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Ordinance # 448

Providing for the Sale of Intoxicating Liquors and regulating the Traffic thereof.

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

Section I.

It shall be and it is hereby made unlawful and a misdemeanor for any person or persons either as owner, principal, agent, servant, or employee, to establish, open, keep, maintain or carry on or assist in keeping, maintaining or carrying on within the corporate limits of the Town of San Anselmo, any tippling house, dram shop, cellar, saloon, bar, bar-room, sample-room, restaurant, lunch room, or store, or any other place where spirituous, vinous, malt or mixed liquors are sold or given away, except as in hereafter provided.

Section II.

Any person carrying on or conducting in good faith in a store situate 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 same and not otherwise, upon obtaining the permit and license as hereinafter required.

Section III.

Any person, firm or corporation carrying on in good faith a regularly equipped hotel, restaurant or boarding house may sell and dispense intoxicating liquors at meals served in the regular dining room of said hotel, restaurant or boarding-house after having first obtained the license in this ordinance provided, and no liquors shall be served or dispensed at meals other than at those meals served between the hours of six A.M. and 11 P.M. of each

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day.

Section IV

Any person, firm or corporation carrying on the business, referred to in Section III of this Ordinance, shall at the hour of eleven o'clock P.M. of every day remove any and all customers and patrons therefrom and close and securely lock the doors of their dining room or rooms in any and all places therein wherein meals or intoxicating liquors are dispensed, given away or sold, and shall keep the same securely locked and closed and exclude all customers and patrons therefrom until the hour of six o'clock A.M. of the next succeeding day.

Section V

Any person desiring to sell intoxicating liquors, as provided in Sections II and III 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, that fact should be stated also. Upon the receipt of said application the Board of Trustees shall cause a notice to be posted by the Clerk upon the particular place and building where the business is to be carried on, which said notice shall state the fact that such a permit has been applied for, the name of the person applying for said permit, and the time at which said application shall come up for final hearing. The said notice shall be posted for at least five days before the hearing and the Clerk shall certify upon the application that such posting has been made. If the Board of Trustees

finds that the applicant is a person  
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 VI  
The rate of license under this Ord-  
inance 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  
full money of the United States at the office  
of the Tax Collector in the Town of San  
Pascual to said Tax Collector.

Section VII  
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

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license next preceding, provided that 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 from each branch establishment or separate place of business.

Section VIII

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 thereunder.

Section IX

The Town Marshal is hereby authorized, empowered and required to collect all licenses provided for by this Ordinance, 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 Town Marshal to cause complaints to be filed against all persons, firms or corporations violating any of the provisions of this Ordinance, and it is hereby made the duty of the Town Attorneys to prosecute in all cases where such complaints are filed.

Section X

Any person to whom such a permit has been granted shall be held liable for the

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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 on the premises, or who sells, gives or furnishes any, spirituous, vinous, malt or mixed liquors, or wines, to any intoxicated person or to any minor, or who sells any intoxicating liquors to be drunk on the premises except as hereinbefore provided, or who delivers any intoxicating liquors on the premises occupied by him, or who permits any intoxicating liquors to be drunk on the premises except as hereinbefore provided, shall forfeit all permits and licenses heretofore issued to such persons 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 herein-after mentioned. It shall be the duty of the Town Marshal 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 complaints 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 charge therein made true it shall be so declared by resolution and shall by the same resolution revoke the permit heretofore granted to said person under the provisions of this Ordinance and remaining term unexpired and said license shall thenceforth be without force and effect. The decision of the Board of Trustees in regard to the revocation of this permit or license shall

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be final, and from said decision there shall be no appeal.

## Section XI

Any person desiring a renewal of the permit issued to him must at least one month before expiration of the previous permit issued to him file with the Board of Trustees an application, therefore and said Board shall hear and consider the same at a meeting following the filing of said application.

## Section XII

Every person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not exceeding six months or by a fine not less than one hundred dollars, nor exceeding five hundred dollars, or by both such fine and imprisonment.

## Section XIII

The word "person" wherever used in this ordinance includes a corporation or firm as well as a natural person. The words "intoxicating liquors" wherever used in this ordinance shall include spirituous, vinous, malt or mixed liquors.

## Section XIV

All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

## Section XV

This ordinance shall take effect and be in force from and after the date of its passage.

Passed and approved this 1<sup>st</sup> day of May, 1909, by the following vote:

Ayes: Robinson, Ashworth, Davis & Jones  
Noes: None

*Ordinance # 44*

*Amendment*

*W E Jones*  
*President of the Board of Trustees*

*A. A. Moore*  
*Clerk*

STATE OF CALIFORNIA, }  
COUNTY OF MARIN, } ss.  
TOWN OF SAN ANSELMO. }

I, A. A. MOORE, Town Clerk of the Town of San Anselmo and ex-officio Clerk of the Board of Trustees of said Town, hereby certify that the foregoing is a full, true and correct copy of an ordinance regularly and duly passed at a *adjourned* meeting of the Board of Trustees of said Town not less than *30* days after the date of its introduction.

That the said ordinance was numbered *44* and entitled *Providing for the sale of Intoxicating Liquors and Regulating the Tariff thereof.*

That the said ordinance was thereafter duly posted in accordance with law and the order of said Board of Trustees in three conspicuous places in said Town.

In witness, whereof, I have hereunto set my hand and affixed the Corporate Seal of the Town of San Anselmo, at my office in said Town, this *18<sup>th</sup>* day of *May*, 190*9*.

*A. A. Moore*  
CLERK OF THE TOWN OF SAN ANSELMO.

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*" Amendment " - 16 256*