant his permit. The Clerk shall keep a permanent record of all licenses issued.
(Ord. No. 2025, CC 1981 §52.040)

SECTION 625.050: FEES GENERALLY

The fees for licenses required under this Chapter shall be ten dollars (\$10.00) for a period of ninety (90) days. (Ord. No. 2025, CC 1981 §52.050)

SECTION 625.060: PERMIT NON-TRANSFERABLE

No permit issued under this Chapter shall be transferable or assignable. (Ord. No. 2025, CC 1981 §52.060)

SECTION 625.070: EXCEPTIONS TO CHAPTER

No person having a license under the provisions of Chapter 605 of this Code, entitled "Licenses and Occupational Taxes" shall be required to obtain a permit under this Chapter.
(Ord. No. 2025, CC 1981 §52.070)

SECTION 625.080:USE OF STREETS

No peddler shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he be permitted to operate in any congested area where his operations might impede or inconvenience the public. For the purpose of this Chapter, the judgment of a Police Officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced. (Ord. No. 2025, CC 1981 §52.080)

SECTION 625.090:LOUD NOISES AND SPEAKING DEVICES

No peddler, nor any person in his behalf, shall shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public places of said City or upon any private premises in the said City where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such licenses proposes to sell. (Ord. No. 2025, CC 1981 §52.090)

SECTION 625.100:EXHIBITION OF PERMIT

Peddlers are required to exhibit their licenses at the request of any citizen. (Ord. No. 2025, CC §52.100)

SECTION 625.110:REVOCAION OF LICENSE

Permits and licenses issued under the provisions of this Chapter may be revoked by the Mayor of this City after notice and hearing, for any of the following causes:

1. Fraud, misrepresentation, or false statement contained in the application for license.
2. Fraud, misrepresentation, or false statement made in the course of carrying on his business as peddler.
3. Any violation of this Chapter.
4. Conviction of any crime or misdemeanor involving moral turpitude.
5. Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public. (Ord. No. 2025, CC 1981 §52.110)

SECTION 625.120:NOTICE

Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the ground of complaint and the time and place of hearing. Such notice shall be mailed, postpaid to the permittee at his permanent address (as shown on his application) at least five (5) days prior to the date set for hearing. (Ord. No. 2025, CC 1981 §52.120)

SECTION 625.130:APPEAL

Any person aggrieved by the action of the Chief of Police or the City Clerk in the denial of an application for a permit as provided in Section 625.040, or in the decision with reference to the revocation of a license as provided in Section 625.110, shall have the right of appeal to the Board of Aldermen. Such appeal shall be taken by filing with the City Clerk, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Board shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in Section 625.120.

(Ord. No. 2025, CC 1981 §52.130)

CHAPTER 630: DECEPTIVE TRADE PRACTICES

SECTION 630.010:DEFINITIONS

As used in this Chapter, the following words and terms shall mean:

ADVERTISEMENT: The attempt by publication, dissemination, solicitation or circulation to induce directly or indirectly any person to enter into any obligation or acquire any title or interest in any merchandise.

MERCHANDISE: Any objects, wares, goods, commodities, intangibles, real estate or services.

SALE: Any sale, offer for sale, or attempt to sell merchandise for cash or on credit.
(Ord. No. 2025, CC 1981 §55.010)

SECTION 630.020:UNLAWFUL PRACTICES, EXCEPTION

- A. The act, use or employment by any person of any deception, fraud, false pretense, false promise, misrepresentation, or the concealment, suppression, or omission of any material fact with intent that other rely upon such concealment, suppression or omission, in connection with the sale or advertisement of any merchandise, is declared to be an unlawful practice; provided, however, that:
- B. Nothing herein contained shall apply to the owner or publisher of newspapers, magazines, publications or printed matter wherein an advertisement appears, or to the owner or operator of a radio or television station which disseminates an advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser; and provided, further, that nothing herein contained shall apply to any advertisement which is subject to and complies with the rules and regulations of and the Statutes administered by the Federal Trade Commission. That such an advertisement complies with the regulations of and the Statutes administered by the Federal Trade Commission shall be a defense which must be proven by one charged with violating this Section.
(Ord. No. 2025, CC 1981 §55.020)

