

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 240316

Repealing Chapter 4, Article II, Code of Ordinances, Chapter 12, Article IV, Code of Ordinances, and Sections 40-95, 40-97, 40-107, 40-355, 40-362, and 40-363, Code of Ordinances.

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WHEREAS, the City of Kansas City (“City”) imposes conduct regulations and business license fees on various professions and occupations for the privilege of engaging in business within the City; and

WHEREAS, through Ordinance No. 230395, the City Council established the Small Business Task Force with the goal of developing a strategic plan to guide the City in the equitable development, funding, and retention of small businesses within the City; and

WHEREAS, the Small Business Task Force, in conjunction with the City Council, has identified several regulations and specialty license fees that are considered overly burdensome to small businesses in the City; and

WHEREAS, the City Council desires to repeal several conduct regulating ordinances and business license fees to decrease the regulatory burden on small businesses and reduce clutter within the City’s Code of Ordinances; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following sections of the Kansas City Code of Ordinances are hereby repealed:

- (1) Chapter 4, Article II, inclusive of Sections 4-31, 4-32, 4-33, 4-34, 4-35, 4-36, 4-37, 4-38, 4-39, and 4-40.

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~~Sec. 4-31. Purpose of article.~~

~~To protect the people against the nuisance of promiscuous distribution of handbills and circulars, particularly commercial handbills as defined in section 4-32, with the resulting detriment and danger to public health and safety, the public interest, convenience and necessity requires the regulation thereof and to that end the purposes of this article are specifically declared to be as follows:~~

- ~~(1) To protect the people against the unlawful activities or operations of persons representing themselves as solicitors, canvassers or handbill distributors, by requiring the registration of all such solicitors, canvassers or handbill distributors, together with the names of their employers, and by regulating the business of~~

~~handbill and advertising distribution through the imposition of reasonable license fees.~~

- ~~(2) To protect local residents against trespassing by solicitors, canvassers or handbill distributors upon the private property of such residents if they have given reasonable notice that they do not wish to be solicited by such persons or do not desire to receive handbills or advertising matter.~~
- ~~(3) To protect the people against the health and safety menace and the expense incident to the littering of the streets and public places by the promiscuous and uncontrolled distribution of advertising matter and commercial handbills.~~
- ~~(4) To preserve to the people their constitutional right to receive and disseminate information not restricted under the ordinary rules of decency and good morals and public order, by distinguishing between the nuisance created by the promiscuous distribution of advertising and commercial circulars and the right to deliver noncommercial handbills to all who are willing to receive the handbills.~~

Sec. 4-32. Definitions.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Commercial handbill* means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper or booklet or any other printed or otherwise reproduced original or copies of any matter or literature which:~~

- ~~(1) Advertises for sale any merchandise, product, commodity or thing;~~
- ~~(2) Directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;~~
- ~~(3) Directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of gain or profit; but the terms of this subsection shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expense incident to such meeting, theatrical performance, exhibition or event of any kind, when the event is held, given or takes place in connection with the dissemination of information that is not obscene under state law, or promoting the interests of any nonprofit organization, or in the furtherance of a civic or patriotic undertaking; provided that nothing contained in this subsection shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind, without a license, where such~~

~~license is or may be required by any law of this state or under any ordinance of this city; or~~

- ~~(4) — While containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.~~

~~*Handbill distributor* means any person engaging or engaged in the business for hire or gain of distributing commercial or noncommercial handbills, other than newspapers distributed to subscribers thereof, or neighborhood newspapers containing current news and information as well as advertising matter, distributed partly to subscribers and partly to the general public, and any person receiving compensation directly or indirectly for the distribution of such handbills.~~

~~*Newspaper* means any newspaper of general circulation, as defined by general law, any newspaper duly entered with the United States Postal Service in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law, or which has made or is making bona fide application for entry into the United States mails as second class matter, or any neighborhood newspaper containing current news and information as well as advertising matter, distributed partly to subscribers and partly to the general public; and, in addition thereto, any periodical or current magazine regularly published with not less than four issues per year and sold to the public.~~

~~*Noncommercial handbill* means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine or paper booklet, or any other printed or otherwise reproduced original or copies of any matter or literature not included in the definitions of commercial handbill and newspaper.~~

