

ORDINANCE NO. 21

An Ordinance Licensing and Regulating the Sale of Intoxicating Liquor, and Providing a Penalty for the Violation Thereof.

The Council of the Village of New Munich do Ordain:

Section 1. Provision of State Law Adopted. That all definitions, terms and provisions regulating the sale of intoxicating liquor as provided for by Chapter 46 of the Special Session Laws of 1933-1934 and all amendments thereof are hereby adopted and made a part of this ordinance, the same as if set forth verbatim herein.

Section 2. Application for License. Every person desiring a license shall file a verified application therefor, in writing with the Village Clerk, said application for "off-sale" license to be in form to be prescribed by the Liquor Control Commissioner of the State of Minnesota and with such additional provisions as the village council may require, and for "on-sale" license shall be the form prescribed by the village council. A corporate surety bond shall accompany each application for license. In the case of an application for "on-sale" license it shall be accompanied by a surety bond in the sum of \$3,000.00 to be approved as to legal form and as to its sufficiency by the Village Council, or in lieu thereof cash or United States government bonds, and in case of an application for "off-sale" license it shall be accompanied by a surety bond in the sum of \$1,000.00, to be approved by the Village Council and the Liquor Control Commissioner, or in lieu thereof cash or United States government bonds. All bonds shall be continuing as to any violation or damages resulting therefrom during the period of said licenses. That in the event of a violation of the provisions of any law relating to the retail "off-sale" and retail "on-sale" of intoxicating liquor, such bond shall be forfeited to the village of New Munich.

Section 3. Fees. All applications for license shall be accompanied by a receipt from the village treasurer for the required annual fee for the respective license. All such fees shall be paid into the general fund of the village. Upon rejection of any application for a license, the treasurer shall refund the amount paid and the bond of said applicant shall be returned to him. The annual fee for an "on-sale" license shall be \$400.00. The annual fee for an "off-sale" license shall be \$75.00. All license shall expire on the last day of June in each year. For licenses issued hereunder prior to June 30, 1934, the fee shall be a pro rata share of the annual license fee.

Section 4. Granting of Licenses. The village council shall cause an investigation to be made of all the representations set forth in the application. After such investigation and approval of the required bond, the village council shall grant or refuse such license in its discretion; provided that no "off-sale" license shall become effective until it, together with the bond, have the approval of the Liquor Control Commissioner. All licensed premises shall have the license posted in a conspicuous place therein at all times. No license shall be transferable either as to license or premises without the approval of the council and also of the Liquor Control Commissioner in the case of "off-sale" licenses. No license shall be granted for operation in any premises against which there are any delinquent real estate taxes. No license shall be granted to any person personally indebted to the Village of New Munich. Tobacco, cigarettes, cigars, candies, ice cream, non-intoxicating malt beverages may be sold in premises where "on-sale" license have been granted, provided the required license fee for the sale of non-intoxicating malt beverages have been paid.

Section 5. Restriction on Consumption. In any place licensed for "on-sale" the liquor sold shall be served and consumed at tables equipped with chairs at which customers must sit to be served and at counters equipped with chairs or stools for seating of customers. It shall be unlawful for any person or persons to consume any intoxicating liquor in any public place not holding an unrevoked "On-sale" intoxicating liquor license.

Section 6. Revocation. Any license granted hereunder may be revoked by the council. Any violation of any provisions or condition of this ordinance or state licensing law or any falsification of any statement in the application shall be ground for revocation. Any such license shall be revoked automatically upon the conviction of the licensee of a felony. No portion of the license fee paid into the village treasury shall be returned upon revocation.

Section 7. Twenty-one Years of Age. It shall be unlawful for any person under 21 years of age to represent himself to be 21 years of age for the purpose of purchasing intoxicating liquor.

Section 8. Inspection. All premises where any license hereunder is granted shall be open to inspection by any police officer or health officer or any other designated officer or employee of the village at any time during which the place so licensed shall be open to the public.

