

Code #5

CHAPTER 1

LICENSES

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5-1-1: Applications: Applications for all licenses and permit required by this code shall be made in writing to the Clerk, unless otherwise specifically provided by law. Each applicant shall state the name of the applicant, the permit or license desired, the location to be used, if any, the time covered and the fee to be paid; and each application shall contain such additional information as may be required by the issuing official.

5-1-2: Person Subject to License: Whenever in this Code a license business or establishment, or for doing business or engaging in any activity or occupation, any person or corporation shall be subject tot he requirement himself or through an agent, employee or partner, he hold himself forth as being engaged in the business or occupation; or solicits patronage therefore,

actively or passively, or perform or attempts to perform any part of such business or occupation in the Municipality.

5-1-3: Forms: Forms for all licenses and permits, and application therefore, shall be prepared and kept in file by the Clerk.

5-1-4: Signatures: Each license or permit issued shall bear the signature of the Mayor and the Clerk in the absence of any provision to the contrary.

5-1-5: Investigations: Upon the receipt of an application for a license or permit where laws of the Municipality necessitate an inspection or investigation before the issuance of such permit or license, the Clerk shall refer such application to the proper officer for making such investigation within forty-eight (48) hours of the time of such receipt. The officer charged with the duty of making the investigation or inspection shall make a report thereon, favorable or otherwise, within ten (10) days after receiving the application or copy thereof. The Health Officer shall make or cause to be made an inspection in regard to such licenses in the connection of the care and handling of food and the preventing of nuisances and mad the spread of disease. For the protection of health, the Building Inspector shall make or cause to be made such inspections relative tot the construction of buildings or other structures. All other investigations, except where otherwise provided, shall be made by the Chief of Police or by some officer designated by the Mayor.

5-1-6: Termination of License: All annual licenses shall terminate on the last day of the fiscal year of the Municipality where no provision to the contrary is made.

The Clerk shall mail to all licensees of the Municipality a statement of the time of expiration of the license held by the licensee, if an annual, three (3) weeks prior to the date of such expiration. Provided, that failure to send out such notice, or failure of the licensee to receive it shall not excuse the licensee from failure to obtain a new license, or a renewal thereof, nor shall it be a defense in an action for operation without a license.

5-1-7: Building and Premises: No license shall be issued for the conduct of any business, and no permit shall be issued for anything, or act, if the premises and building to be used for the purpose do not fully comply with the requirements of the Municipality. No such license or permit shall be issued for the conduct of any business or performance of any act which would involve a violation of the Zoning Act of the Municipality.

5-1-8: Frontage Consents: Whenever the consent of the adjoining or neighboring owners is required as a prerequisite to the conduct of any business or occupation, or the location of any establishment, such consent must be obtained by securing the necessary signatures to a written consent petition. Such petition shall be filed with the Clerk when signed.

Consents once given and filed shall not be withdrawn; and such petitions need not be renewed for the continuous conduct of the same business, whether by the same proprietor or not.

It shall be unlawful to forge any name to such a petition or to represent falsely that the names thereon have been properly placed thereon if such is not the fact.

Each consent when filed shall be accompanied by the affidavit of the person securing the signatures that each signature appearing therein was properly secured and written on; and that the petition contains the necessary number of signatures required by this Chapter.

The frontage consent requirements contained in this Chapter shall not be construed to amend or change any zoning ordinance provision of the Municipality; and no such provision shall be construed as permitting the erection of a structure or building, or the conduct of a business or the commission of any act in any location where such structure, building, business or act is or are prohibited by any zoning ordinance of the Municipality.

5-1-10: Nuisances: No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact.

5-1-11: Inspections: Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by Code, or are reasonably necessary to secure compliance with any Code provision or to detect violations thereof, it shall be the duty of the licensee, or the person in charge of the premises to be inspected, to admit thereto for the purpose of making the inspection any officer or employee of the Municipality who is authorized or directed to make such inspection at any reasonable time that admission is requested.

Whenever an analysis of any commodity or material is reasonably necessary to secure conformance with any Code provision or to detect violations thereof, it shall be the duty of the licensee of the Municipality whose business is governed by such provision to give to any authorized officer or employee of the Municipality requesting the same sufficient samples of such material or commodity for such analysis upon request.

