



ORDINANCE NO. 73

AN ORDINANCE TO REGULATE AND LICENSE THE SALE OF INTOXICATING LIQUORS, WITHIN THE CORPORATE LIMITS OF THE CITY OF REXBURG, AND PROVIDING PUNISHMENT FOR THE VIOLATION OF ANY OF THE PROVISIONS THEREOF.

BE IT ORDINANED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I: It shall be unlawful for any person by himself or his agent, agents or otherwise, to sell spirituous, malt, fermented, or vinous liquors within the corporate City of Rexburg, except by druggists or apothecaries, on a written prescription from a republic physician, without first having secured a license therefore from the Council of the said City.

SECTION II: All applications for license shall, and must be accompanied by the receipt of the City Clerk for the amount of such license as hereinafter set forth.

SECTION III: The City Council shall grant licenses as contemplated in Section I of this Ordinance to any person over the age of twenty one years, upon application being made for such license by petition signed by the applicant and filed with the Clerk, and compliance by the applicant with the further provisions of this Ordinance. Said petition must state definitely the particular place at which any of the liquors named in Section I of this Ordinance are intended to be sold, bartered and dealt out, and whether he intends to carry on retail or wholesale business. The applicant shall also file with said petition a bond to the City, conditioned that during the continuance of his license he will keep an orderly and will regulated house; and that he will not allow gambling with cards, dice, or any other device or implements used in gambling, within his house, outback, yard or other premises under his control; and that he will pay all damages, fines and forfeitures which may be adjudged against him under the provisions of this Ordinance; and that he will not sell, give away or otherwise dispose of any of the liquors mentioned in this Ordinance at any time during the first day of the week commonly called Sunday; and that he will not permit dancing or drunkenness, or sleeping or lodging or lounging in a loafing or idle manner on his premises in the night time, or the loitering of any minor or female on his premises at any time. The penalty of said bond shall be one thousand dollars (\$1,000.00) with two or more sufficient sureties, to be approved by the Mayor of this City. Said sureties must justly on oath before some officer authorized to administer oaths, that they are residents of this City, and worth the amount justified to, over and above all debts and liabilities, exclusive of property exempt from execution. Such justifications must be in writing, signed by the persons justifying, and certified to by the officer who administers the oath, and attached to and filed with the bond.

SECTION IV: 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 City or Rexburg, shall pay a license of five hundred dollars per year, one hundred and twenty-five dollars quarterly, the several quarterly payments to be paid on the first days of the months of May, August, November, and February of each year, and no license is to be issued for a period 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; but in all cases, no credit shall be allowed for any time that may have expired of the quarter in which such business is commenced.

SECTION V: 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 Rexburg, shall pay a license of Two Hundred Dollars per year and no license shall be issued for a less or longer period than one year.

SECTION VI: No person engaged in the sale of intoxicating liquors by the drink, under

CITY OF REXBURG, AND PROVIDING PUNISHMENT FOR THE VIOLATION OF ANY OF THE PROVISIONS THEREOF.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 7th day of September, 1903.

A. M. Carbine, City Clerk

(SEAL)

AMENDED BY ORD. 74