

ORDINANCE NO. 57

An ordinance to regulate the sale of spirituous, vinous and malt liquors, and to prevent the sale thereof without having first obtained a license therefore within the corporate limits of the City of Hood River, and to repeal Ordinance No. 21, as amended by Ordinance No. 25, Said ordinance No. 21 being entitled "An Ordinance To Provide for Licensing, Taxing, Regulating and Restraining Bar-rooms, Drinking Shops, and the sale of Intoxicating Liquors within the corporate limits of the City of Hood River, and to repeal ordinance No. 19 entitled "An ordinance to regulate the sale of spirituous, malt and vinous liquors and to prevent the sale thereof without having first obtained a license therefor, and to repeal all ordinances and parts of ordinances in conflict therewith;" and also to repeal Ordinance No. 19, entitled "An ordinance to regulate the sale of spirituous, vinous and malt ~~liquors~~ liquors and to prevent the sale thereof without having first obtained a license therefor; and to repeal all ordinances and parts of ordinances in conflict therewith."

THE CITY OF HOOD RIVER DOES ORDAIN AS FOLLOWS:

Section 1. That no person shall be permitted to sell spirituous, vinous or malt liquors, in less quantities than one gallon, to be used or drunk on the premises occupied by such person, within the corporate limits of the City of Hood River, without having first procured a license from the Common Council of said City for that purpose as in this ordinance hereinafter provided; and every person violating the provisions of this section shall be ~~punished~~

~~guilty of a misdemeanor, and~~ upon conviction thereof ~~shall~~ be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment in the city jail not less than ten nor more than fifty days, and in addition thereto shall forfeit any license such person may have to sell spirituous, vinous or malt liquors in less quantities than one gallon.

Section 2. Every person obtaining a license to sell spirituous, vinous or malt liquors under the provisions of this ordinance shall pay into the treasury of the said City of Hood River the sum of \$600. per annum, provided that no license shall issue for a less period than one year.

3 Section 3. Every person applying for a license to sell spirituous, vinous or malt liquors in said City, before securing the same shall execute to the said City of Hood River a bond in the penal sum of One Thousand Dollars (\$1000.), with two or more sufficient sureties to be approved by the Mayor conditioned that he will keep an orderly house and that he will keep his place of business closed from 12 o'clock P.M., midnight, of each day until 5 o'clock A.M. of each succeeding day, and that he will not permit any unlawful gaming or riotous conduct in or about his house, and that he will not open or permit to be opened his place of business for the purpose of trafficking on the first day of the week, commonly called Sunday; that he will not give, sell or supply spirituous, vinous or malt liquors to any minor or habitual drunkard, nor to any person at the time in a drunken or intoxicated condition; and that he will, during the term of said license, comply with all the ordinances of said City of Hood River

in any way regulating or affecting the traffic in or handling of spirituous, vinous or malt liquors. And in case of a violation by any person obtaining such license of any of the conditions of said bond, the Mayor shall immediately commence a proceeding in any court of competent jurisdiction to recover the penalty therein provided.

Section 4. Any person ^{wishing} to sell spirituous, vinous, or malt liquors in less quantities than one gallon in said City of Hood River, shall, at his own expense and trouble, obtain the signatures of an actual majority of the whole number of legal voters in the said City of Hood River to a petition to the Common Council of said City praying that said license be granted; and no application ^{nt} shall be deemed to have a majority of legal voters of the City of Hood River whose petition does not contain the names of a number of legal voters of the City of Hood River equal to a majority of all the votes cast in said City at the last preceding ^{city} ~~general~~ election ~~and greater than the whole number of names of legal voters of the City of Hood River which may be signed to any remonstrance against the granting of such license.~~

Such petition may be presented to the Council at any regular meeting, and before acting upon the same the Council shall require the petitioner to prove by his affidavit, or ~~by~~ by the affidavit of some person in his behalf who is personally acquainted with the facts, that a written or printed notice of the time and place when said petition will be presented, signed by said petitioner, and a list of said signatures has been

posted in three public places in said city at least one week before said petition shall be presented as aforesaid.

Section 5. When the applicant shall produce to the Common Council the receipt of the city treasurer for the license fee hereinbefore specified, and shall comply with all the preceding requirements of this ordinance, the Council may give him a license for the term his receipt may call for.

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Section 6. Any person obtaining a license to sell spirituous, vinous, or malt liquors, as in this ordinance provided who shall, in his said place of business or in any room or place connected therewith, deal, play or carry on, or permit to be dealt, played or carried on any gambling game played with cards or any other device, for money or checks or credits, or any representative of value, shall ~~be deemed guilty of a misdemeanor, and~~ upon conviction thereof ~~shall~~ be punished by a fine of not less than Fifty nor more than Two Hundred Dollars, or by imprisonment in the City Jail not less than Ten nor more than Fifty days, and shall also forfeit any license such person may have, to sell spirituous, vinous or malt liquors in less quantities than one gallon.

Section 7. If any person shall open or permit to be opened for the purpose of traffic, any house or room in which spirituous, vinous or malt liquors are kept for retail in said City of Hood River on the first day of the week, commonly called Sunday, or on the day of any National election, or on the day of any general or special election of State, County, precinct or City officers; or between the hours of 12 o'clock P.M., midnight, of each day and 5 o'clock A.M. of each succeeding day, ^{or} shall sell, give away or otherwise dispose of any such liquors on any of said days in said City of Hood River, such person shall ~~be deemed guilty of a misdemeanor, and~~ upon conviction thereof ~~shall~~ be punished by a fine of not less than Fifty (50) nor more than Two Hundred (200) Dollars, or by imprisonment in the City Jail not less than ten nor more than fifty days,

and shall also forfeit any license such person may have, to sell spirituous, vinous or malt liquors in less quantities than one gallon.

Section 8. If any person shall, within the said City of Hood River, sell or give any spirituous, vinous or malt liquors to any minor, or to any woman, or habitual drunkard, or to any person at the time in a drunken or intoxicated condition, or to any Indian; or if any person having obtained a license to sell such liquors as in this ordinance provided, shall permit any minor or woman to frequent, visit, or loiter in his place of business or in any room or place connected therewith, in any capacity whatever, such person shall ~~be deemed guilty of a misdemeanor~~ and upon conviction thereof shall be fined not less than Fifty (50) nor more than Two Hundred (200) Dollars, or shall be imprisoned in the City Jail not less than Ten nor more than Fifty days, and shall also forfeit any license such person may have to sell spirituous, vinous or malt liquors in quantities less than one gallon.

Section 9. Ordinance No. 21, as amended by Ordinance No 25, said ordinance No. 21 being entitled "An ordinance to provide for the licensing, taxing, regulating and restraining bar-rooms, drinking shops, and the sale of intoxicating liquors within the corporate limits of the City of Hood River, and to repeal ordinance No. 19 entitled 'An ordinance to regulate the sale of spirituous, malt or vinous liquors and to prevent the sale thereof without having first obtained a license therefore, and also to repeal all ordinances or parts of ordinances in conflict therewith;

and also to repeal ordinance No. 19 entitled 'An ordinance to regulate the sale of spirituous, vinous or malt liquors and to prevent the sale thereof without having first obtained a license therefor; and to repeal all ordinances and parts of ordinances in conflict therewith.' " are hereby repealed, and it is hereby declared to be the intention of the Common Council that this ordinance shall repeal and take the place of all former ordinances, parts of ordinances, or amended ordinances of said City of Hood River relating to the subjects embraced herein.

Approved May 11 " 1902
J. Brosius Mayor

Attest:

J. R. Nickelsen.

Recorder.