

#228

Ordinance No. 228

Concerning Saloons and Saloon Licenses.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO:

Section 1. Licenses may be granted by the City Council of the City of Las Animas, Colorado, to sell or give away intoxicating, malt, vinous, mixed or fermented liquors within the limits of the City of Las Animas in number not exceeding four at any one time, and no license shall be granted for more than two saloons on sixth street and two saloons on Bent Avenue.

Section 2. All licenses shall expire on the first days of August, November, February, or May, and shall be issued for three, six, nine or twelve months, as the Council may from time to time by resolution provide, or for such portion thereof as may remain to the next expiration day, and no license shall be issued for less than two hundred and fifty dollars for three months, and in case the license be issued for less than three months there shall be paid such part of two hundred and fifty dollars as the time the license has to run bears to three months. The amounts herein provided shall be paid in advance of the issuance of the license.

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Section 3. All applications for licenses shall be made in writing, filed with the City Clerk, shall be signed by the person, or persons asking for the same, and no license shall issue until a bond is filed in the penal sum of Three Thousand Dollars, conditioned for the faithful observance of all statutes of the State of Colorado, the ordinances of the City of Las Animas and the resolutions of the City Council and conditions of the license, signed by at least two sureties to be approved by the City Clerk by order of the majority of the Council.

Section 4. All licenses shall be signed by the Mayor of the City of Las Animas and attested by the City Clerk with the seal of the City, but no license shall be issued or signed until first duly ordered issued by a majority of the City Council. The City Council, except as herein otherwise provided, shall from time to time provide the form and conditions of all licenses.

Section 5. All saloons shall be closed promptly at ten o'clock at night and shall remain closed until the following morning at six o'clock, except Saturday night when they may remain open until eleven o'clock and all saloons shall remain closed from eleven o'clock Saturday night until six o'clock the following Monday morning, and during the time they shall so remain closed, all curtains to windows shall be lowered and obstructions removed which would obstruct the view of the rear of the bar.

Section 6. No games of dice, cards or any other game shall be permitted in any saloon, whether such games be social or for a consideration. And to this end all gaming is hereby declared to be a nuisance, when played in a saloon.

Section 7. No signs, pictures or other advertisements of any intoxicating, malt, vinous, mixed or fermented liquors shall be displayed or exhibited in the windows or in front of any saloon building.

Section 8. All ice, beer and other liquors shall be taken through the rear door and not the front door, and all empty barrels, kegs and bottles shall be removed through the rear.

Section 9. Every saloon proprietor shall keep a well bound book for a bar register in which he shall cause to be entered the following record: The amount of spiritous, malt, vinous, mixed or fermented liquors, sold to be taken out of and to be drunk or consumed away from such saloon, the sate sold, the name and address of the person or persons buying the same, together with any further memoranda required by any resolution of the City Council at the time of such sale. Such register shall be open for inspection and for making memoranda or copies of the whole of any part thereof during business hours by any official of the City of Las Animas.

Section 10. No liquor herein described shall be sold to any minor or habitual drunkard, nor to any other person whose name has been certified to the proprietor of any saloon by order of the City Council as a person unfit to buy such liquors either at the bar for drinking in the saloon or away from the saloon. All persons certified to the proprietor of any saloon by the City Council or mayor as a minor or habitual drunkard shall be by the proprietor of any saloon taken to be minors or habitual drunkards within the provisions of this ordinance, and sale in any manner whatever to such persons so certified is prohibited. A list of all persons so

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certified shall be kept in all saloons, and such list shall at all times during business hours be open for inspection and making copies by any officer of the City of Las Animas.

Section 11. All sales of malt, intoxicating, vinous, mixed or fermented liquors, except in saloons under the authority of a license duly issued as herein provided, is prohibited within the corporate limits of the City of Las Animas and within one mile from the outer boundaries thereof. All giving away of any such liquors within said territory, except in private homes, is likewise prohibited; Provided, this section shall not apply to druggists who may sell upon prescription in writing signed by a physician residing in Bent County, Colorado, and regularly licensed to practice medicine in the State of Colorado.

. Any person found guilty of violation of this section of this ordinance shall be fined for the first offense not less than twenty five dollars and not more than one hundred dollars, or imprisoned in the City Jail for not less than ten days and not more than twenty five days, or by both such fine and imprisonment, and for all subsequent offenses such person so found guilty shall be subject to a fine of not less than one hundred dollars and not more than three hundred dollars, or imprisoned in the City Jail not less than thirty days and not more than ninety days, or both such fine and imprisonment, and in any case such person shall be committed to the City Jail until such fine and costs be paid, not in any event to exceed ninety days for one offense.

Section 12. All licenses issued under the provisions of this ordinance shall be subject to revocation and cancellation by a majority vote of the City Council, upon proof satisfactory to said City Council that this ordinance or any part thereof, has been violated, or for the violation of any resolution adopted by said City Council, or any condition of such license, and the license money paid shall be retained by the City of Las Animas as damages, or the City Council may return the unearned portion of such license, and proceed to recover on the bond, as the City Council may elect.

Section 13. Ordinance No. 54 adopted September 1, 1904; ordinance No. 118 adopted April 1, 1896; ordinance No. 167, adopted March 12, 1904; ordinance 172 adopted December 3, 1906; and ordinance No. 222, adopted October 23, 1911, so far as they affect the sale, giving away or the prohibition of the sale of intoxicating, spiritous, malt, vinous, mixed or fermented liquors within the limits of the City of Las Animas or one mile from the outer limits thereof, are hereby specifically repealed, and all other ordinances and parts of ordinances in conflict with this ordinance are also repealed.

Passed and adopted this 28th day of April A.D. 1913.

Ayes:- Aldermen J.M. Marshall, H.N. Carman, J.R. Warner, Martyn Myers, J.M. Bowman.

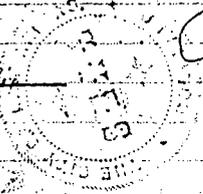
Nayes:- None.

Absent and not voting:- Alderman G.W. Beach.

Attest:-

Frances J. ...
City Clerk.

John D. Brown
Mayor.



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State of Colorado }
 } ss.
County of Bent }

I, Frances M. Cahill, City Clerk of the City of Las Animas, Colorado, do hereby certify that the above and foregoing Ordinance was introduced and read at a preceding regular meeting of the City Council of the City of Las Animas, and published in full in the Las Animas Leader a public newspaper of general circulation published in the City of Las Animas, for ten days before its passage.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the City of Las Animas, Bent County, Colorado, this 29th day of April A.D. 1913.

Frances M. Cahill
City Clerk.