

ORDINANCE NO. 12

AN ORDINANCE PROVIDING FOR THE LICENSING, TAXING, REGULATING AND RESTRAINING OF THE SALE OF SPIRITUOUS, VINOUS, FERMENTED, MALT AND OTHER INTOXICATING LIQUORS, WITHIN THE CORPORATE LIMITS OF THE TOWN OF GRANITE FALLS, WASHINGTON, FIXING THE METHOD OF PROCURING A LICENSE FOR THE SALE OF SUCH LIQUORS, DECLARING THE VIOLATION OF ITS PROVISIONS A MISDEMEANOR AND PROVIDING A PENALTY THEREFOR.

BE IT ORDAINED by the council of the town of Granite Falls, Washington.

Section 1: It shall be unlawful for any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous, fermented, malt or other intoxicating liquors as a beverage within the corporate limits of the town of Granite Falls, Washington, without first procuring a license therefor as required by this ordinance.

Section 2: Any person, firm or corporation desiring to procure a license under the provisions of the ordinance shall file with the town clerk (1) An application therefor which shall be in writing and be signed by the applicant or applicants. Such application shall set forth the name in full of the person, firm or corporation applying therefor; the place where said license is to be used, giving a description of the property so that the same may be easily identified; the title the applicant or applicants has or have to such place, whether owner or lessee, and the length of time the applicant or applicants has or have been resident within the corporate limits of said Town of Granite Falls. And if the applicant is not the owner in fee simple of the premises in which the proposed liquor business is to be conducted, then said applicant shall file the consent in writing of the owner or owners of said building and the land upon which said building is situated. (2) The applicant or applicants shall also file with the town clerk a bond running to the town of Granite Falls, in the penal sum of one thousand (\$1,000.00) dollars signed by the applicant and at least two sureties, who must qualify as sureties are required to qualify on official bonds by the provisions of the laws of the State of Washington, be conditioned that the applicant, if granted a license, will keep an orderly

house and will not sell liquor to minors and will fully comply with the provisions and requirements of all the ordinances and resolutions of the Town of Granite Falls, and the laws of the State of Washington governing the license and sale of spirituous, vinous, fermented, malt or other intoxicating liquors, and that in case of the violation of the said terms of said license, that the same shall be forfeited and that the licensee will pay all judgments which may be recovered against him for any violation of the same. It must also appear by the affidavit of the sureties attached to said bond that they are residents and freeholders of the Town of Granite Falls and that they are each worth one thousand (\$1,000.00) dollars over and above all their debts and liabilities exclusive of property exempt from execution, situate in the County of Snohomish, State of Washington and if said property be community property then the wife or wives of the surety or sureties must also sign said bond and qualify with her or their husbands, or said council may accept a surety company as such bond if said company has complied with the state law (3) The applicant or applicants shall file also a receipt of the town treasurer for the amount of the license fee hereinafter specified.

Section 3: The said application, bond and receipt, together with all other papers filed with the town clerk, shall be by him presented to the town council at the next meeting thereof to be denied or granted as the council shall in its discretion by a majority vote decide. The council shall have the right to postpone the consideration of the said application from meeting to meeting and may in its discretion refuse to grant the license applied for, if in the opinion of a majority of the councilmen the applicant is an unfit person to have such license, or the place where such license is to be used is a locality in which the sale of intoxicating liquors is, in the opinion of a majority of the councilmen, a locality where the sale of intoxicating liquors should not be allowed. And a majority of said council may refuse to grant a license for any other just and reasonable cause and may refuse to accept the bond furnished by said applicant. If the said application is granted then a license shall be issued by the town clerk, but if the application be denied by the council, by a majority vote, then no license shall be issued and the receipt of the treasurer shall be returned to him by the clerk and the treasurer shall immediately cancel the said receipt and return the amount or the license fee deposited with him to the applicant. Whenever a license is granted by the council the clerk shall immediately notify the treasurer and he shall thereupon forthwith pay ten (10) per cent of the license fee to the state treasurer, as required by law, and carry the balance of the license fee to the credit of the general fund of the town.

Section 4: Any person, firm or coporation who shall have procured a license under the provisions of this ordinance and shall violate any of the conditions thereof or any provisions of this ordinance or any other ordinance governing the licensing and sale of intoxicating liquors shall upon conviction thereof forfeit said license and no part of the fee paid therefor shall be refunded and such person shall not be entitled to another license unless the council shall decide otherwise.

Section 5: Any person, firm or coporation desiring to transfer any license held under the provisions of this ordinance from the place for which said license was granted to some other premises shall file with the clerk an application for permission to make such transfer accompanied by the consent in writing of the owner of the building to which he wishes to remove and of the bondsmen upon his bond. Such application shall be laid before the council at its next meeting and may be refused for any of the reasons set forth in section three (3) of this ordinance. If the application be granted then the clerk shall trnasfer said license by an indorsement in red ink, written across the face of the original license.

Section 6: In case any holder of license granted under the provisions of this ordinance shall desire to sell or assign the same, a permit to do so shall first be obtained from the council and no such permit shall be granted except the party to whom said license is to be sold or assigned shall file with the clerk the application bond, and all other papers required to be filed by an applicant for an original license as set forth in section two (2) of this ordinance and the council may refuse a transfer to such intended purchaser in its discretion. If a permit is granted by the council after consideration then the clerk shall endorse the same in red ink across the face of the original license.

Section 7: Every person, firm or corporation holding a license granted under the provisions of this ordinance shall keep the same posted in a conspicuous place in his, their or its place of business.

Section 8: No entrance to any place holding a license under the provisions of this ordinance shall be marked "family entrance" or "ladies entrance" but shall be marked, if at all, "Saloon entrance" and beside every entrance to any such place shall appear the words "minors not allowed within."

Section 9: The rates for licenses under this ordinance shall be as follows: Retail liquor license four hundred (\$400.00) dollars per year.

Wholesale liquor license one hundred (\$100.00) dollars per year.

Wholesale and retail liquor license four hundred and fifty (\$450.00) dollars per year.

A license for the sale or giving away of intoxicating liquors in quantities of more than one gallon shall be known as a wholesale license; a license for the sale or giving away of intoxicating liquors in quantities of less than one gallon shall be known as a retail license; and a license for the sale or giving away of intoxicating liquors in quantities less than one gallon, one gallon and more than one gallon, shall be known as a wholesale and retail license.

Section 10: Any person, whether as an individual or as the agent of or member of any firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than five (\$5.00) dollars nor more than one hundred (\$100.00) and the costs of prosecution which costs shall be added to and become a part of the fine and be imprisoned in the town jail until such fine is paid or liquidated according to the laws of the State of Washington.

Section 11: The town clerk shall keep in his office a well bound book marked "register of licenses" in which he shall keep a record of all licenses issued by him under the provisions of this ordinance. He shall receive a fee of one (\$1.00) dollar to be paid by each applicant to whom a license is issued or transferred. He shall keep duplicate originals of licenses and endorsements thereon and shall furnish certified copies thereof upon request and the payment to him of the sum of one (\$1.00) dollar for each copy and shall be entitled to retain the fees herein provided in addition to his regular salary. Certified copies of the liquor license and the endorsements thereon furnished by the town clerk shall be received in evidence against the Town of Granite Falls and the licensee or licensees named therein with the same force and effect as the original license.

Section 12: This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed by the council in open session the 22nd day of March A. D., 1904.

B. E. CHAPPELL, Mayor

ATTEST:
CHAS. T. SMITH,
Town Clerk