

Ordinance No 24

An Ordinance to provide for licensing, taxing, regulating and restraining the sale and disposal of Spirituous, malt- or vinous liquors; and prohibiting the sale or disposal of the same without first obtaining a license therefor from the City Council, and to regulate bars, bar-rooms, drinking shops and tippling houses; and to provide for the punishment of any violation thereof; and to repeal all Ordinances or parts of Ordinances in conflict herewith

The People of the City of Lebanon do ordain as follows:

Sec 1 That no person or persons shall be permitted to vend, sell or otherwise dispose of any Spirituous, malt- or vinous, liquors in less quantities than one gallon, within the Corporate limits of the City of Lebanon, Linu County, Oregon, without first obtaining a license therefor from the City as hereinafter provided -

Sec 2 That every person applying for a license to sell Spirituous, malt- or vinous liquors in less quantities than one gallon shall pay to the Treasurer of the City of Lebanon the sum of six hundred dollars annually, or three hundred dollars semi-annually, taking the duplicate receipt of the Treasurer therefor -

Sec 3 Every person who keeps for sale any spirituous, malt- or vinous liquor in less quantities than one gallon, either as his sole business or in connection with some other occupation, shall be deemed a keeper of a Bar, Barroom, drinking shop or tippling house, within the meaning of this Ordinance -

Repealed

Amended by
Ordinance No 36
Sec 17/184

Sec 4

That on the applicant producing to the City Council the duplicate receipt of the Treasurer of the City, for the amounts, provided for in Section two (2) of this Ordinance and filing a good and sufficient bond, duly executed in the manner, form and amount, as hereinafter provided, and the approval of said bond by said Council, the Council thereupon shall order the Recorder to issue a license to such applicant for the term of one year or six months, upon the payment by such applicant to the Recorder of his fees in full for the issuance of such license

Sec 5

That every person applying for a license to keep a Bar, Bar-room, drinking shop or tippling house, or to sell, vend or otherwise dispose of any spirituous, malt or vinous liquor, shall execute to the City of Lebanon, and at the time of making application for such license, present to the City Council for their approval or rejection an undertaking or bond in the penal sum of One Thousand (\$1000⁰⁰) dollars, with two or more sureties, which said bond shall be in the following form, to-wit:-

"Know all men by these presents, that we _____ as principal, and _____ and _____ as sureties, all of the City of Lebanon, Linn County, Oregon, are held and firmly bound unto the said City of Lebanon, in the penal sum of One Thousand dollars (\$1000⁰⁰) lawful money of the United States of America, for the payment of which sum, well and truly to be made and done, we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

Signed with our hands and sealed with our seals this _____ day of _____

The condition of the above obligation is such that, whereas the above bounden _____, the principal herein, is about to apply for a license from the City of Lebanon, Linn County, Oregon, to vend,

sell and dispose of spirituous, malt and vinous liquors in less quantities than one gallon, within the corporate limits of the said City of Lebanon, for the full term of ~~nn~~ months from the ~~nn~~ day of ~~nn~~ ~~nn~~

Now, therefore, if the said ~~nnnn~~ the principal herein, shall keep a quiet, decent, orderly house, and shall not permit any unlawful gaming or any gaming prohibited by the laws of the State of Oregon, or the Charter or by any Ordinance of the said City of Lebanon, to be conducted, played or carried on, in or about the house, building or premises, where such liquor or liquors are sold or disposed of, or kept for sale; or permit to be sold or disposed of, any spirituous, malt or vinous liquors to any person or persons in an intoxicated condition, or to any woman or girl, or to any minor, or to any Indian or common drunkard, and will not permit any person under the age of twenty-one years, or any woman or girl, to loiter or remain in or about his place of business, either as guest, servant, waiter or waitress, dancer or singer, musician or otherwise, and will not keep open, or permit to be kept open, his place of business, where the traffic of spirituous, malt or vinous liquor or liquors is carried on, nor sell, give away or dispose of, nor suffer or permit to be sold, given away or disposed of, in any manner in or about his place of business, on the first day of the week, commonly called Sunday, any spirituous, malt or vinous liquor or liquors of any kind; and will not keep open his place of Business where said spirituous, malt or vinous liquor or liquors are kept at any time during the first day of the week, commonly called Sunday, and will strictly comply with all the requirements of the Laws of the State of Oregon, and the Charter and Ordinances of the City of Lebanon, Linn County, Oregon, with respect to the sale of spirituous, malt or vinous liquor or liquors, and gaming

and gambling, then this obligation shall be void, otherwise to be and remain in full force and effect-

