ORDINANCE NO. 44.

An ordinance repealing Ordinance No. 28, and providing for the regulation of the sale of intoxicating liquors, to provide for the procuring of a license by all persons engaged in the sale of such liquors and fixing the amount thereof ~~the times and dates upon which places in which such liquors are sold may be closed, and to provide for the removal from such places the screens, blinds, shutters and other obstructions of like character.~~

Be it ordained by the Mayor and Council of the City of Payette:

Section 1. It shall be unlawful for any person or persons, by themselves, or by their agents, or otherwise, to sell spirituous, malt, fermented, or vinous liquors within the corporate limits of the City of Payette, except by druggists, as hereinafter provided, without having first secured a license therefor from the Council of said City.

Section 2. All applications for license shall and must be accompanied with a receipt from the City Treasurer for the amount of such license as hereinafter set forth.

Section 3. All persons sellin g spirituous, malt, fermented or vinous liquors to be drank in, on, or about the premises, where sold within the corporate limits of the City of Payette shall pay a license of Fiv ~~Six~~ Hundred Dollars per year, or One Hundred and twenty five ~~twenty five~~ Dollars each quarter; the several quarterly payments to be made on the first day of the months of May, August, November and February of each year, no license to be issued for a period of less than three months, except that persons commencing business during a quarter as above mentioned, may pay pro rata for the unexpired portion of the quarter, and should the State license of any person engaged in the sale of liquors as above mentioned, expire during the quarter, such person may pay for such time of said quarter as his State license shall run.

Section 4. All persons selling spirituous, malt, fermented, or vinous liquors in any quantity whatever, not to be drank in, on, or about the premises where sold within the corporate limits of the said City of Payette, shall pay a license of Fiv hundred Dolaars per year, or One hundred and twenty five dollars quarterly, the several quarterly payments to be paid at the time set forth in Section 3 of this ordinance, and a proportionate amount for a less period, under the circumstances as set forth in said Section 3.

Section 5. It shall be lawful for regular druggists or apothecaries to sell without license, spirituous and vinous liquors for medical purposes, upon the written prescription of a regular practicing physician of this State, who certifies that in his opinion the health of the party to whom the liquor is to be sold, requires, or would be promoted by the use of the particular kind of liquor prescribed. Druggists and apothecaries may also, without license, sell wine for sacramental and scientific purposes.

Section 6. No person engaged in the sale of intoxicating liquors by the drink, under the provisions of this ordinance, shall allow any female to serve in, or about the premises where such liquors are sold or kept for sale, nor allow minors to frequent such premises, nor keep a disorderly house, nor allow boisterous or disorderly conduct therein, nor allow the quiet of the neighborhood to be disturbed by loud or unusual noise therein, nor allow any threatening, abusive or obscene language therein, nor by any other means or method, disturb the peace and quietude of the said city, or any part thereof.

~~Section 7. The giving away of intoxicating liquors of any kind,~~ or any other shift or device to evade the provisions of this ordinance, shall be deemed and held to be an unlawful selling within the provisions of the same.

Section 8. It shall be deemed a violation of this ordinance for any person to sell or give away spirituous, malt, fermented or vinous liquors to a minor, under the age of twenty-one years, or for any proprietor of a saloon, in the City of Payette, to allow any minor between the ages of five and twenty-one years to frequent or enter his saloon.

~~Section 9. No person or persons engaged in the selling, or offering for sale of spirituous, malt, fermented or vinuous liquors within the corporate limits of the City of Payette, under the provisions of this ordinance, shall have, allow or keep in or about the front of the building in which such liquors are sold or offered for sale, or upon or about the windows thereof, any screen, shutter, blind, frosting, paint, or any other article or substance, which may or can obstruct the view from the street or sidewalk into the interior of such building; and the owner, proprietor,~~

or offered for sale manager or tenant of any and all buildings in which such liquors are sold within the said City of Payette, shall take and remove from the same any and all such screens, shutters, blinds, frosting, paint or other article or substance which are now, or may be in or about the said building or buildings, as herein prohibited, within ____ days after notice to remove the same has been served upon such person or persons by the City Marshal.

Section 10. All persons, or their agents or employees, owning or operating a house or other place in which intoxicating liquors are sold or offered for sale, within the said City of Payette, under the provisions of this ordinance, shall close, or cause the same to be closed promptly at Eleven o'clock P.M. of each and every day, and cause the same to remain closed until Six o'clock A.M. of the following day, and allow no person or persons to enter the said place or building during the interim between Eleven o'clock P.M. of any one day, and Six o'clock A.M. of the following day; Provided that each and every place or building in which intoxicating liquors are sold or offered for sale in the City of Payette, as hereinbefore described, shall be closed by their respective owners, agents or employees, promptly at Eleven o'clock P.M. on Saturday of each week, and remain closed until Six o'clock A.M. of the following Monday, and no owner, agent or employee of said place or building shall suffer or permit any person or persons to enter the same between the said times and dates.

Sec 11 Section ~~10~~ 9 Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than Ten dollars and not more than One Hundred Dollars, and in default in the payment thereof, shall be confined in the City jail not to exceed on day for each and every Two dollars of said fine. Each and every violation of this ordinance shall be deemed and held to be a separate offense.

Sec 10 Section ~~11~~ 10 Ordinance No. 28 of the City of Payette, Idaho, and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Passed and approved this 21st day of June 1904.

F. Crighton
Mayor.

Attest,

Geo W. Baker
City Clerk.