

860

ORDINANCE NO. 28.

An ordinance to regulate the sale of intoxicating liquors.

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

Section I. It shall be unlawful for any person by himself, or by his agent, 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 II. All applications for license shall and must be accompanied with a receipt of the city treasurer for the amount of such license as hereinafter set forth. 102

Section III.

All persons selling 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 one hundred dollars per year, or twenty-five dollars quarterly; the several quarterly payments to be paid 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 a pro rata for the un-<sup>102</sup>expired portion of the quarter, and should the state license of any person engaged in the sale of ~~any~~ 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 IV. 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 twenty-five dollars per year, or six and twenty-five hundredths dollars quarterly, the several <sup>102</sup>quarterly payments to be paid at the time set forth in section three of this ordinance, and a proportionate amount for a less period, under the circumstances as set forth in said section three

Section V. It shall be lawful for regular druggists or apothecaries to sell without license, spirituous and vinous liquors for medical purposes, upon the written perscription 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 VI. 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, or allow minors to frequent such premises or keep a disorderly house, or allow boistrous or disorderly conduct therein, or allow the quieta of the neighborhood to be disturbed by loud or unusual noise therein, or allow any threatening, abusive or obscene language therein, or by any other means or method, disturb the peace and quietude of the said city, or any part thereof.

Section VII. 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 VIII. It shall be deemed a violation of this ordinance for any person to sell or give away spiritous, 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 saalon.

Section IX. Any person violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than ten dollars and not more than one hundred dollars, to which may be added imprisonment in the city jail not to exceed twenty days, and each violation shall be deemed and held to be a separate offense.

Section X. All ordinances in conflict with this ordinance are hereby repealed.

Passed and approved this 9 day of Sept 1903

E. M. Satoris

Attest: Geo. W. Parker Clerk.

mayor.

700