

Ordinance No. 6

Entitled,

An Ordinance Providing for the Licensing and Regulating of the Sale and Giving Away of Spirituous, Malt and Vinous Liquors and Other Intoxicating Liquors and Compounds, Within the Corporate Limits of the City of Warrenton, Oregon, and also Licensing and Regulating Saloons, Bar-rooms, and Drinking shops, within said City.

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THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

License to sell Liquors

Section 1. That, whereas it is the determination and intention of the Common Council of the City of Warrenton, Oregon, to allow the sale and giving away of spirituous, malt and vinous liquors and other intoxicating compounds within the limits of the said City, under such restrictions, in addition to such as are imposed by the Charter of said City in express terms, as are hereinafter provided, no person or persons firm or corporation shall within the limits of said City, either directly or indirectly, in person or by any agent, servant or employee barter, sell or give away or knowingly permit to be sold, bartered or given away for or on his, their, her or its account any spirituous, malt or vinous liquors or other intoxicating compounds, without first having obtained a license from said City so to do, which license shall be obtained in the manner hereinafter provided.

Liquor Application for License by Petition

Section 2. Each and every person, firm, company or corporation which desires to obtain from the said City of Warrenton the license mentioned in Section 1 of this Ordinance and has given the notice provided for in the Charter of said City shall apply to the Common Council by petition signed by the person, firm, company or corporation desiring said license, which petition shall be accompanied by satisfactory

proof, made by affidavit, of the person who posted the notices provided for in said Charter, to which said affidavit there must be attached a copy of the said posted notice, and which petition shall be in accordance with said Charter and shall be presented to said Council at some meeting thereof, and if no protest against granting the petition of said applicant, which protest shall be as provided in said Charter, be filed as in said Charter provided, or if any protest shall have been so filed and the petitioner has filed the additional petition in such case made and provided for by the said Charter, the said petitioner shall, at the time of said meeting at which said petition is acted upon or prior to the time of the issuance of any license under this Ordinance, pay to the Auditor and Police Judge of said City, for the use of said City, the sum of Four Hundred Dollars, and thereupon the Common Council may, in its discretion grant or refuse said petition.

Council may grant license

Section 3. Should the said Common Council decide to grant the license herein provided for, the same shall be issued in the name of the City of Warrenton to the said petitioner, signed by the Mayor of said City and attested by the Auditor and Police Judge thereof, shall state the purpose thereof and the place and exact location within the limits of said city, at which the privileges of said license are to be exercised, provided however, that prior to the issuance of said license, the person, firm, company or corporation applying for same shall execute to the said City, a bond in the penal sum of Five Hundred Dollars, with two or more sufficient sureties, who, taken together, shall qualify in that amount, and who shall possess the qualifications of sureties in bail upon arrest, which bond shall be approved by the Mayor of the City, conditioned that the said petitioner will keep an orderly house or place in which said spirituous, malt or vinous liquors or other intoxicating compounds are to be sold, given away or bartered under said license, and said license, when so issued, shall entitle the person, firm, company or corporation to whom same is issued to the privileges

of selling, bartering or giving away any and all malt, spirituous and vinous liquors and other intoxicating compounds, in such quantities as the ~~xxx~~ grantee in said license may desire, ^{Liquor License not transferable} for the period of one year. No such license shall be issued under the provisions of this Ordinance, for a less period than one year, and no such license shall be in any manner transferable, and the power is hereby reserved to the said City of Warrenton and its Common Council to revoke said license at any time.

^{Council may refuse to grant license}
Section 4. Should the Common Council refuse to grant the license herein provided for, the said sum of Four Hundred Dollars mentioned in the preceding Section 2 of this ordinance, if the same has been paid to the said Auditor and police Judge at the time of said refusal, shall be returned to the person who paid the same, but after any license has been issued under the provisions of this ordinance and the same has been revoked by the Common Council, the money paid for said license shall not be returned but shall forfeit to the said City of Warrenton as a penalty incident to said revocation.