SECTION 630.030:DECEPTIVE BUSINESS PRACTICES

A person commits the offense of deceptive business practice if in the course of engaging in a business, occupation, or profession, he recklessly:

1. Uses or possesses for use a false weight or measure, or any other device for falsely determining or recording any quality or quantity; or
2. Sells, offers, or exposes for sale, or delivers less than the represented quantity of any commodity or service; or
3. Takes or attempts to take more than the represented quantity of any commodity or service when as buyer he furnishes the weight or measure; or
4. Sells, offers or exposes for sale adulterated, or mislabeled commodities; or
5. Makes a false or misleading written statement for the purpose of obtaining property or credit.
(Ord. No. 2025, CC 1981 §55.030)

SECTION 630.040:DECEPTIVE BUSINESS PRACTICES--DEFINITIONS

In the construction of the preceding Section:

ADULTERATED: Varying from the standard of composition or quality prescribed by Statute or lawfully promulgated administrative regulations of the United States of America or of this State lawfully filed, or if none, as set by commercial usage.

MISLABELED: Varying from the standard of truth or disclosure in labeling prescribed by Statute or lawfully promulgated administrative regulations of the United States of America or of this State lawfully filed, or if none, as set by commercial usage; or represented as being another person's product, though otherwise accurately labeled as to quality and quantity. (Ord. No. 2025, CC 1981 §55.040)

SECTION 630.050:FALSE ADVERTISING

A person commits the offense of false advertising if, in connection with the promotion of the sale of, or to increase the consumption of, property or services, he recklessly makes or causes to be made a false or misleading statement in any advertisement addressed to the public or to a substantial number of persons. (Ord. No. 2025, CC 1981 §55.060)

SECTION 630.060:BAIT ADVERTISING

A person commits the offense of bait advertising if he advertises in any manner the sale of property or services with the purpose not to sell or provide the property or services:

1. At the price which he offered them; or

2. In a quantity sufficient to meet the reasonably expected public demand, unless the quantity is specifically stated in the advertisement;
3. At all. (Ord. No. 2025, CC 1981 §55.070)

SECTION 630.070:INCLUDED OFFENSES

The offense described in Sections 630.030 through 630.060 shall be included offenses in the unlawful practices prohibited by Section 630.020. No person shall be convicted of a violation of both Sections 630.020 and of one or more Sections 630.030 through 630.060, as a result of the same act by him.

(Ord. No. 2025, CC 1981 §55.080)

CHAPTER 635: PINBALL MACHINES, GAME ROOMS AND POOL HALLS

SECTION 635.010:PERMIT REQUIRED

No person shall set up or keep for use and operation for gain or profit within the corporate limits of the City of Bloomfield, Missouri, any pin ball machines, gaming device or panatrope without first having obtained a permit so to do. (CC 1981 §57.010)

SECTION 635.020:DEFINITIONS

GAMING DEVICE: Shall be deemed to mean or include any machine, device, pin ball machine, gaming table, pistol gallery, shooting gallery, muscle developer, lung tester, video game or ball alley where the payment of money is made and on which any person may play, test his skill or strength or lung power and compete with another in making a score, testing strength, skill or lung power.

PANATROPE: Shall be deemed to mean and include any juke box, music box, recorded music player, or musical instrument which is mechanically operated and which is started in operation by the deposit of a coin in a slot.

PERSON: Shall include any individual, firm, co-partnership, joint partnership, joint adventure, association, corporation, estate, business trust, trustee, receiver, syndicate, or any other group or combination acting as a unit, in the plural as well as in the singular number.