~~*Private premises* means any dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant; and any yard, grounds, walk, driveways, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.~~

~~*Public place* means any and all streets, boulevards, avenues, lanes, alleys or other public ways; and any and all public parks, squares, spaces, plazas, grounds and buildings.~~

~~Sec. 4-33. Placing handbills in or on automobiles.~~

~~It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast, or, through agents, employees or otherwise, to cause to be distributed, placed, thrown, scattered or cast, any commercial or noncommercial handbill in or upon any automobile or other vehicle. The provisions of this section shall not be deemed to prohibit the handing, transmitting or distributing of any noncommercial handbill to the owner or other occupant of any automobile or other vehicle who is willing to accept the handbill.~~

~~Sec. 4-34. Placing handbills on vacant private premises.~~

~~It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast, or, through agents, employees or otherwise, to cause to be distributed, deposited, placed, thrown, scattered or cast, any commercial or noncommercial handbill in or upon any private premises which are uninhabited or vacant.~~

~~Sec. 4-35. Placing handbills on premises contrary to request or notice.~~

~~It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast, or, through agents, employees or otherwise, to cause to be distributed, deposited, placed, thrown, scattered or cast, any commercial or noncommercial handbill upon any premises, if requested by anyone in authority not to do so, or if there is placed on such premises, in a conspicuous position near the entrance thereof, a sign bearing the words "No Trespassing," "No Peddlers or Agents," or "No Advertisement," or any similar notice indicating that the occupants of such premises do not desire to be molested or to have their right of privacy disturbed, or to have any such handbills left upon such premises.~~

~~Sec. 4-36. Manner of depositing handbills on private premises.~~

~~No person shall distribute, deposit, place, throw, scatter or cast any commercial or noncommercial handbill in or upon any private premises unless placed or deposited to prevent the handbill from being blown or drifted about such premises or elsewhere. Mailboxes may not be used when prohibited by federal postal laws or regulations.~~

~~Sec. 4-37. Compliance with article.~~

~~It shall be unlawful for any person to engage in the business of handbill distributor for hire, or for any person to distribute commercial or noncommercial handbills, without first complying with the terms of this article and all other applicable laws and regulations; provided that nothing contained in this article shall apply to any person advertising his business or activity upon his own premises, if such business or activity is regularly established at a definite location in the city, and if a license has been obtained therefor, if such license is required under the terms of any applicable law or ordinance.~~

~~Sec. 4-38. License.~~

~~(a) *Required; application.* Any person desiring to engage, as principal, in the business of distributing commercial or noncommercial handbills for hire, shall make application to and receive from the commissioner of revenue a license in the manner and for the period prescribed by the terms of this article and by all relevant provisions of this Code and other ordinances. Such applicant shall make written application to the commissioner of revenue upon a form provided for such purpose by the commissioner of revenue. Such form shall contain, among other things that may be required, the name, the business address and a brief description of the nature of the business to be conducted by the applicant, and the probable number of agents and employees so~~

to be engaged, together with a request for a license for the period for which the applicant seeks to engage in such business.

~~(b) *Revocation.* The commissioner of revenue may revoke the license obtained under an application containing a false or fraudulent statement knowingly made by the applicant with the intent to obtain a license by means of false or fraudulent representations, or for violation of this article.~~

~~(c) *Fee.* The application shall be accompanied by the fee provided in section 40-107. No license issued under this article shall be transferable, and, if any such license shall be surrendered by the licensee therein named or shall be revoked for cause, neither the licensee named in such license nor any other person shall be entitled to any refund of any part of such fee.~~

~~(d) *Duration.* The handbill distributors' annual licenses and semiannual licenses shall be dated and issued as of January 1 or July 1 and shall remain in effect for a period of one year or six months, respectively, from the date of issuance; and the handbill distributors' weekly or daily licenses shall remain in effect for a period of one week or one day, respectively, from the date of issuance.~~

~~(e) *Scope of requirements.* Persons acting for licensees, as agents or employees in the distributing of handbills, shall not be required to obtain a license or pay a fee, but each such person shall comply with each and all of the other provisions of this article and be subject hereto; provided that individual proprietors of neighborhood stores or shops desiring to distribute commercial handbills by their own employees may obtain a license so to do by the payment of an annual registration fee of \$1.00.~~

