



ORDINANCE NO. 75

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.

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 at the rate 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.

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 at the rate of Two Hundred Dollars per year, fifty dollars quarterly, the said quarterly payments to be made at the times and in the manner prescribed in Section 4.

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 boisterous or disorderly conduct therein or allow the quietude of the neighborhood to be disturbed by loud or unusual noise.

SECTION VII: No musical instrument shall be played upon, nor any vocal or instrumental music sang or played in any saloon where liquors are retailed under license granted by the City, so as to be heard upon any public street or sidewalk of the City.

SECTION VIII: No keeper of any saloon, shall have or keep in connection, or as part of such Saloon, any wine room or any other place either with or without doors, curtain or curtains, or screen of any kind, into which any person shall be allowed to enter for the purpose of being

supplied with any kind of liquor whatsoever, or for any other purpose.

SECTION IX: Any and all persons applying for and obtaining a license under the provisions of this ordinance, shall at all times keep their windows and doors unobstructed by any covering such as screens, blinds, artificial frostings or any other such obstruction that will preclude the public from securing a clear view of the interior of any building in which intoxicating liquor is retailed. They shall also keep all doors of the building in which said liquors are licensed to be sold unlocked and easy to access by the Chief of Police or other peace officer during the business hours: Provided, that this section shall not prohibit the placing of a screen, not to exceed thirty inches in width, at the end of the bar, or immediately inside of the main entrance.

SECTION X: The giving away of intoxicating liquors of any kind by any 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 XI: 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.

SECTION XII: Any person violating any of the provisions of this ordinance unless otherwise provided for, shall be fined in any sum not less than ten dollars nor more than three hundred dollars, and each violation shall be deemed and held to be a separate offense.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Whereas an emergency existing, this ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 12th day of November, 1903.

Henry Flamm, Mayor

(SEAL)

ATTEST:

A. M. Carbine, City Clerk

STATE OF IDAHO)
)ss.
County of Madison)

I, A. M. Carbine, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

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PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 12th day of November, 1903.

A. M. Carbine, City Clerk

(SEAL)

AMENDED BY ORD. 77