

Ordinance # 11

"Providing for the Sale of Intoxicating Liquor and Regulating the Traffic Thereof."

The Board of Trustees of the Town of San Anselmo do ordain as follows:—

Section 1 It is hereby declared to be unlawful and a misdemeanor for any person to commence or carry on the business of selling intoxicating liquors in the Town of San Anselmo, or to give away, sell or dispose of intoxicating liquors in any restaurant, lunch room, saloon, store, or any other place therein, except as hereinafter provided and it is further declared to be unlawful and a misdemeanor for any club, association or any coalition or organization of persons to give away, sell or in any manner dispose of any intoxicating liquors in said Town to any person whether a member or not of such club, association, coalition or organization.

Section 2— Any person carrying on or conducting in good faith in a store situated in said Town of San Anselmo a grocery business, may sell intoxicating liquors in the original package and at the habitation of the person purchasing the same and not otherwise, upon obtaining the permit and license as hereinafter required.

Section 3— Any person desiring to sell intoxicating liquors as provided by Section 2 of this Ordinance shall make a written application to the Board of Trustees for a permit to obtain the license hereinafter required, which said application shall state the particular place and building where the business is to be carried on, and in case a previous application for such permit has been rejected, that fact shall

Ordinance #11. Continued

be stated also. Upon the receipt of said application the Board of Trustees, if it finds that the applicant is a proper person to carry on said business and that the carrying on of said business at the place where the same is proposed to be carried on will not be prejudicial to the public good, may by resolution grant the required permit, provided however that no permit shall be granted to any person who had previously had such permit under this Ordinance and whose permit had been revoked. A certified copy of which resolution granting or revoking a permit shall be immediately given by the clerk to the Tax Collector. A permit under this ordinance shall be good only for the person and particular place or building specified in said permit and shall be in force for one year only from the date of its issuance and all permits to obtain said license now in force shall cease at the expiration of one year from the date of their issuance.

Section 4 The rate of license under this ordinance shall be as follows: For every person to whom a permit is granted to sell liquor under the provisions of this Ordinance, the sum of Twenty-five dollars payable each quarter, in advance, in lawful money of the United States at the office of the Tax Collector in the Town of San Anselmo to said Tax Collector.

Section 5 The license herein required must be procured from the Tax Collector immediately before the commencement of the business herein required to be licensed, and shall be issued for the period of three months and not otherwise, and shall date from the time of the commencement of said business, or from the time of the expiration of the license if it be deemed that

Ordinance # 11 Continued.

no license issued under this Ordinance shall be valid for any purpose for more than three months from the date of its issuance. A separate permission and license must be obtained for each branch establishment or separate place of business.

Section 6. No license issued under any of the provisions of this Ordinance shall be assignable, or transferable, or authorize any person, other than is therein named to do business or authorize business to be done at any other place or building than the place or building particularly specified therein. Every license issued under the provisions of this Ordinance shall specify by name the person to whom or which it is issued, and the particular place and building in which the business for which it is issued is to be carried on, and also the date of issuance, the term for which it is issued and a description of the business to be carried on thereunder.

Section 7. The Tax Collector is hereby authorized, empowered and required to collect all licenses provided for by this Ordinance. He and his deputies shall have the power to make arrests for the violation of any of the provisions of this Ordinance. It is hereby made the duty of the Tax Collector to cause complaints to be filed against all persons, firms and corporations violating any of the provisions of this Ordinance, and it is hereby made the duty of the Town Attorney to prosecute in all cases where such complaints are filed.

Section 8. Any person to whom such a permit has been granted and does not conduct the business for which a permit has been granted in a quiet, orderly and reputable manner or who permits any disturbance of the public order or decorum by any noisy, riotous or disorderly conduct or

Ordinance #11 Continued

the premises or who sells, gives or furnishes any spirituous, malt or fermented liquors or wines to any intoxicated person or to any minor, or who sells any intoxicating liquors to be drunk on the premises, or who delivers any intoxicating liquors on the premises occupied by him, or who permits any intoxicating liquors to be drunk on the premises, shall forfeit all permits and license theretofore issued to such person under the provisions of this Ordinance and also any license that may have been issued to said person under the provisions of this Ordinance subsequent to the filing with the Board of Trustees of the complaint hereinafter mentioned. It shall be the duty of the Tax Collector to file with the Clerk of this Board a complaint against any person whom he has reason to believe is guilty of any of the acts or neglects specified in this section. Such complaint may however be made by any resident of said Town. The Board of Trustees shall investigate said complaint in a summary manner after one days notice to the person complained against; if on such investigation the said Board finds that the said complaint is well founded and the charges therein made true, it shall be so declared by resolution and shall by the same resolution revoke the permit theretofore granted to said person under the provisions of this Ordinance and remaining term unexpired; and said license theretofore be without force and effect. The decision of the Board of Trustees in regard to the revocation of their permit or license shall be final and from said decision there shall be no appeal.

Section 9 Any person desiring a renewal of a permit issued to him must at least one month before the expiration of the previous