~~Sec. 4-39. Inapplicability of article to mail and newspaper distribution.~~

~~The provisions of this article shall not be deemed to apply to the distribution of mail by the United States, nor to newspapers as defined in this article.~~

~~Sec. 4-40. Effect of article on other ordinances.~~

~~This article shall not be deemed to repeal, amend or modify any ordinance prohibiting, regulating or licensing canvassers, hawkers, peddlers, transient merchants or any person using the public streets or places for any private business or enterprise, or for commercial sales, not covered in this article.~~

- (2) Chapter 12, Article IV, inclusive of Sections 12-141, 12-142, 12-143, 12-144, 12-145, 12-146, 12-147, 12-148, 12-149, 12-150, 12-151, 12-152, 12-153, 12-154, and 12-155.

~~Sec. 12-141. Definitions.~~

~~As used in this chapter:~~

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~~Director unless otherwise described, means the director of finance of the city or his designee.~~

~~Private dance means any dance given or held at any location by a non-profit club, society, association or corporation organized for civic, fraternal, or charitable purpose, having a permanent membership to which members are not admitted for casual or limited times only and for admissions or initiation as members to which the same fee, if any, is charged all persons becoming members thereof (except those becoming life members), and the dues to which are required to be paid for periods of not less than six months, and which club, society, association or corporation does not have any business or commercial purposes and which owns, rents, or maintains a place, building or house for the accommodation of its members for other material, social, civic, fraternal or charitable purposes besides that of dancing; and admission to which dance is granted to members and their invited guests only and from which the general public is excluded.~~

~~Public dance means every dance to which admission is or can be had or obtained by paying a fee or in connection with which any charge is made directly or indirectly for admission; and, generally shall include any dance to which the public can gain admission without the payment of any fee and includes every dance except "private dances" as defined in this section.~~

~~Public dance hall means any and every room, place, space, building or floor where a "public dance" is held or conducted.~~

Sec. 12-142. General provisions.

~~(a) Authority to prescribe additional regulations. The director shall have the power to promulgate regulations as may be necessary and feasible for the carrying out of the duties of his office and which are not inconsistent with the provisions of this article.~~

~~(b) Applicability. This article shall not apply to a dance conducted at and sponsored by a public or private elementary school, secondary school, college or university.~~

Sec. 12-143. License required.

~~(a) No person shall hold, conduct, operate or aid and assist in holding, operating or conducting any public dance as defined herein or to maintain or operate any public dance hall, restaurant, cabaret, public dance studio, room or place within the limits of the city without first securing from the director a license to do so under the terms of this article.~~

~~(b) Licenses to be issued shall be classified by duration of operation as follows:~~

~~(1) — One day.~~

~~(2) — One month.~~

~~(3) — One year.~~

~~Sec. 12-144. Permit required.~~

~~The commissioner of revenue or designee shall not issue a license for any public dance place described in this article unless the applicant for such license presents to him or her a permit to conduct a public dance at the location applied for, issued to such applicant by the director.~~

~~Sec. 12-145. Application for permit.~~

~~The applicant for a permit required by this article must furnish the director, in writing, on blanks to be provided by the director for that purpose, the following:~~

- ~~(1) The trade name and location of any such hall, restaurant, cabaret, public dance studio, room or place; and the bounds of the premises to be covered by such license.~~
- ~~(2) The name and address of an individual applicant and the trade name under which business is to be conducted; if the applicant is a corporation, its name, date and place of incorporation, address of its principal place of business, and names of its principal officers, together with their respective residence addresses; and, if the applicant is a partnership or association, the names of the partners or other persons comprising the association and the business and residence address of each partner or person, and the trade name under which business is to be conducted.~~
- ~~(3) The classification of license applied for, including the days and hours of the week at which such dancing shall be permitted or conducted and the age group of the public to be invited.~~
- ~~(4) Proof that the individual applicant, each of the individual members if a partnership, or each of the principal officers if a corporation, is at least 18 years of age.~~
- ~~(5) Other information as the director may determine to be necessary in the administration of this article and shall require by regulation.~~