PIN BALL MACHINE: Shall mean or include any device or machine where the payment of money is made and the device put into operation by the deposit of a coin in a slot for the purpose of playing games with balls, marbles, or discs propelled by a plunger or level or otherwise. (CC 1981 §57.020)

SECTION 635.030:APPLICATION

Any person of good moral character may apply to the City clerk of the City of Bloomfield for a license as prescribed in this Chapter and, subject to the approval of the Board of Aldermen, a license shall be issued to the applicant upon payment of the fee herein prescribed and said permit shall be valid for a period of one (1) year from the date of issuance unless sooner revoked. The Board of Aldermen shall have the right to disapprove any permit so issued upon a finding by said Board that the holder of said license has permitted or is permitting prostitutes, known drunkards, or persons with criminal records to frequent or congregate on the premises where he is operating any pin ball machine, gaming device or panatrope, or, upon a finding by said Board that any pin ball machine, gaming device or panatrope under the control of a license holder has been

used while under his control as a gambling device or that any game of chance has been played thereon for money or profit. Upon such disapproval by the Board of Aldermen, said license shall be revoked and immediately become null and void and of no effect and shall be surrendered to the City Clerk at his office. (CC 1981 §57.030)

SECTION 635.040:REPRESENTATION

All persons applying for a permit under this Chapter, by the mere act of applying, represent that they are of good moral character, and that they will, if granted a permit, conform to abide by and comply with this and all other City ordinances pertinent to the license issued. Any misrepresentation on the part of any applicant for a permit shall give the Board of Aldermen the right to immediately revoke the privileges conferred by said license and declare the same inoperative, null and void and of no effect. (CC 1981 §57.040)

SECTION 635.050:DISPLAY LICENSE

All licenses as provided for in this Chapter shall be displayed in a conspicuous location in the license holder's place of business and are not transferrable or assignable or subject to refund if disapproved, surrendered, or revoked before the date of their expiration. (CC 1981 §57.050)

SECTION 635.060:GAMBLING PROHIBITED

Nothing in this Chapter shall be construed to permit any person to use a pin ball machine, gaming device or panatrope as a gambling device or to play any game of chance thereon for money or profit, or to permit a license holder or the agent or servant of a license holder under this Chapter to permit or suffer any pin ball machine, gaming device or panatrope to be used as a gambling device or to permit or suffer any person to play any game of chance thereon for money or profit. (CC 1981 §57.060)

SECTION 635.070:HOURS LIMITED

No establishment licensed under the provisions of this Chapter shall be open after 12:00 Midnight or before 7:00 A.M. on week days or before 1:00 P.M. on Sundays. (CC 1981 §57.070)

SECTION 635.080:EXCESSIVE NOISE PROHIBITED

Every license holder under the provisions of this Chapter shall at all times control the volume of any panatrope under his control so that the sound of the same shall not disturb

the peace and quiet of neighboring businesses or residents or otherwise create a nuisance.
(CC 1981 §57.080)

SECTION 635.090:LEWD OR IMMORAL SONGS

No license holder under the provisions of this Chapter shall permit or suffer any indecently suggestive, lewd or immoral song to be played on any panatrope under his control. (CC 1981 §57.090)

SECTION 635.100:USE BY MINOR

No license holder under the provisions of this Chapter shall permit or suffer any minor to use or operate any pin ball machine or gaming device under his control without the written consent of the parents or guardian of said minor. (CC 1981 §57.100)

SECTION 635.110:POLICE TO INSPECT

It shall be the duty of the Police Department to make frequent and regular inspections of the places of business of any license holder under this Chapter and to make complaint before the Municipal Judge for any violation of the provisions of this Chapter, any citizen may likewise make complaint and the Municipal Judge shall thereupon issue his process against the accused, and the case shall be tried as other cases, and it shall not be necessary for the Chief of Police or other person making complaint to give any notice to the person violating the provisions of this Chapter before making such complaint or before suit is brought.
(CC 1981 §57.110)