

ORDINANCE NO. 1210 FOURTH SERIES.

AN ORDINANCE REGULATING KEEPERS OF ROOMING HOUSES WITHIN THE CITY OF SACRAMENTO; REQUIRING PERMITS BEFORE ENGAGING IN SUCH BUSINESS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1: It shall be unlawful for any person, firm or corporation to engage in the business of rooming house keeper within the limits of the City of Sacramento without having first procured a permit so to do as provided herein.

SECTION 2: Every person, firm or corporation desiring a permit to engage in the business of rooming house keeper shall apply for such a permit to the City Manager of the City of Sacramento upon application form as required by said Manager.

SECTION 3: The application form shall require a statement under oath furnishing the following information:

- 1: The location of the house or place and the number of all rooms contained therein.
- 2: The number of rooms rented or to be rented for lodging or sleeping purposes.
- 3: The name of all persons who are interested in any way in the operation of the rooming house.
- 4: The name or names of the owners of the legal title and of any leases on the property.
- 5: The name or names of the persons who will be employed on the premises to conduct the business carried on thereon.
- 6: If more than one person is interested in the operation of the rooming house, each of the persons so interested shall be required to sign the application.
- 7: A statement by each of the persons interested in the conduct of the rooming house as to each conviction of each person so interested of a crime involving moral turpitude and the time and place of such conviction.

- 8: Each person so interested shall give a reference of two residents of the City of Sacramento who have resided therein for a period of at least five years.
- 9: Each person interested shall give the nature of his employment for a period of at least five years immediately preceding the date of the application, the names of employers, if any, and the place of employment.
- 10: Such other relevant information as may be required by the City Manager.

SECTION 4: Upon receipt of such an application by the City Manager, he shall cause an investigation to be made by the Chief of Police of the City of Sacramento and the said Chief shall report to the City Manager stating in his report such information as may be relevant in determining whether the said rooming house will be operated in a quiet, lawful and peaceable manner.

SECTION 5: If, after consideration of the information supplied in the application, the information contained in the report of the Chief of Police and such other reliable and relevant information as may be secured, the City Manager finds that the persons interested in the operation of the rooming house are morally qualified and that the probability is that the rooming house will be operated in a quiet, lawful and peaceable manner, the City Manager shall issue a permit to the persons so applying allowing those persons to operate a rooming house within the City of Sacramento, otherwise he shall deny the issuance of a permit.

SECTION 6: The permit issued herein shall not be transferable and shall be effective for a period of one year from the date of issuance. Renewal thereof may only be made by filing a new application.

SECTION 7: The Assessor-Collector of the City of Sacramento shall not issue a license to conduct a rooming house within the limits of the City of Sacramento until the permit required herein has been granted and any license issued after the effective date of this ordinance without such a permit having been granted shall be invalid for any purpose.

SECTION 8: For the purposes of this ordinance, every person, firm, or corporation keeping a house or place for the rental of rooms for lodging or sleeping purposes, by the day, week or month, such rental not to include board, whether denominated or known as a hotel, lodging house, rooming house or apartment house, is hereby declared to be a rooming house keeper and such house or place is for the purposes of this ordinance designated as a rooming house.

SECTION 9: The provisions of this ordinance shall not apply to persons, firms or corporations who, on the effective date of this ordinance, are operating rooming houses within

the City of Sacramento pursuant to a city license granted therefor, until six months after the effective date of this ordinance. Provided, however, upon the expiration of said six months' period, each such person, firm or corporation must apply as provided herein.

SECTION 10: Any person, firm or corporation who is dissatisfied with the action of the City Manager in either granting or refusing to grant a permit as required herein may appeal to the City Council for a hearing to review the action of the City Manager. Such appeal shall be made by filing a request for an appeal with the City Clerk within ten days after the action of the City Manager in either granting or refusing to grant the permit. The City Clerk shall forward the appeal to the City Council and a hearing shall be set thereon within twenty and not less than ten days from the receipt of the appeal by the City Clerk. Notice of the hearing on the appeal shall be sent to all persons interested in the operation of the rooming house and to the person so appealing by mail at least five days prior to the date of the hearing. If, after hearing relevant evidence concerning the propriety of granting or refusing to grant the permit, the City Council is satisfied that the action of the Manager should be overruled, the Council may then so do by a vote of at least six members thereof.

SECTION 11: The permit provided herein shall be revoked by the City Manager when the rooming house operating pursuant to such permit is operated in violation of any city ordinance, the laws of the State of California, or in such a manner as to constitute a nuisance or any of the persons interested in the operation of said rooming house knowingly allow violations of the law to be committed on the premises.

The procedure for revocation of a permit shall be as follows: Upon receipt of information that grounds exist for the revocation of a permit, the City Manager shall set the same for hearing at a time within 20 and not less than 10 days. The persons interested in the operation of the rooming house shall be notified by mail of the date of the hearing at least 5 days before the date so set. At the hearing, the persons interested in the permit shall have the right to present evidence on their behalf, examine witnesses against them and be represented by an attorney. If, after consideration of all of the evidence presented, the City Manager is satisfied that the rooming house was operated in violation of a city ordinance of the City of Sacramento, or a law of the State of California, or in such a manner as to constitute a nuisance, or any of the persons interested in the operation of the rooming house knowingly allowed violations of law to be committed on the premises, he shall revoke the permit.

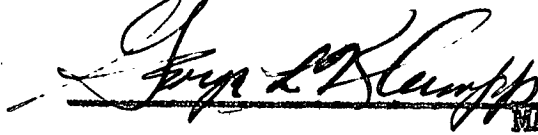
SECTION 12: Any person, firm or corporation violating any of the terms of this ordinance shall be guilty of a misdemeanor and shall be punished by imprisonment in the City Jail of the City of Sacramento for a period not to exceed six months or by fine in a sum not to exceed \$500.00, or by both such fine and imprisonment.

SECTION 13: If any section or phrase of this ordinance shall be declared to be invalid, void or unconstitutional, the remainder shall continue in full force and effect.

SECTION 14: This ordinance is hereby declared to be an emergency measure and shall take effect immediately; such emergency being that recent applications have been made for licenses to operate rooming houses in the City of Sacramento and the present ordinances do not provide for an investigation of the character of the applicant, nor is authority provided to deny a license or permit to operate a rooming house to a disqualified person or persons and therefore it is possible that undesirable persons may become licensed to operate rooming houses in the City of Sacramento contrary to the best interests of the health, safety and morals of the people of the City of Sacramento.

PASSED: September 13, 1946

EFFECTIVE: September 13, 1946


MAYOR.

ATTEST:


CITY CLERK.