^{Violation of Sect. 1. and Penalty}
Section 5. Each and every person who shall violate any of the provisions of Section 1 of this ordinance or who in applying for any license under the provisions of this act shall violate any of the provisions of Sections 2 and 3 of this act or any agent, servant or employee of any person, firm, company or corporation who shall violate any of the provisions of the aforesaid Sections of this Ordinance shall, upon conviction thereof by the Auditor and Police Judge of said City, be fined in a sum not less than Twenty-five nor more than Two Hundred Dollars or by imprisonment in the City Jail of said City or other place provided for the confinement of City prisoners not to exceed 60 days.

^{Definition of Saloon}
Section 6. Each and every place, house or part of a house or store or shop where malt, spirituous or vinous liquors or other intoxicating compounds are kept for sale or to be given away or are sold or bartered or given away shall be deemed and the same is hereby defined to be a saloon or bar-room or drinking shop and said terms are hereby made inter-

changeable within the meaning of this ordinance as applicable to any such place, house or part of a house within the limits of the City of Warrenton.

Running Saloon without license & Penalty

Section 7. No keeper, owner, proprietor nor servant, agent or employee of any keeper, owner or proprietor of any saloon within the limits of the City of Warrenton shall keep the same open or keep therein any malt, spirituous or vinous liquors or any other intoxicating compound nor permit any person or persons to enter the said saloon or any such saloon or be or remain within or about the same without first having obtained the license provided for in this ordinance and every person who shall violate any provision of this Section shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars nor more than Two Hundred Dollars or be imprisoned in the City Jail or other place mentioned in Section 5 of this Ordinance, for a period not to exceed sixty days.

closing on Sunday & Penalty

Section 8. No keeper, owner, proprietor nor any servant, agent nor employee of any keeper, owner or proprietor of any saloon within the limits of the City of Warrenton shall keep the same open or permit any person or persons to enter the same or be or remain within or about the same, ~~between the hours of Twelve o'clock midnight on Saturday to Twelve o'clock midnight on the first day of the week, commonly called Sunday,~~ *during the hours that the polls are open* ~~inclusive, or~~ *on the days of any general, or special election held in said City, and shall keep the front doors of such place of saloon* ~~nor between the hours of Twelve o'clock midnight on any day and five o'clock A. M. of the following day, inclusive,~~ *as places of closed and securely locked between the hours of 6 o'clock A.M. and 10 o'clock P.M. on the first day of the week commonly called Sunday.* nor shall any spirituous, malt or vinous liquors or other intoxicating compounds be sold, bartered or given away within the limits of said City at or on any of the aforesaid prohibited days or hours, and each and every person violating any of the aforesaid provisions of this Section of this Ordinance shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars, nor more than Two Hundred Dollars, or be imprisoned in the City Jail, or other place

mentioned in Section 5 of this Ordinance, for a period not to exceed sixty days.

Must keep orderly house

Section 9. No keeper, owner, proprietor nor any servant, agent nor employee of any keeper, owner or proprietor of any saloon within the limits of the City of Warrenton shall permit any breach of the peace or disturbance of the public quiet, or order, or noisy, or disorderly conduct in, or about any such saloon, nor sell, nor give away any malt, spirituous, or vinous liquor, or any other intoxicating compound to any minor, or female, or habitual drunkard, or person already intoxicated, nor allow or permit any such person to be or remain in or about such saloon and every person violating any provision of this Section of this Ordinance shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars nor more than One Hundred Dollars or be imprisoned in the City Jail or other place mentioned in Section 5 of this Ordinance, for a period not to exceed thirty days.

License to be posted in conspicuous place

Section 10. Each and every person, firm, company or corporation to whom a license is issued under the provisions of this Ordinance shall post the same in a prominent place, and shall at all times exhibit the same, while the same is in force, in the place of business for which said license is granted, and any person violating the provisions of this Section shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars nor more than One Hundred Dollars or be imprisoned in the place mentioned in Section 5 of this Ordinance, for a period not to exceed thirty days.

Marshal to arrest violators

Section 11. It is hereby made the duty of the Marshal of said City to see that the provisions of this Ordinance are enforced and to arrest either with or without a warrant any person violating the same and to make complaint before the Auditor and Police Judge against all persons vio-

lating the same.

Passed the Common Council the 27 day of February, 1899.

Approved the 27 day of February _____, 1899.

Attest:

A. H. Crain
Auditor and Police Judge.

Frank Mason
MAYOR.