



ORDINANCE NO. 24

AN ORDINANCE TO REGULATE THE SALE OF INTOXICATING LIQUORS AND LICENSING THE SAME AND PROHIBITING THE SELLING OR GIVING AWAY SPIRITUOUS VINOUS OR MALT LIQUORS TO MINORS, AND PROVIDING A LICENSE FOR THE RUNNING OF BILLIARD TABLES, BAGATELLE TABLES OR ANY OTHER TABLES WHERE GAMES ARE PLAYED WITH BALL AND CUE, WHETHER FOR HIRE OR NOT; AND PROVIDING FOR THE COLLECTION OF LICENSE FEES AND MAKING IT A MISDEMEANOR TO VIOLATE ANY OF THE PROVISIONS OF THIS ORDINANCE AND PROVIDING A PENALTY THEREFORE:

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, IDAHO;

SECTION I – It shall be unlawful for any person, natural or artificial, company, firm or association, in person or by their agents or servants within the corporate limits of the village of Rexburg, to barter, sell, vend or give away spirituous, vinous, malt, distilled, fermented, or intoxicating liquors of any kind to be drank in, on or about the premises where procured or sold or elsewhere, without first having procured a license therefor as hereinafter provided.

SECTION II – It shall be unlawful for any druggist to sell, barter, vend or give away, spirituous, malt or fermented liquors or wines, to be drank or to permit the same to be drank in, upon or about the premises where sold or in any room or building connected therewith; provided, it shall be lawful for regular druggists or apothecaries to sell without license, spirituous or 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; provided also, that it shall be lawful for druggists without the license herein provided for, to sell wines for sacramental purposes and to sell alcohol for mechanical and scientific purposes.

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

SECTION IV – Every person selling or giving away, spirituous, fermented, malt liquors or wines, in violation of this ordinance, without first having complied with the requirements of the same shall be deemed guilty of a misdemeanor, and shall be punished as herein provided.

SECTION V – It shall be unlawful for any person or persons within the corporate limits of the Village of Rexburg, to sell or give away, any spirituous, vinous or malt liquors to a minor.

SECTION VI – The words, intoxicating liquors as used in this ordinance shall be deemed and constructed to include spirituous, vinous, malt and fermented liquors; and all mixtures and preparations thereof including bitters that may be used as a beverage and produce intoxication.

SECTION VII – Any person engaged in the business of retailing liquors under the provisions of this ordinance who shall keep a disorderly house or allow boisterous or disorderly conduct therein or shall allow the peace and quiet to the neighborhood to be disturbed by loud and unusual noise therein or threatening abusive or obscene language therein, or by other means or methods, shall be deemed guilty of a misdemeanor, and punished as hereinafter provided, and his license may be revoked.

SECTION VIII – Every person who keeps or runs a billiard table, pool table, or bagatelle table, or any other kind of a table at which games are played with ball and cue, whether for fire or not shall pay a license therefor as hereinafter provided.

SECTION IX – The license required under Section 1 of this ordinance shall be \$20.00 per annum, and no license shall be issued therefor for a less period than one year.

SECTION X – The license required under Section 8 of this ordinance, shall be \$4.00 per annum, and no license shall be issued therefor for a less period than one year.

SECTION XI – Any physician who shall prepare, or deliver, or cause to be prepared or delivered, a prescription to obtain liquor from a druggist to enable such person or persons to evade the provisions of this ordinance, or to enable druggists to evade the provisions of this ordinance shall be deemed guilty of a misdemeanor, and punished as hereinafter provided.

SECTION XII – Any person or persons found guilty of the violation of any of the provisions of this ordinance shall be fined in any sum no to exceed fifty dollars and costs of conviction and in default of payment of said fine and costs, shall be imprisoned in the village jail and work upon the streets of said village one day for every two dollars of said fine and costs.

SECTION XIII – This ordinance shall be in full force and effect thirty days after its passage and approval.

PASSED AND APPROVED THIS 14TH DAY OF MAY, A.D. 1901.

(SEAL)

A. C. HESS

Chairman

ATTEST: _____
A. L. BLACKBURN
Clerk

AMENDED BY ORD. 114