



ORDINANCE 942

AN ORDINANCE REPEALING ORDINANCE 535 AND 636; PROHIBITING THE SALE OF BEER AND WINE ON SUNDAYS AND REGULATING THE HOURS FOR THE SALE OF BEER AND WINE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; FIXING THE LICENSE FEE FOR THE RETAIL SALE OF BEER AND WINE IN THE CITY OF REXBURG; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED by the Mayor and City Council of the City of Rexburg, Idaho:

SECTION I: That No beer or wine shall be sold, offered for sale, or given away, or be permitted to be consumed upon any licensed premises or where beer or wine is sold or dispensed to be consumed on the premises, whether conducted for pleasure or profit, on and during the following days and hours: Sunday and on any other day between the hours of 1:00 a.m. and 6:00 a.m.

SECTION II: Every applicant for a license under the provisions of this ordinance shall deposit with the City Clerk for the uses and purposes of the City of Rexburg at the time of filing of his application, the amount in lawful money of the United States, herein required for the kind of license applied for, for the current licensing year. If such application is filed between the first (1st) day of October and the thirty first (31st) day of March, there shall be so deposited the fee for the full year, and if filed between the first (1st) day of April and the thirtieth (30th) day of September, one-half of the yearly fee. All licenses shall expire on the 30th day of September of the licensing year. The license fee to be paid and collected for the respective kinds of licenses hereby authorized, shall be the following:

A. Where the applicant applies for a license to sell as a retailer, only bottled or canned beer and wine, none of which is consumed, or to be consumed, on the premises where sold, the license fee shall be \$50.00 per year until such fee is amended by resolution of the Council.

B. Where the applicant applies for a license to sell beer or wine as a retailer for consumption on premises:

1. Draught beer and bottled or canned beer only, the amount of the license fee shall be \$200.00 per year, or if
2. Bottled, boxed or canned wine only, the amount of the license fee shall be \$200.00 per year.

Otherwise, the fee shall be as set forth and amended from time to time by Resolution of the Council.

SECTION III: Ordinances 535 and 636 shall be, and hereby are repealed in their entirety.

SECTION IV: This ordinance shall take effect upon its passage and publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, this 17TH day of August, 2005.

Shawn Larsen, Mayor

(SEAL)

ATTEST:

Blair D. Kay, City Clerk

STATE OF IDAHO)
)ss
County of Madison)

I, BLAIR D. KAY, 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:

AN ORDINANCE REPEALING ORDINANCE 535 AND 636; PROHIBITING THE SALE OF BEER AND WINE ON SUNDAYS AND REGULATING THE HOURS FOR THE SALE OF BEER AND WINE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; FIXING THE LICENSE FEE FOR THE RETAIL SALE OF BEER AND WINE IN THE CITY OF REXBURG; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 17TH day of August, 2005.

Blair D. Kay, City Clerk

(SEAL)