Signed and sealed This ~~10th~~ day of ~~Nov~~
~~1888~~

Done in presence { (Seal)
(Seal)
(Seal)
(Seal)

State of Oregon }
County of Linn } ss

We ~~now~~ and ~~am~~ being first
duly sworn, each for himself says: I am surety
on the foregoing bond; I am a resident and
freeholder of the City of Lebanon, Linn County,
Oregon; I pay taxes on \$~~1000~~ worth of property in
said City and am worth the sum of \$~~1000~~ over
and above all my debts and liabilities, and
exclusive of property exempt from execution;
I am not a dealer in spirituous, malt or vinous
liquor or liquors, and I am not surety on any
other bond of similar character to this bond, so
help me God -

Subscribed and sworn to before me This ~~10th~~
day of ~~Nov~~ ~~1888~~

Notary Public

Sec 6

All bonds executed pursuant to the provisions
of this Ordinance shall be filed in the office
of the City Recorder, and recorded in a Book to
be kept for that purpose by him; and if the orig-
inal bond be lost or destroyed, a certified copy of
the recorded bond may be used in all actions,
suits or proceedings arising under this Ordinance,
and shall have the same force and effect, as
evidence, as the original Bond -

Sec 7

No person or persons to whom a license has been issued, authorizing him or them to sell spirituous, malt or vinous liquor or liquors, within the corporate limits of the City of Lebanon, shall keep or permit or allow to be kept in any building or on the premises, lot or property, where such spirituous, malt or vinous liquor or liquors are sold or offered for sale, any bawdy house, house of ill-fame or assignation house, and any person violating any of the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction thereof before the Recorder's court, shall be punished by a fine of not less than twenty (20) dollars, nor more than One hundred (100) dollars, or by imprisonment in the City Jail not less than ten (10) days nor more than fifty (50) days, or by both such fine and imprisonment, at the discretion of the Court, and the Court shall also adjudge, as a further punishment for such offense, that the license issued to such person be forfeited and null and void and of no effect; and if thereafter such person shall sell or offer for sale without having first obtained a new license therefor, any spirituous, malt or vinous liquor or liquors, within the corporate limits of said City, such person shall, upon conviction thereof before the Recorder's Court, be punished by a fine of not ~~no~~ less than twenty (20) dollars, nor more than One hundred (100) dollars, or by imprisonment in the City Jail for not less than ten (10) days, nor more than fifty (50) days, or by both such fine or imprisonment, at the discretion of the Court—

Sec 8

If any person duly licensed to engage in the sale of spirituous, malt or vinous liquor or liquors within the City of Lebanon, or any person in his employ, shall sell, give away or in any manner dispose of, or suffer, permit or allow to be sold, given away or disposed of, any spirituous, malt or vinous liquor or liquors to any common drunkard, or to any intoxicated

person, or to any woman or girl or to any minor or to any Indian, or shall permit, suffer or allow any woman, girl or male minor to visit, loiter around or frequent his place of business, whether as guest, servant or waiter, waitress, dancer, singer, musician or otherwise, or to play any game whatever therein, or shall keep open, permit or allow any person whomsoever to visit his place of business, where such liquor is sold, or kept for sale, on the first-day of the week, commonly called Sunday, or shall sell, give away or in any manner dispose of, or suffer, permit or allow to be sold, given away or in any manner disposed of, on the first-day of the week, commonly called Sunday, in or about his ^{said} place of business, any spirituous, malt or vinous liquor or liquors, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Recorder's Court shall be punished by a fine of not less than fifty (50) dollars, nor more than One hundred (100) dollars, or by imprisonment in the City Jail not less than twenty-five (25) days nor more than fifty (50) days, or by both such fine and imprisonment, at the discretion of the Court, for such offense—

