

INTRODUCED BY COMMISSIONER W.D. Prouty

AN ORDINANCE PROHIBITING THE SALE, PURCHASE, RECEIVING AND/OR GIVING AWAY OF INTOXICATING LIQUOR CONTAINING MORE THAN THREE AND TWO-TENTHS PER CENT. OF ALCOHOL BY **WEIGHT**; ALSO PROHIBITING THE POSSESSION OF SUCH LIQUOR, IF UNLAWFULLY RECEIVED OR MANUFACTURED; ALSO PROHIBITING THE SOLICITING OR TAKING OF ORDERS FOR THE SALE OR GIFT OF ANY SUCH LIQUOR; ALSO PROHIBITING THE CARRYING TO, OR POSSESSION AT, ANY DANCE HALL OR ANY PUBLIC GATHERING OF ANY OF SAID LIQUOR; ALSO PROHIBITING THE MAINTAINING OF ANY LOCKER OR CLUB ROOM OR ANY PRIVATE PLACE WHERE SAID LIQUOR IS KEPT; ALSO PROHIBITING DRUNKENNESS UPON ANY STREET OR OTHER PUBLIC PLACE, - ALL WITHIN THE CITY LIMITS OF THE CITY OF WARRENTON; AND REPEALING ORDINANCE NO. 321 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE, AND DECLARING AN EMERGENCY.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That it shall be unlawful for any person, persons, firm or corporation within the corporate limits of the City of Warrenton, Oregon, to:

(1) Have in his, her, its or their possession any intoxicating liquor containing more than three and two-tenths per cent. of alcohol by ~~volume~~ <sup>weight</sup>, if brought in or manufactured in the State of Oregon in violation of the laws of such state;

(2) Sell, solicit or receive orders for the sale or gift of any of said liquor;

(3) To give away, barter or trade any of said liquor;

(4) To drink any of said liquor;

(5) To receive by gift, purchase or otherwise any of said liquor;

(6) To carry any of said liquor or any liquor of ~~any~~ <sup>over 1/2 of 1%</sup> ~~kind~~ <sup>by volume</sup> to any dance hall or other public place or gathering and/or to have the same in possession there;

(7) To drink any liquor in any street or other public place;

(7-A) To sell any liquor over 1/2 of 1 percent by volume to ~~minor~~ persons under the age of eighteen years.

(8) To be found either partially or wholly intoxicated within the corporate limits of said city;

(9) To directly or indirectly keep or maintain, or in any manner to aid, assist or abet in keeping or maintaining, any locker, room, club room or other similar place within the corporate limits of the City of Warrenton in which intoxicating liquors are received or kept for the purpose of use, gift, or sale as a beverage, or at all;

(10) To manufacture in said city any alcohol or liquor of any kind containing more than three and two-tenths of alcohol by <sup>weight</sup> ~~volume~~.

Section 2. That the law of search and seizure, as set forth in the Oregon Code, which is the laws of the State of Oregon, is hereby referred to and made a part of this ordinance, and the Auditor and Police Judge of said city is hereby authorized to issue search warrants just as a magistrate is authorized by said Oregon Code, and the City Marshal of the City of Warrenton or his deputy or deputies or other police officers of such city are hereby authorized to execute and return to said Auditor and Police Judge any search warrant or warrants thus issued, just as is prescribed for a constable in said laws.

Section 3. That any person, persons, firm, company or corporation who shall violate any of the provisions of this ordinance shall, upon conviction thereof before said Auditor and Police Judge, be punished by a fine of not exceeding Three Hundred (\$300) dollars or by imprisonment in the city jail of said city for a period not exceeding one hundred (100) days, or by both such fine and imprisonment in the discretion of the Auditor and Police Judge.

Section 4. That Ordinance No. 321 of the City of Warrenton, Oregon, and all other ordinances or parts of

ordinances in conflict with this ordinance are hereby repealed; provided that they may and shall remain in full force and effect for the purpose of trying, convicting or punishing any and all persons who may have violated the same but who have not yet been brought to trial therefor.

Section 5. That whereas it is necessary that this ordinance take effect immediately because of the fact the federal government has now defined three and two-tenths per cent. beer and wine as non-intoxicating; and,

WHEREAS, If this ordinance goes into effect immediately and permits the defining of non-intoxicating liquor as being not more than three and two-tenths per cent alcohol by ~~volume~~<sup>weight</sup>, the City of Warrenton will be entitled to charge and receive additional revenue from persons who may apply for licenses for the purpose of selling non-intoxicating liquor that is more than one-half of one per cent and not more than three and two-tenths per cent,

NOW THEREFORE, An emergency is hereby declared to exist and this section therefore shall take effect when approved by the affirmative vote of four members of the City Commission of the City of Warrenton, Oregon, and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor of the City of Warrenton, Oregon.

Passed by the Commission of the City of Warrenton  
this 4th day of April, 1933.

Approved by the Mayor of the City of Warrenton  
this 4th day of April, 1933.



Mayor

Attest:

  
City Auditor and Police Judge