

AN ORDINANCE AMENDING SECTIONS 17-226 THROUGH 17-255, CITY CODE RELATED TO FORTUNETELLING; MODIFYING PERMIT AND APPLICATION REQUIREMENTS; PROVIDING FOR APPEALS, DENIAL OF APPLICATIONS AND REVOCATIONS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Section 17-226 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 17-226. Business tax receipt required; exceptions.

(a) It shall be unlawful for any person to engage in the business of a phrenologist, astrologer, palmist, soothsayer, fortuneteller, character reader, spirit medium, absent treatment healer, or mental healer, or any occupation of a similar nature for hire in the City without first obtaining a City business tax receipt.

(b) This section does not apply to ministers or regularly ordained ministers of churches or members of Florida State Spiritualist Ministerial Association whose charters are filed in the Library of Congress and are on record in the State Capitol in Tallahassee.

Section 2. Section 17-251 of the St. Petersburg City Code is hereby renumbered to be Section 17-227 and amended to read as follows:

Sec. 17-227. Application and procedures.

(a) *Permit application procedure.* No license to engage in any occupation for which a license is required by Section 17-226, shall be issued to any person unless such person receives a permit therefore from the POD, which shall be subject to the following procedures:

(1) Each applicant for a permit required by this section shall make application to the POD on forms to be supplied by the POD, which application shall contain the information required by the POD. The applicant shall furnish all the information required by the form, as well as a nonrefundable processing fee for the permit and any renewal thereof.

(2) The Police Department shall take the fingerprints of each applicant and shall retain them along with the application.

(b) Upon the filing of the initial application or an application for renewal, the Police Department shall cause the applicant to be investigated. The Police Department shall apply the criteria for public vehicle driver's permits (currently Section 28-6) and shall deny the application if any of the criteria are met, except the criteria related to violations of motor vehicle laws. Upon

the issuance of a permit, the Police Department shall also issue the applicant a photo identification card.

(c) Permits shall be valid and may be renewed in the manner provided for public vehicle driver's permits (currently Section 28-6).

(d) Permits may be revoked if the permit holder is found to have violated any of the criteria after the issuance of the permit.

(e) Appeal of a decision to deny or revoke a permit shall follow the procedure for the appeal of public vehicle driver's permits (currently Section 28-6).

Section 3. Sections 17-252 through 17-255 of the St. Petersburg City Code are hereby removed from the City Code.

Section 4. Words that are underlined are additions to, and words that are in margin balloons are deletions from, the existing St. Petersburg City Code.

Section 5. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

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City Attorney (designee)