In addition to any other penalty which may be provided, the Mayor may revoke the license of any licensed proprietor of any licensed business in the Municipality who refuses to permit any such officer or employee who is authorized to make such inspection or take such sample to make the inspection or take an adequate sample of the said commodity, or who interferes with such officer or employee while in the performance of his duty in making such inspection. Provide, that no license shall be revoked for such cause unless written demand is made upon the licensee or person in charge of the premises, in the name of the Municipality, stating that such inspection or sample is desired at the time it is sought to make the inspection or obtain the sample.

5-1-12: Revocation: Any license or permit for a limited time may be revoked by the Mayor at any time during the life of such license or permit for any violation by the licensee or permitted of the Code provisions relating to the license or permit, the subject matter of the license or permit, or to the premises occupied; such revocation may be in addition to any fine imposed.

5-1-13: Posting of License: It shall be the duty of any person conducting a licensed business in the Municipality to keep his license posted in a prominent place on the premises used for such business at all times.

5-1-14: Fees: In the absence of specific provisions to the contrary, all fees and charges for licenses or permits shall be paid in advance at the time application therefore is made to the Clerk. When an applicant has not engaged in the business until after the expiration of more than six (6) months of the current license year the license fee shall be in the sum of one-half (1/2) of the fee specified for the entire year. All license fees shall be deposited to the General Fund. Licenses shall be required for the following activities and businesses upon payment of the fee specified in the schedule adopted by resolution of the Governing Body and on file in the office of the Clerk:

Food Dealer

Milk Dealer

Locker Plants

Menageries

Carnivals

Exhibitions of Inanimate Objects

Other Amusements

Billiard, Pool Halls

Bowling Alley

Photographer

Music Boxes

Pin Ball Machines

(Revised Code 1959)

CHAPTER 2

BILL POSTING AND HAND BILLS

5-2-1: License Required

5-2-2: Application

5-2-3: Littering Public Thoroughfares Prohibited

5-2-4: No Posting on Fences; Telegraph Poles; Consent for

5-2-1: Licensed Required: It shall be unlawful for any person to engage in the distribution or attaching of any signs, bills, pictures, or advertising matter unless the person shall first have licensed.

5-2-2: Application: Application for the a license shall be made to the Clerk, together with all necessary information including but not limited to the names of all owners and the business addresses of the same. Upon approval of said application by the Governing Body the Clerk shall issue a license for which a fee of twenty-five (\$25.00) shall be paid per annum.

5-2-3: Littering Public Thoroughfares Prohibited: It shall be unlawful for any person to scatter or throw upon the public thoroughfares any handbills, posters, advertisements or papers. Nothing herein shall be construed to authorize any person to obstruct the public thoroughfares or create any nuisance therein. These provisions shall not interfere or prevent the posting of notices required by law to be posted.

5-2-4: No Posting On Fences; Telegraph Poles' consent for: It shall be unlawful for any person to post, paint, tack or otherwise attach any notice or other advertising matter to any fence, wall or building or other property until first obtaining the consent of the owner of such property. It shall be unlawful for any person to post, paint, tack or otherwise attach any notices or advertising matter to any telegraph, telephone, electric or other such poles. (Revised Code 1959)

CHAPTER 3

MOTELS

5-3-1: Building Permit Required

5-3-2: Service Station Restrictions

5-3-3: Parking Space on Premises

5-3-4: Minimum Requirements

5-3-5: Existing Standards

5-3-6: Application to Include Plan

5-3-7: Guests Required to Register

5-3-1: Building Permit Required: Before construction of a motel is started, an application for a permit for such construction shall be submitted to the Clerk. The Clerk shall present such application to the Governing Body for its approval. Only after approval of the Governing Body shall a permit for construction of a motel be issued.

5-3-2: Service Station Restrictions: Automobile service stations shall be located no closer than fifty feet (50') to any motel.

5-3-3: Parking Space on Premises: Each unit of a motel or tourist court shall be provided with an assigned parking space entirely on the premises.

5-3-4: Minimum Requirements: The minimum space for each unit shall be twelve feet by twenty feet (12' X 20') and shall contain one (1) full bath, toilet facilities, dressing compartment and sleeping room.

5-3-5: Existing Standards: The plumbing, heating and ventilation components shall meet all local fire, plumbing and building code requirements.

5-3-6: Application To Include Plan: Each application for a motel or tourist court shall be submitted with a complete plan, including the plot plan and adjacent buildings, parking arrangement and driveways, unit sizes, plumbing and heating layout, accessory uses, materials to be used, front and rear elevations and architectural designs.