Section 9. Provision Separable. Every action, provision or part of this ordinance is declared separable from every other section, provision or part; and if any section be declared invalid, it shall not effect any other section, provision or part.

Section 10. Penalty. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined by fine of not more than \$100.00 or in default of such payment shall be imprisoned in the County Jail for not to exceed ninety (90) days, plus the cost of prosecution in any case.

Section 11. Effect. This ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 13th day of

ORDINANCE NO. 22

An ordinance amending ordinance No. 21 regulating the sale of intoxicating liquor.

The Council of the Village of New Munich, Minnesota, do ordain:

Section 1. That portion of section 3 of said ordinance No. 21 reading: The annual fee for an "on-sale" license shall be \$400.00, is hereby amended to read: The annual fee for an "on-sale" license shall be \$200.00.

Section 2. That portion of Section 4 of said ordinance No. 21 reading: Tobacco, cigarettes, cigars, candies, ice cream, non-intoxicating malt beverages may be sold in premises where "on-sale" licenses have been granted, provided the required license fee for the sale of non-intoxicating malt beverages have been paid; is hereby repealed and cancelled.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 21st day of March, 1934.

Approved: Ben Humbert,
President of the Council.
Attest: Jos. P. Benolken,
Clerk.

Published in the Melrose Beacon,
March 22, 1934.

ORDINANCE NUMBER 23

An Ordinance Amending Ordinances No. 21 and 22, Licensing and Regulating the Sale of Intoxicating Liquor.

The Council of the Village of New Munich, Minnesota, do ordain:

Section 1. That portion of Ordinance No. 22 establishing the annual fee for On-sale license at \$200; and that portion of Ordinance No. 21 establishing the annual fee for Off-sale license at \$75 are hereby amended to read, respectively: The annual fee for On-sale license shall be \$100; and the annual fee for Off-sale license shall be \$37.

Section 2. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 26th day of June, 1934.

Approved: BEN HUMBERT
President of the Council.
Attest: Jos. P. Benolken,
Clerk.

Published in the Melrose Beacon June 28, 1934.

ORDINANCE NUMBER 24

An Ordinance Amending Ordinance No. 20, Licensing and Regulating the Sale of Non-intoxicating Malt Liquors.

The Council of the Village of New Munich, Minnesota, do ordain:

Section 1. That portion of Section No. 4 of said Ordinance No. 20 establishing the annual fee for On-sale and Off-sale licenses is hereby amended to read: The annual fee for an "On-sale" license shall be Twenty-five Dollars. The annual fee for an "Off-sale" license shall be Five Dollars.

Section 2. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 26th day of June, 1934.

Approved: BEN HUMBERT
President of the Council.
Attest: Jos. P. Benolken,
Clerk.

Published in the Melrose Beacon June 28, 1934.

(MINN.) BEACON

ORDINANCE NO. 25

An ordinance amending Ordinance No. 23, licensing and regulating the sale of intoxicating liquor.

The Council of the Village of New Munich, Minnesota, does ordain:

Section 1. That portion of Ordinance No. 23 establishing the annual fee for on-sale and off-sale licenses is hereby amended to read as follows:

The annual fee for on-sale license shall be \$150; and the annual fee for off-sale license shall be \$50.

Section 2. This ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 17th day of June, 1936.

Approved: Ben Humbert
President of the Council
Attest: A. A. Brandl
Clerk

Publ. in Melrose Beacon June 18, 1936.

ORDINANCE NO. 26

An Ordinance Amending Ordinance No. 24, licensing and regulating the sale of Non-intoxicating Malt Liquors.

The Council of the Village of New Munich, Minnesota, does ordain:

Section 1. That portion of Ordinance No. 24, establishing the annual fee for On-sale license is hereby amended to read:

The annual fee for an On-sale license shall be Fifty Dollars.

Section 2. This ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 17th day of June, 1936.

Approved: Ben Humbert
President of the Council
Attest: A. A. Brandl
Clerk

Publ. in Melrose Beacon June 18, 1936.