~~Sec. 12-146. Compliance with other regulations.~~

~~No permit required by this article shall be issued until the applicant has shown to the satisfaction of the director that the premises upon which dancing by the public is to be licensed complies with the building codes, zoning, fire, health and property maintenance ordinances of the city and with regulations of such departments of the city.~~

~~Sec. 12-147. Character of licensee and employees.~~

~~(a) No person, partnership or corporation shall be or remain qualified for a license under this article if such person, any member of such partnership, any officer or director of such~~

corporation, or any agent, servant or employee of such applicant or licensee shall not be a person of good moral character. The director shall conduct an investigation for the purpose of making this evaluation.

(b) ~~No permit shall be issued to any applicant, nor shall any license be retained by any licensee, if the individual, any member of the partnership, any officer or director of a corporation, or any agent, servant or employee of such applicant or licensee shall have been convicted of any drug or narcotic offense, sexual offense, prostitution, or offense involving the welfare or abuse of a child or minor during the five years immediately prior to the date of application, or during the duration of the license.~~

Sec. 12-148. Denial of permit.

(a) ~~Authority of director.~~ The director may refuse to grant a permit under this article for failure to comply with section 12-144, 12-145 or 12-146, or upon finding from previous experience or upon investigation of the proposed location that the operation of such a business or establishment will not be in the best interest of the locality involved. Failure of the director to grant a permit within 45 days of the receipt of the completed application shall be deemed denial of the application.

(b) ~~Right to hearing.~~ Any applicant aggrieved by the refusal of the director to issue a permit may request, and the director shall hold, a hearing in the manner provided in this article to determine whether such permit shall be granted. The request shall be made in writing within ten days after the applicant has been notified of the refusal of the director to grant the permit.

(c) ~~Criteria.~~ In determining whether or not the proposed business is in the best interest of the locality involved, the director shall consider:

- ~~(1) Whether the proposed premises are within 250 feet of residentially zoned property and whether operation of the business or establishment will create a nuisance to that property;~~
- ~~(2) Whether the operation of the business or establishment will create a noise disturbance as defined in chapter 46;~~
- ~~(3) Whether the operation of the business or establishment will prove a menace to the public safety; and~~
- ~~(4) Whether the operation of the business or establishment will cause traffic congestion or parking problems, or cause or contribute to crime or disturbances in the locality.~~

Sec. 12-149. Hearing procedure.

~~(a) In any instance in this article wherein a hearing is required, the director shall, after no less than ten days' written notice to interested parties, hold such hearing to ascertain all facts in the matter.~~

~~(b) An applicant or licensee shall have full right to be represented by counsel, to produce witnesses and other evidence, and to cross-examine all witnesses who appear against him. Oral evidence shall be taken only upon oath or affirmation. All proceedings in such hearing shall be recorded and transcribed as required by law. The director may receive evidence relevant to the issues from the applicant or licensee or from other sources. Witnesses may be subpoenaed, and, upon request of any party, the director shall issue subpoenas, and, in a proper case, subpoenas duces tecum, which shall be served and returned as in civil actions in the circuit court.~~

~~(c) The director shall issue findings of fact and conclusions of law, and an order wherein he may issue or refuse to issue a permit, or dismiss the complaint, or suspend or revoke a permit previously issued, or renew or refuse to renew a permit previously issued. The director's order shall be served upon the applicant or licensee in person or by registered or certified mail to the applicant's or licensee's last known address. If the director suspends or revokes or refuses to renew a permit previously issued, he shall notify the commissioner of revenue, who shall, in reliance thereon, suspend, revoke or not renew the license issued pursuant to that permit.~~

~~Sec. 12-150. Violations by licensee or employees.~~

~~It shall be unlawful for any licensee mentioned in this article, or his agent, servant or employee, to:~~

- ~~(1) — Permit the licensed premises to remain open for business between the hours of 1:30 a.m. and 7:30 a.m.; except that those businesses which have obtained a Convention Trade Area 3:00 a.m. closing permit in accordance with section 10-126 may remain open until 3:00 a.m.~~
- ~~(2) — Permit any disturbances, disorderliness, lewdness, immoral activities or brawls on the premises.~~
- ~~(3) — Allow or permit alcoholic beverages, as defined in chapter 10, to be brought onto or consumed on the premises, unless such premises are properly licensed for the sale or consumption of alcoholic beverages.~~