5-3-7: Guests Required To Register: Every operator of a motel shall maintain a register in which each guest shall register his name, home address and license number of the vehicle in which he is traveling. The date of his arrival and departure shall also be recorded. Such register shall be available to any authorized person inspecting the motel and shall be preserved for a period of not less than one (1) year. (Revised Code 1959)

CHAPTER 4

HOTEL

5-4-1: Definition

5-4-2: Fire Protection Equipment

5-4-3: Maintenance of Equipment

5-4-4: Inspection

5-4-5: Hotel Register

5-4-1: Definition: Every building maintained or advertised as a public lodge house or where more than six (6) rooms are provided for sleeping accommodations shall be known as a hotel.

5-4-2: Fire Protection Equipment: The Fire Chief, or other officer designated by the Governing Body, shall survey each hotel and specify suitable fire detecting devices or extinguishing appliances which shall be provided.

Such devices or appliances may consist of automatic sprinkler or water spray systems, standpipe and hose, fixed or portable fire extinguishers or other suitable fire extinguishing systems.

5-4-3: Maintenance of Equipment: Fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or according to any provisions of this Code, shall be maintained in operative condition at all times and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required.

5-4-4: Inspection: It shall be the duty of the Fire Chief and the Health Officer, or other officers so designated by the Governing Body, to make periodic and regular inspections of every hotel and to make regular reports to the Governing Body or such hotel or hotels concerning regulations imposed by this Code.

5-4-5: Hotel Register: A register shall be maintained at every hotel and each guest shall be required to register his name and home address. The date of arrival and departure shall be clearly indicated and the register shall be maintained for a period of at least one (1) year following registration. The register shall be open for inspection to any authorized person. (Revised Code 1959)

CHAPTER 5

PEDDLERS

5-5-1: Nuisance Declared

5-5-2: Exceptions

5-5-1: Nuisance Declared: The practice of going into and upon private residences and property for the purpose of soliciting orders for the sale of goods, wares or merchandise or of selling or otherwise disposing of goods, wares or merchandise, unless done at the invitation or request of the owner or occupant, is hereby declared to be a nuisance.

5-5-2: Exceptions: the provisions of this Chapter shall not apply to the sale or soliciting of orders for the sale or disposal of farm and garden produce when so offered by the actual grower or producer thereof. (Revised Code 1959)

CHAPTER 6

TRAILER COURTS AND TRAILER COACHES

5-6-1: Definitions

5-6-2: Application; Trailer Court

5-6-3: Trailer Court License

5-6-4: Register

5-6-5: Domestic Animals

5-6-6: License Transfer

5-6-7: Application; Trailer Coach

5-6-8: Trailer Coach License Fee

5-6-9: Location of Trailer Coaches

5-6-10: Permit Renewal; Trailer Coach

5-6-11: Location Restrictions

5-6-12: Revocation

5-6-13: Posting of License

5-6-1: Definitions

Trailer Court: Any plot of ground upon which two or more occupied trailer coaches are located.

Trailer Coach: A vehicle without means of self-propulsion, but licensable as a conveyance on public streets or highways, and which is constructed to permit occupancy as a dwelling or sleeping place for one or more persons.

Dependent Trailer Coach: One (1) which does not have a water closet and bathtub and shower.

Independent Trailer Coach: One (1) that has a water closet and a bathtub or shower.

Trailer Coach Space: A plot of ground within a trailer court designated for the accommodation of one (1) trailer coach.

Service Building: A building housing communal toilet, laundry and other sanitary facilities necessary for the health and convenience of the trailer occupants.

5-6-2: Application; Trailer Court: Applications for a trailer court license shall be filed with and issued by the Clerk. Application shall be in writing signed by the applicant and shall contain the following:

The name and address of the applicant.

The location and legal description of the trailer court.

Such further information as may be requested by the Governing Body to enable it to determine if the proposed location will comply with legal requirements, including a sketch or plot plan designating the numbered trailer spaces.

No change or alteration in the plot plan shall be made without first making a written application for such change or alteration to the Governing Body and receiving a written permit there from.

The Governing Body shall investigate the location and if it is found to be in compliance with all provisions of this Chapter and all other applicable Chapters or statutes, application may be approved.

5-6-3: Trailer Court License: Any person who maintains or operates a trailer court must first obtain a license from the Clerk which license must be approved by the Governing Body of the Municipality. The fee for such trailer court shall be twenty-five dollars (\$25.00) per year plus an additional fee of five dollars (\$5.00) per year for each unit site over the minimum number of five (5).

5-6-4: Register: It shall be the duty of the licensee to keep a register containing a record of all trailer coaches occupying space within the court. The register shall contain the following information:

Name and address of each occupant in each trailer coach.

