

ORDINANCE No. 25.

AN ORDINANCE TO REGULATE THE SALE OF INTOXICATING LIQUORS.

BE IT ORDAINED by the Chairman and Board of Trustees
of the Village of Clarks Fork:

SECTION 1. It shall be unlawful for any person or persons, either by agent or otherwise, to sell intoxicating liquors within the corporate limits of the Village of Clarks Fork without having first procured a license as hereinafter provided.

SECTION 2. All applications for a license to sell intoxicating liquors must be made to the Board of Trustees, and such license shall be granted by said Board only as provided in this ordinance. Such application shall specify the location by lot and block numbers and the particular portion of the building thereon in which the business is proposed to be carried on.

SECTION 3. Before any such license is issued, the applicant shall produce before the said Board a certificate of the Clerk of the Board of County Commissioners to the effect that the said applicant has filed with said Board the required license bond, that the said bond has been approved and that the ~~sa~~id applicant has obtained the liquor license required by the laws of the state of Idaho; such certificate shall also show the date of the expiration of such state and county license.

SECTION 4. The amount to be paid by each applicant for such license shall be the sum of Five Hundred Dollars per year, or a proportionate amount for any period less than one year. No license shall be granted for a less period than one year, but such license shall not extend beyond the municipal year in which it shall be granted, nor for any longer period than the license granted by the Board of County Commissioners.

SECTION 5. The applicant for such license shall deposit with the village treasurer the license fee provided for in this ordinance, and such treasurer shall issue his receipt to the applicant stating the date of payment, the amount paid and the date to which said license shall run. The treasurer shall keep an accurate account of all moneys received for such licenses with the name of the applicant, date of payment, the amount paid, and the date to which the license shall run. Provided, however, that if an application for license shall be finally denied any license fee shall deposited, be redelivered to the applicant.

SECTION 6. Upon the granting of a license by the Board of Trustees and the presentment by the applicant to the clerk of the village of the receipt of the village treasurer for the proper license fee, the clerk shall issue to such applicant under his hand and the seal of the Village of Clarks Fork a license for the period for which he is entitled to the same. Said license shall be provided with a stub to be retained by the clerk which stub shall state the name of the applicant, the date of issue and of the expiration of the license, together with the location of the business for which the license is granted and the amount paid therefor. The license shall be in substantially the following form:

"No. _____ Village License
Village of Clarks Fork, Idaho.

This license is granted to _____ to carry on the business or occupation of selling intoxicating liquors in the building or location, in the Village of Clarks Fork, Bonner County, State of Idaho, described as follows:

the said _____ having paid to the village treasurer therefor the sum of _____ dollars conformably with the provisions of ordinance No. _____ of the Village of Clarks Fork, Bonner County, Idaho. This license expires on the _____ day of _____ 19____.
Granted _____ 191__.

(Corporate Seal)

Clerk of the Village of
Clarks Fork, Idaho.

SECTION 7. Any license issued under the provisions hereof will not protect the licensee in any other building or location than that named in the license, except the consent of the board of trustees to a change of location shall be first obtained and endorsed upon such license by the village clerk. No license issued hereunder shall be transferable.

SECTION 8. All licenses issued under the provisions of this ordinance shall be kept posted in a conspicuous place on the premises where the licensee conducts the business authorized thereby.

SECTION 9. It shall be unlawful for any person engaged in the business of selling intoxicating liquors, under the provisions of this ordinance, to keep a disorderly house or to allow boisterous or disorderly conduct therein, or to allow the peace or quietude of the neighborhood to be disturbed by loud or unusual noises therein, or to allow threatening, abusive or obscene language therein.

SECTION 10. It shall be unlawful for any person or persons to whom a license may be issued under the provisions of this ordinance to sell or offer for sale any intoxicating liquors, or to keep open a place where intoxicating liquors are sold thereunder between the hours of eleven o'clock P. M. and six o'clock A. M. Standard Pacific time.