~~Sec. 12-151. Responsibilities of licensee.~~

~~The licensee under this article is at all times responsible for the conduct of the business and for any act or conduct of any employee on the premises which is in violation of this article or regulations of the director. It shall be the duty and responsibility of the licensee and the person in charge of the licensed premises to supervise the operation and conduct of the business in a diligent manner and to make reasonably certain the provisions of this article and regulations of the director are not violated.~~

~~Sec. 12-152. Inspections.~~

~~The director is hereby empowered to appoint inspectors of public dance halls and places licensed for dancing by the public, and all such places shall be open to the inspections of the director or inspectors appointed by him or to any member of the police department at any time during the hours allowed for business and at other reasonable times.~~

~~Sec. 12-153. Suspension or revocation of license.~~

~~Whenever the director has information that:~~

- ~~(1) A licensee under this article or any employee, agent or servant has violated any of the provisions of this article;~~
- ~~(2) The license or permit held by such person was obtained through materially false statements in the application for such license or permit, or renewal thereof;~~
- ~~(3) A licensee failed to make a complete disclosure of all pertinent information in the application for such license or permit, or renewal thereof; or~~
- ~~(4) Any of the conditions listed in section 12-148 has developed subsequent to the issuance of the permit; then the director shall hold a hearing in the manner provided in this article to ascertain all facts in the matter. Notice of such hearing shall be in writing and shall set forth the reason for the hearing or the complaint against the licensee and shall be served upon the licensee in person or by registered or certified mail to the licensee's last known address. If the director finds and concludes from the evidence that the licensee or any employee, agent or servant has violated any of the provisions listed in this section, he may suspend, for a period not to exceed 90 days, or revoke the permit issued under this article.~~

~~Sec. 12-154. Renewal of permit.~~

~~(a) Permits issued under this article may be renewed, depending on the duration of operation, by making application to the director on forms provided for that purpose. One year licenses shall expire on December 31 of each calendar year, and renewal applications for such licenses shall be submitted before such expiration date.~~

~~(b) If the director has information that the applicant has not satisfied or does not continue to satisfy all the other requirements of this chapter, the director, in his discretion, may refuse to renew such permit. In the event of such refusal, the applicant shall be granted a hearing before the director, to be held in the manner provided in this article. Notice of such hearing shall be held in writing, and shall set forth the reason for the hearing or the complaint against the licensee, and shall be served upon the licensee in person or by registered or certified mail to the licensee's last known address.~~

~~Sec. 12-155. Penalty for violation of article.~~

~~It shall be unlawful for any person to keep or operate a dance hall as defined in this article without having secured a license, or to violate any of the other provisions of this article. Upon conviction thereof, such person shall be punished by a fine not less than \$100.00 and not more than \$500.00, or be punished by imprisonment in a correctional institution, not to exceed six months, or be punished by both fine and imprisonment. Each and every day that such a public dance hall or place where dancing by the public is permitted or conducted without a license shall constitute a separate offense.~~

- (3) Section 40-95. Concert, professional, manager or agent.

~~Sec. 40-95. Concert, professional, manager or agent.~~

~~Any person acting as manager or agent for professional concerts shall procure a license for such vocation and shall pay therefor an annual fee of \$62.50; provided that for each concert in excess of ten given in any year there shall be an additional fee of \$6.25 for each additional concert.~~

- (4) Section 40-97. Dance hall or dance house.

~~Sec. 40-97. Dance hall or dance house.~~

- ~~(a) Per day \$15.00~~
- ~~(b) Per month 18.75~~
- ~~(c) Per year 125.00~~

- (5) Section 40-107. Handbill distributor.

~~Sec. 40-107. Handbill distributor.~~

- ~~(a) Annual license \$125.00~~
- ~~(b) Semiannual license 62.50~~
- ~~(c) Weekly license 12.50~~
- ~~(d) Daily license 3.00~~
- ~~(e) For purposes of this section, the term "handbill distributor" includes tacking companies.~~

- (6) Section 40-355. Moving, transfer, cartage or trucking business.