Make, model and year of all automobiles and trailer coaches.

License numbers and owner of each trailer coach and automobile by which it is towed.

The State issuing such licenses.

The date of arrival and departure of each trailer coach and the number or other identification of the space or spaces occupied. The court shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall be not be destroyed until after a period of three (3) years following the date of registration.

5-6-5: Domestic Animals: No domestic animal or house pets shall be allowed to run at large or commit any nuisances within the limits of a trailer court.

5-6-6: License Transfer: All licenses issued hereunder for a trailer court and trailer coach shall be personal to the licensee and be nontransferable without the written consent of the Governing Body first being obtained.

5-6-7: Application; Trailer Coach: Application for a trailer coach license shall be filed with and issued by the Clerk. Application shall be in writing signed by the applicant and shall contain the following:

The name and address of the applicant.

The location and description where the trailer coach is to be parked.

Such further information as may be requested by the Governing Body.

5-6-8: Trailer Coach License Fee: A trailer coach fee shall be charged each applicant, which fee shall be three dollars (\$3.00) and shall be paid in advance to the Clerk.

5-6-9: Location of Trailer Coaches: The use of trailer coach as trailers or otherwise occupied by one or more persons except in an approved public or private trailer court shall be considered as a public nuisance unless the yards surrounding it agree with the requirements for a dwelling as established by the Zoning Chapter.

5-6-10: Permit Renewal; Trailer Coach: It shall be unlawful for any person to occupy a trailer coach or for any person who is the owner, renter or lessee of any property within the Municipality to erect or give consent for the placement and occupancy of any trailer house within the Municipality, except in an approved public or private trailer court.

It shall be unlawful to park a trailer coach, whether occupied or not, on any public thoroughfare or public place other than an approved trailer court for more than four (4) hours.

Trailer coaches may be parked on private property and occupied by a person for a period of time not to exceed thirty (30) days but a permit for such use and occupancy must be obtained within twenty-four (24) hours after the trailer is parked. Said permit may be renewed at the end of thirty (30) days, provided the total period of time for such location and use of the same property shall not exceed sixty (60) days.

5-6-11: Location Restrictions: Placement and use of trailer coaches occupied by any person on other than approved public or private courts must be so arranged as not to interfere with the rights and privileges of adjacent property owners, each occupied trailer coach being considered as a separate dwelling house under the laws of the Zoning Chapter.

5-6-12: Revocation: The Governing Body may revoke or suspend any license issued in this Chapter when such licensee shall have been found guilty of a violation of this Chapter or any part of this Code.

5-6-13: Posting of License: A license issued under this Chapter shall be conspicuously posted on the individual trailer coach not located within a trailer court or in the office of or on the premises of the trailer court. (Revised Code 1959)

CHAPTER 7

BEER REGULATIONS

5-7-1: Definitions

5-7-2: License Required

5-7-3: Application

5-7-4: Qualifications for License

5-7-5: Fees

5-7-6: Hours of Sale

5-7-7: Regulations

5-7-8: Revocation

5-7-1: Definitions:

(A) The word "beer" means any beverage obtained by the alcoholic fermentation or an infusion or decoction of barley, malt and/or other ingredients in drinkable water of not more than four per cent (4%) of alcohol by weight.

(B) The word "retailer" means any person engaged in the sale or distribution of beer to the consumer.

5-7-2: License Required: It shall be unlawful for any person to dispose of beer without first obtaining a proper license.

5-7-3: Application: Application for a retail beer license shall be made under oath to the Clerk and the application shall show that the applicant possesses all of the qualifications required by this Chapter. Each application shall be forwarded, after proper and adequate investigation by the Chief of Police, to the Governing Body for approval or disapproval.

5-7-4: Qualifications for License: No retail license shall be issued to any applicant who:

(A) is not a bona fide owner of such business, or is not a citizen of the United States, or has not been a bona fide resident of the State of Idaho for a period of one (1) year prior to the date of application; Provided, that if the applicant is a partnership all partners shall be such citizens, and at least one (1) thereof, or the actual manager therefore, shall have been such resident and if the applicant is a corporation, such corporation shall be qualified to do business in the State of Idaho, and the manager of such business place shall be such citizen and shall have been such resident;

(B) has, or any partner or actual manager or officer or employee or spouse of which has been convicted of the violation of any laws of the State of Idaho or of the United States, regulating, governing or prohibiting the sale of alcoholic beverages or intoxicating liquor, or has within two (2) years forfeited or suffered the forfeiture of a bond for his appearance to answer charges of any such violation;

(C) has, or any partner or actual active manager or officer of which has been convicted of any felony within five (5) years or has paid any fine or completed any sentence of confinement therefore within five (5) years.