SECTION 11. It shall be unlawful to conduct or operate in connection with any place where intoxicating liquors are sold any wine rooms or back rooms of any kind or description where persons may congregate ~~for the purpose of drinking intoxicating liquors.~~

SECTION 12. It shall be unlawful to maintain more than one entrance for the use of the public to any place where intoxicating liquors are licensed to be sold hereunder.

SECTION 13. It shall be unlawful for the owner or keeper of any place where intoxicating liquors are sold, or for any manager, agent, clerk or employe of such owner or keeper to place or maintain therein, or to permit to be placed or maintained therein, any screen, blind, inside door, painted or frosted glass, shade, curtain, picture, plant or other device or obstruction which is more than ^{and one half} four feet in height above the sidewalk whereby the free and unobstructed view of the bar, back bar and depth of inner room from the outside of said premises is prevented; during the time such place shall be required to be kept closed under the provisions hereof, a sufficient light shall be kept burning in such place to afford a full view of the whole of the interior.

SECTION 14. It shall be unlawful for any person or persons or his or their agents, who are conducting a place where intoxicating liquors are sold, to allow any women or minors, whether accompanied by other persons or not, to frequent such place of sale, and no intoxicating liquors shall be sold or given to a minor or to anyone for a minor.

SECTION 15. It shall be unlawful to sell or give intoxicating liquors to any person while such person is in an intoxicated condition.

SECTION 15a. Any person who is a dependent upon another person who is an habitual drunkard or in the habit of getting intoxicated, or any of the members of the board of trustees, or the village marshall may make complaint to the police magistrate or to any justice of the peace alleging the name of such person, the fact of his being an habitual drunkard or in the habit of getting intoxicated, and the name or names of the person or persons from whom he obtains his liquor to the best of the knowledge and belief of the person making the said complaint, which complaint shall be verified by the person making the same. Thereupon such police magistrate or justice of the peace shall issue a notice in writing to such person or persons so named, notifying him or them that no intoxicating liquors of any kind must be sold or given away by him or them, or at his or their place or places of business to such person having such habit, and said notice must be at once served upon such person or persons by the village marshal. After the service of such notice, it shall be unlawful for any person or persons so notified to sell, give away or permit any person at his place of business to sell or give away intoxicating liquor to the person about whom he or they have received notice as aforesaid.

SECTION 16. It shall be unlawful to conduct a place for the sale of intoxicating liquors in any building occupied or used as a house of prostitution whether the same be connected with such drinking place by doors or other openings or not; and it shall be unlawful for any lewd women or prostitutes to congregate in or frequent any building within which there is a place where intoxicating liquors are sold.

SECTION 17. When any person, to whom a license has been granted under the terms of this ordinance, shall be convicted of a violation of any of the provisions hereof, the Board of Trustees may at their option, revoke such license, and if revoked, no refund shall be made to such licensee for any unused portion of said license.

SECTION 18. A revocation of the license granted by the board of county commissioners shall operate as a revocation of the license granted under the provisions of this ordinance, and no refund of any unused portion of such license shall be made unless there shall have been a refund made of the unused portion of such county license.

SECTION 19. If any license shall be revoked under the provisions of Sections 17 or 18 of this ordinance, such revocation shall not be construed to discharge such licensee or his sureties from any damages sustained by or right accrued to any person prior to such revocation.

SECTION 20. Nothing in this ordinance contained shall be held to prevent or interfere with the sale of intoxicating liquors for medicinal, manufacturing, sacramental, or scientific purposes by druggists or apothecaries.

SECTION 21. The words, "intoxicating liquors" as used in this ordinance shall be deemed and construed to include all 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 22. The violation of any of the provisions of this ordinance shall be deemed a misdemeanor, and any person convicted thereof shall be fined in a sum not less than ten dollars and not more than one hundred dollars.

This ordinance shall take effect and be in force from and after its passage and publication in one issue of the Clarks Fork Times, a weekly newspaper printed and published in the Village of Clarks Fork, County of Bonner, State of Idaho.

Passed by the Board of Trustees this 17th day of June, 1912.

W. P. Thibodeau

Village Clerk.

Approved:

J. B. Wilcomb

Chairman.