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~~Sec. 40-355. Moving, transfer, cartage or trucking businesses.~~

~~(a) *Scope of section.* Any person who shall haul or transport for hire pianos, household goods and furniture, office furniture and fixtures, store furniture and fixtures, baggage, personal effects, merchandise, perishable goods (except ice), lumber, manufacturers' raw material (except coal), tradesmen's tools, machinery of any kind, sand, rock, crushed rock, dirt, trash, raw materials or building materials from any place within the city, or to or from any place within the city, is hereby declared to be in the moving, transfer, cartage or trucking business.~~

~~(b) *License required for each vehicle.* Such person shall obtain a license for each vehicle used in his business as set out in this section, and shall display on the vehicle a separate occupational license tag for each vehicle so used.~~

~~(c) *License fee.* The annual license fee for each such truck, of any load or tonnage, shall be \$9.50.~~

- (7) Section 40-362. Theaters, including moving and motion picture shows—License fee.

~~Sec. 40-362. Theaters, including moving and motion picture shows—License fee.~~

~~(a) *Amount.* The license fees for theaters, including moving and motion picture shows, shall be as follows:~~

- ~~(1) — Those charging an admission of not more than \$0.15, per year \$50.00~~
- ~~(2) — Those charging more than \$0.15 and not more than \$0.25 admission, per year 100.00~~
- ~~(3) — Those charging more than \$0.25 and not more than \$0.35 admission, per year 150.00~~
- ~~(4) — Those charging more than \$0.35 and not more than \$0.50 admission, per year 200.00~~
- ~~(5) — Those charging more than \$0.50 and less than \$1.50 admission and having a seating capacity of less than 2,000, per year 300.00~~
- ~~(6) — Those charging \$0.50 and less than \$1.50 admission and having a seating capacity of 2,000 and less than 3,000, per year 400.00~~
- ~~(7) — Those charging \$0.50 and less than \$1.50 admission and having a seating capacity of 3,000 or more, per year 500.00~~
- ~~(8) — Those charging \$1.50 admission or more, per year 750.00~~

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~~(b) Determination of seating capacity of drive-in theater. In determining the seating capacity of a drive-in theater, an automobile parking space shall be equal to $2\frac{1}{4}$ seats.~~

- (8) Section 40-363. Same—Additional license fee in case of temporary increase in admission prices.

~~**Sec. 40-363. Same—Additional license fee in case of temporary increase in admission prices.**~~

~~(a) Effect of temporary increase. Any licensee may temporarily increase the maximum admission price used as a basis for a license procured under section 40-362 for periods not to exceed four weeks in all in any calendar year, but, if such increase in maximum admission price is for periods totaling more than four weeks in any calendar year, then for each semiannual period of such calendar year during which such increase in maximum admission price exceeds periods totaling more than four weeks in the calendar year, such licensee shall pay the difference between the license fee originally due or paid for such semiannual period and the total license fee required for such semiannual period by such maximum increased admission price. If such licensee has so paid an increased license fee during the first semiannual period of any calendar year, and thereafter in the same calendar year again charges an increase over the maximum admission price, such licensee shall again pay an additional license fee, as provided in this subsection, for the last semiannual period of the calendar year.~~

~~(b) Notice of temporary increase. Each licensee shall, not later than one day prior to the commencement of any period during which any temporary increase in maximum admission price is to be charged, give written notice thereof to the commissioner of revenue, stating the calendar days or weeks during which the increased maximum admission price is to be charged, and any licensee failing to give such written notice within such time shall pay to the commissioner of revenue an additional fee of \$5.00 on account of such failure.~~

~~(c) Payment. Within ten days after any periods totaling more than four weeks in any calendar year during which such increase in maximum admission price shall have been charged, such licensee shall also remit to the commissioner of revenue the additional license fee required by such increased maximum admission price.~~

~~(d) Required information in application for license removal. Upon making any application for renewal of license at the end of any semiannual or annual period, the licensee shall, in the written application for license, make a statement giving the total number of days or weeks, by calendar dates, during the preceding license period, when such increased admission prices were charged.~~

Approved as to form:

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Samuel Miller
Assistant City Attorney