A retail licensee must continue throughout the license period to have all of the fore-going qualifications and none of the fore-going disqualifications, and for failure therein upon proof thereof to an issuer of a license, such issuer shall revoke the license issued, and in writing sent by the United States registered mail notify each of the other issuers of a retailer's license to such licensee, stating sufficient facts for identification of the licensee and the grounds and date of revocation.

5-7-5: Fees: The fees for the sale of beer shall be as follows:

Twenty-Five dollars (\$25.00) for the sale of bottled beer only, and when it is not consumed on the premises sold.

Fifty dollars (\$50.00) for the sale of bottled beer only, when it is consumed on the premises where sold.

Seventy-five dollars (\$75.00) for the sale of draught or bottled beer when it is consumed on premises where sold.

5-7-6: Hours of Sale: It shall be unlawful for any person to sell beer between the hours of 1:00A.M. and 7:00 A.M.

5-7-7: Regulations: It shall be unlawful for any person to offer beer to any person under the age of twenty (20) years and it shall be unlawful for any person under the age of twenty (20) years to frequent, loiter in or about or patronize any beer dispensary and it shall likewise be unlawful for any owner of such beer dispensary or his employees to permit any such person

under the age of twenty (20) years to be in or to be employed in such dispensary.

5-7-8: Revocation: The Governing Body shall retain the right at all times to revoke and cancel any license for just cause. When any license is revoked, the licensee shall have the privilege of appearing before the Governing Body to appeal such revocation. Any conduct or act on the part of the licensee which may be sufficient cause for revocation of the license must be brought to the attention of the Governing Body. (Revised Code 1959)

CHAPTER 8

LIQUOR BY THE DRINK

5-8-1: Licensed Liquor Sale

5-8-2: Application

5-8-3: Requirements

5-8-4: Fees

5-8-5 License Non Transferable

5-8-6: Revocation and Hearing

5-8-7: Access To Premises

5-8-8: Premises Requirements

5-8-9: Sale to Minor's Prohibited

5-8-1: Licensed Liquor Sale: It shall be lawful to sell liquor by the drink as provided in Chapter 9, of Title 23, Idaho Code, as amended, provided a license shall first be obtained as provided in the Chapter and the rules and regulations and provisions concerning the licensing and operation of a place of business for the sale of liquor are adhered to as provided.

5-8-2: Application: Before there shall be any lawful sale of liquor by the drink, and application by the proposed licensee must be made for such license and filed with the Clerk in form and manner herein provided. Such application shall provide for the name of the applicant, the location of the proposed business, and such other information as may be prescribed and required by the City Council. At the time said application is filed, the applicant shall also present a copy of an application for a State license and also the license issued by the State for the sale of liquor by the drink at retail and license will be issued until a license is first obtained from the State of Idaho.

All applications filed with the Clerk shall be referred to the City Council for final approval. The Clerk shall receive the license fee hereinafter provided at the time of filing of the application

and upon approval of the application by the City Council the license will be issued and delivered to the applicant.

5-8-3: Requirements: No license shall be issued for the sale of liquor by the drink to any person not qualified for a license under said Chapter 9, Idaho Code, as amended, nor upon any premises in any neighborhood which is predominately residential nor within three hundred feet (300') of any school, church or other place of public worship.

5-8-4: License Nontransferable: Any license issued under the provisions of this Chapter shall be transferable. If the licensee named in said license shall cease to personally supervise, conduct, and operate said business described in said license, the same shall terminate, and no part of the fee paid shall be refunded. The licensee may, however, with the consent of the City Council move from the place of business to some other place which may meet the requirements of this Chapter, or transfer the license to another person. Application to transfer license shall be made to the City Council. Upon the receipt of such an application, the City Council shall make the same investigation and determination with respect to the transferee as are required by Chapter 9, Section 23 of the Idaho Code, and if the City Council shall determine that all of the conditions required of a licensee have been met then the license shall be endorsed over to the proposed transferee by said licensee for the remainder of the period for which such license has been issued. The Clerk shall note the approval of the City Council upon such license. If such transfer of the place of business or transfer to another person shall be made, the fee paid shall be operative with like effect as if no change had been made.

