

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 719

H. P. 521

House of Representatives, January 24, 1961

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Plante of Old Orchard Beach by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the Town of Old Orchard Beach.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Municipal officers authorized to grant certain licenses. The municipal officers of the Town of Old Orchard Beach are authorized to grant licenses for the following businesses and purposes, in accordance with such rules and regulations not inconsistent with law, as the Town of said Old Orchard Beach may make, vote and establish by ordinance, and upon payment by the licensee of fees established by such ordinance not in excess of the schedule under section 3. Such licenses shall expire on the first day of May of each year, and no pro rate shall be allowed for any part-time license.

Sec. 2. Purpose. The purpose of this act is intended to provide the municipal officers of the Town of Old Orchard Beach a reasonable medium for control of certain businesses and purposes and to provide a source of revenue through license fees and license taxes.

Sec. 3. Schedule of fees.

Auctioneer.	\$25
Dog kennels (3 dogs or more).	10
The maintenance and operation of sidewalk tanks and pumps for the sale or distribution of gasoline and other volatile inflammable liquid for fuel or power.	5 per pump
Billiard tables and pool tables.	10 per table
Bowling alleys.	2 per alley
Junk yards.	25

Automobile junk yards.	\$ 25
Junk dealers.	25
Hawkers and peddlers (except persons raising their own merchandise).	25
Popcorn machines or wagons.	10
Merchandise demonstration booths.	15
Employment agencies.	25
Taxicabs having no specified routes or termini.	10 each taxicab
Outside amusements, exhibitions, vaudeville acts, stunts or public performances, at which an admission fee is charged.	25
Boxing and wrestling shows.	10 per show or 50 per season
Theatres or moving picture houses.	50
Victualers (food).	25
Victualers (food and malt beverages).	50
Victualers (food, malt beverages and vinous liquors).	100
Innholders, lodging houses, hotels and motels (of 10 lodging rooms or more).	25
Overnight cabins (10 cabins or more).	25
Tenting grounds and trailer parks.	50
Public shooting galleries.	25
Public dance halls.	50
Circuses.	100
Organ Grinders.	2 per day
Motor bus lines having specified routes or termini.	50
Maintenance of signs, flags, banners, awnings, marquees and other temporary or permanent structures, excepting the temporary and permanent structures of public utilities corporations, over the sidewalks, roads, ways and streets of said town.	5
Stands or booths for sale of merchandise.	25
Amusement casinos (25 machines or less).	100
Amusement casinos (over 25 machines).	200
Go-thru shows.	100
Merry-go-rounds.	100
Roller skating rinks.	50
Donkey go-thru rides (Coal Mine).	100
Pony rides.	100
Riding stables.	100
Animal drawn vehicles.	25
Miniature golf courses, indoors or outdoors.	25
Amusement rides (occupying less than 400 square feet).	25
Amusement rides (occupying 400 square feet or more).	50
Animal farms, animal fairs, animal forests or like designations.	200
Gift shops.	25
Bric-a-brac - linen stores. (Each store).	50
Beauty parlors and barber shops.	10

Jewelry stores.	\$ 50
Radio and TV stores.	50
Novelty stores.	50
Booths devoted to personal services, including but not limited to the following: art, sketches, astrology, handwriting analysis, personality reading.	25
Rental of bicycles.	10
Parking lots. (50c per car capacity).	50
Used car lots.	50
Vending machines. (Each).	2

Sec. 4. Suspension or revocation. Any license issued by the municipal officers of the Town of Old Orchard Beach under such ordinance may be suspended or revoked by the municipal officers upon hearing and for cause. The person to whom such license is issued shall have the right to appeal to the Superior Court and pending such appeal such license shall remain suspended. No refund of any part of a license fee shall be made in connection with the suspension or revocation of any license for cause.

Sec. 5. Suspension or revocation cause. The term "cause" as used in section 4 shall include the doing or omitting doing of any act, or permitting any condition to exist in connection with any trade, profession, business or privilege for which a license is granted under the provisions of such ordinance, or any premises or facilities in connection therewith, which act, omission or condition is:

- I. Contrary to the health, morals, safety or welfare of the public.
- II. Unlawful, irregular or fraudulent in nature.
- III. Unauthorized or beyond the scope of the license granted.
- IV. Forbidden by the provisions of state law or town ordinances, or any duly established rule or regulation of the town applicable to the trade, profession, business, privilege, act or operation for which the license has been granted.
- V. The result of failure to comply continuously with all conditions required as precedent to the approval of the license.

Sec. 6. Severability. If any section or provision, or parts thereof, of this act shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the act as a whole or of any other section or provision or part hereof.