Sec 9 That upon the conviction of any person guilty of violating any of the provisions of Section eight (8) of this Ordinance, if such conviction shall have been by a jury after a full hearing, and such jury shall find that the license of such person be revoked. The Recorder shall report the same to the City Council, who shall thereupon revoke the license of such person, but such revocation of such license shall not in any manner operate to relieve the person to whom the same was granted from the penalty prescribed by Section eight (8) for the violation of any of its provisions—

Sec 10 That upon the revocation of any license provided for in Section nine (9) of this Ordinance it shall be the duty of the City Council to order

the City Attorney to immediately collect the amount of the Bond mentioned in Section Seven (7) of this Ordinance, and if the same be not immediately paid, to institute proceedings to recover the amount of said Bond before any Court of competent jurisdiction, but nothing in this Section contained shall be so construed as to prevent an action upon said Bond for the violation of its conditions at any time—

Sec 11 Any person wishing to present to the City Council a bond for its approval or rejection, under the provisions of this Ordinance, shall duly present the same at any regular meeting of said Council in any month—

Sec 12 No license shall be issued under any of the provisions of this Ordinance to any woman, or any minor, or to any person who during the term of his previous license permitted or allowed any woman, girl or male minor to visit, loiter around or frequent his place of business—

Sec 13 No license shall be issued under the provisions of this Ordinance for a less term than six (6) months or more than one year—

Sec 14 No person shall be surety on more than one Bond at the same time, and no person who shall be engaged in the manufacture or sale of any Spirituous, malt or vinous liquors shall be allowed to be surety on the Bond of any person or persons making an application for license, under the provisions of this Ordinance, nor shall any person who is not a resident and freeholder of the City of Lebanon, and who does not pay taxes within said City on the sum of One thousand (\$1000⁰⁰) over and above all his debts and liabilities and exclusive of property exempt from execution, be allowed to be surety on any such Bond—

Sec 15

Each and every person or firm taking out license, pursuant to this Ordinance or the provisions thereof, shall be, and is hereby allowed, authorized and permitted to keep without paying license therefor, in his place of business, either one of the following named tables; a Billiard table, a Pool table, or a Pigeon table or "Devil among the Tailors table"—

Sec 16

Any person who shall sell, or in any manner dispose of, or who shall keep for sale or offer to sell, or give away, or in any manner dispose of within the corporate limits of the City of Lebanon, any spirituous, malt or vinous liquor without first having obtained a license therefor as in this Ordinance provided, shall, upon conviction thereof before the Recorder's Court, be punished by a fine of not less than fifty (50) dollars, nor more than One hundred (100) dollars, or by imprisonment in the City Jail not less than twenty-five (25) days, nor more than fifty (50) days, at the discretion of the Court; and each and every sale or disposal of, or offer to sell or dispose of, any such spirituous, malt or vinous liquors, shall constitute a separate and distinct violation of the provisions of this Section, and the person guilty, shall, upon conviction thereof before the Recorder's Court, be punished as in this Section heretofore provided—

Sec 17

Each license issued pursuant to the provisions of this Ordinance shall be dated and shall take effect and be in force on from and after the approval of the Bond by the City Council—

Sec 18

All persons who shall be engaged in selling any of the liquors heretofore mentioned in the corporate limits of said City shall close the place or house wherein such liquor is kept or sold at midnight on Saturday night on each and every

week, and keep the same closed until midnight the following Sunday night and allow no person to be in such place or house during the time the same is required to be closed by the provisions of this Section. Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor or and upon conviction thereof before the Recorder's Court shall be fined not less than twenty-five (25) dollars, nor more than fifty (50) dollars, or be imprisoned in the City Jail not less than twelve (12) days nor more than twenty-five (25) days, at the discretion of the Recorder -

Sec 19 All Ordinances and parts of Ordinances in conflict herewith are hereby repealed -

Sec 20 This Ordinance shall be in full force and effect from and after its approval by the Mayor -

Enacted, and approved by the Mayor, this
23^d day of February 1892

L Foley

Mayor of the City of Lebanon

Attest -

Geo W Rice

Recorder of the City of Lebanon