5-8-5: Fees: The license fee required of an applicant for the sale of liquor by the drink shall be the sum of two hundred and twenty-five dollars (\$225.00) per year payable in advance. The first payment shall be made with said application for the balance of the license year in which the license is issued. All licenses issued shall expire at midnight on the expiration date indicated on the license. Renewals may be granted upon application, if the record of the applicant is satisfactory to the City Council in accordance with the provisions of law and this Chapter, provides documentation of license renewal obtained from the State of Idaho and Idaho County, and upon payment of two hundred and twenty-five dollars (\$225.00) for the ensuing year. Any operation under an expired license shall constitute a violation of this Chapter for each day of operation. (Section revised by City of Riggins Ordinance #156 2001)

5-8-6: Revocation and Hearing: If any license or employee of a liquor by the drink establishment violates any of the provisions of this Chapter or is convicted of any of the provisions of said Chapter 9, Idaho Code, as amended, the City Council is hereby authorized and empowered to revoke the license issued to said licensee; provided however, that in the event it is brought to the attention of the City Council that a violation has taken place, before revoking such license, the City Council shall cause notice to be served upon the licensee, setting forth in general terms the violation or violations claimed to have been committed and such notice shall provide a time for hearing thereon by the City Council which date of hearing

shall not be less than five (5) days nor more than ten (10) days from the date of the service of said notice, and upon or following said hearing the City Council, if they shall find that the provisions of this Chapter or the provisions of the laws of the State of Idaho have been violated, shall revoke such license theretofore issued and no refund of any unused portion of the license fee shall be made to the licensee. A revocation by the Commissioner of Law Enforcement of the State of Idaho of any license theretofore issued said licensee shall automatically revoke the license issued by the Municipality and no refund of any fee therefore paid shall be made.

5-8-7: Access to Premises: All peace officers appointed by the State of Idaho or the Municipality of the County shall have free access at all times to the licensed premises, and any information touching the manner and method of operation of said premises or the sale of said liquor may be submitted to the City Council upon any investigation made of said license.

5-8-8: Premises Requirements: Every licensee must conform to all regulations and laws of the State of Idaho and the provisions of this Chapter. Liquor by the drink shall not be sold by any person except one duly licensed. Full and unobstructed view of the inside of the premises where said liquor by the drink is sold shall always be maintained by said licensee and no obstructions whatsoever shall be placed upon the windows or doors that are located on said premises and no coloring shall be placed upon the glass in order that a full view from the sidewalk or street may be had into the interior of said premises. All premises shall be adequately lighted and subject to periodic sanitary inspection. No gambling of any kind or character shall be operated upon said premises and no gambling devices shall be maintained thereon.

5-8-9: Sale to Minors Prohibited: No sale of liquor shall be made to any person under the age of twenty-one (21) years nor to any intoxicated person who may engage in disorderly or improper conduct and no disorderly or improper entertainment shall be permitted upon said premises and any violation of the provisions of this Chapter shall be considered and shall likewise be grounds for the cancellation of the license. (Ord. 32, 8-18-69, Eff.,9-18-69)

CHAPTER 11

WINE

5-11-1: License Required

5-11-2: Application for License

5-11-3: License Fee:

5-11-4: Issuance of License

5-11-1: License Required: It shall be lawful for any person to sell wine at retail within the corporate limits of the City after first procuring a license therefore.

5-11-2: Application For License: Application for license shall be in writing, signed and sworn to be the applicant upon application forms furnished by the Clerk. Such application shall be filed by the Clerk and presented to the Mayor and Council at the next meeting of the Council for their approval, rejection, or further consideration.

5-11-3: License Fee: (a) The license fee imposed and collected for retail sale of packaged wine only shall be the sum of \$25.00.

(b) The license fee imposed and collected for retail sale of wine by the drink only shall be the sum of \$25.00.

(c) The license fee imposed and collected for a combined license for both the retail sale of packaged wine and wine by the drink shall be the sum of \$50.00.

5-11-4: Issuance of License: Upon filing the application for a license and by the payment of the required license fee, the Clerk shall upon approval of the Council, issue to the applicant a license to sell wine at retail within the Municipality from such calendar year or the remainder thereof. (Ord. 44; 7-6-71)

5-11-5 Revocation: The governing body shall retain the right at all times to revoke and cancel any license for just cause. When any license is revoked, the licensee shall have the privilege of appearing before the governing body to appeal such revocation. Any conduct or act on the part of the licensee which may be sufficient cause for revocation of the license must be brought to the attention of the governing body. (Ord. 83; Section 2)