

Ordinance No, 34

AN ORDINANCE REPEALING CERTAIN ORDINANCES.

The Village Council of the Village of Shelly do Ordain as follows:

Section 1. That the following ordinances be and the same are hereby repealed:


Ordinance No. 7 , Regulating dray license in the Village of Shelly , passed July 3d, 1904.

Ordinance No. 10 , Regulating riding tricycles on sidewalks, passed Sept 10 th 1904.

Section 2.

This Ordinance will take effect and be in force from and after its passage and publication.

Passed by the Village Council this 5th, day of March 1928


M. H. Mauritan
President of the Council.

4 Seal)

Attest :

A. E. Silver
Village Recorder.

An Ordinance Relating to the Sale and Consumption of Non-Intoxicating Malt Liquors and Beer in the Village of Shelly, Minn.

Unnumbered 1933

STATE OF MINNESOTA } ss
County of Norman

The Village Council of the Village of Shelly, Do Ordain as follows:

SEC. 1 It shall be unlawful within the corporate limits of said Village to sell beer, being defined as non-intoxicating malt liquor, containing more than one half of one per cent of alcohol by volume and containing less than three and two tenths (3.2) percent alcohol by weight, except when licensed as hereinafter provided. There shall be two kinds of licenses,

(a) "On Sale" licenses shall permit the licensee to sell such beer or non-intoxicating malt liquor for consumption on the licensed premises, and the license fee therefore shall be Seventy-Five Dollars (\$75) per annum, in three installments in advance every four months. Such "On Sale" license, however, shall be granted only to drug stores, restaurants, hotels and bona fide clubs.

(b) "Off Sale" licenses shall permit the licensee to sell beer, or non-intoxicating malt liquors in original packages for consumption off the premises only, and the license fee therefore shall be Five Dollars (\$5.00) per annum.

(c) Licenses hereunder shall be issued only to persons who are citizens of the United States, who are of good moral character and repute, and who are more than twenty one (21) years of age.

SEC. 2 All licenses for the sale of beer, or non-intoxicating malt liquors shall be issued for a period of one year, except that for the purpose of ordinating the time of expiration of licenses in general, all licenses shall expire on the 31st day of December following date of issue, provided that where such expiration dates make period of operation less than one year, a pro rata license fee may be charged.

SEC. 3 No sale shall be made of any such beer or non-intoxicating malt liquors between the hours of twelve o'clock midnight and six o'clock in the morning, nor shall any such sales be made on the Sabbath or Sunday. No sale shall be made to any person under 21 years of age.

SEC. 4 (a) No license shall be issued to any person or corporation unless the licensee shall have been established in business in the said village for at least one year past.

(b) Proprietors holding "On Sale" licenses shall not obstruct the public view from the street into their place of business with screens, shades, blinds or other means. The beers must be served and consumed at tables and counters provided with seats and not at bars.

(c) It shall be unlawful for any person holding an "On Sale" license to suffer or permit any form of gambling on his premises, either by cards, dice, slot machines or any other device constituting a game of chance, whether such game is played for money, drinks or other merchandises, nor shall he permit any playing of cards on the licensed premises whether as gaming or pastime.

SEC. 5 The Village Council shall

have the power to revoke any license issued to a licensee who violates any provisions of this ordinance or the laws of the State relating to the sale and disposal of non-intoxicating malt beverages, whose place of business becomes disorderly or where intoxicated persons are permitted to remain or whose place of business the mixing or "spiking" of non-intoxicating malt beverages with intoxicating liquors is carried on. No license shall be thereafter issued for a period of one year to sell malt liquors in the place described in the revoked license.

SEC. 6 It shall be unlawful for the proprietor of any restaurant, hotel or drug store, who is the holder of an "on sale" license to permit or suffer any person in such place of business to mix or "spike" non-intoxicating malt beverages with intoxicating liquor.

SEC. 7 It shall be unlawful for

C. A. Smaby being duly sworn, deposes and says that he now is and during all the times hereinafter mentioned has been the publisher or printer in charge of The Halstad Journal, a weekly newspaper, printed and published in the Village of Halstad in said Norman County, State of Minnesota, on Friday of each week;

That he has knowledge of the facts and knows personally that the printed

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hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each week for L... weeks, and that all of said publications were made in the English language.

That said notice was first inserted, printed and published on Friday, the #12th day of May, 1933, and was printed and published in said newspaper on each and every Friday thereafter until and including Friday, the ... day of ..., 19...

That during all the times aforesaid, said newspaper was qualified as a medium of official and legal publications as required by Sections 3 and 4 of Chapter 484, Session Laws of Minnesota, 1921, and that it has complied with all the requirements that constitute a legal newspaper as defined in Sections 3 and 4, to-wit: that for more than one year last past from the date of the first publication of said

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said newspaper has been

- (1) Printed from the place from which it purports to be issued in the English language, and in column and sheet form equivalent in space to at least four pages, with five columns to the page, each seventeen and three quarters inches long.
(2) Issued once each week from a known office, established in such place for publication and equipped with skilled workmen and the necessary material for preparing and printing the same.
(3) Made up to contain general and local news, comment and miscellany, not wholly duplicating any other publication, and not entirely made up of patents, plate matter and advertisements, or any or either of them.
(4) Circulated in and near its place of publication to the extent of at least two hundred and forty copies regularly delivered to paying subscribers, and that prior to the date of the first publication of said

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the publisher or printer in charge of said newspaper having knowledge of the facts, filed in the office of the County Auditor of said county of Norman, state of Minnesota, an affidavit showing the name and location of said newspaper and the existence of conditions constituting its qualifications as a legal newspaper as required and set forth in Section 3 of Chapter 484, Session Laws Minnesota, 1921.

That the following is a printed copy of the lower case alphabet from A to Z, both inclusive, of the size and kind of type used in the composition, printing and publication of said legal advertisement hereunto attached, viz:

abcdefghijklmnopqrstuvwxyz-6 point abcdefghijklmnopqrstuvwxyz--8 point abcdefghijklmnopqrstuvwxyz-10 point

Further affiant saith not, save that this affidavit is made pursuant to section 4 of chapter 484, Session Laws Minnesota, 1921, and is intended to accompany the bill for the publication in said newspaper of the aforesaid legal advertisement

C. A. Smaby

Subscribed and sworn to before me this 14th day of May, 1933

G. O. Ueland

Notary Public, Norman County, Minnesota

My Commission expires

A. O. UELAND, Notary Public, Norman County, Minn. My Commission expires Dec. 5, 1933.

carried on. No license shall be there-
after issued for a period of one year
to sell malt liquors in the place des-
cribed in the revoked license.

SEC. 6 It shall be unlawful for
the proprietor of any restaurant,
hotel or drug store, who is the holder
of an "on sale" license to permit or
suffer any person in such place of
business to mix or "spike" non-in-
toxicating malt beverages with intox-
icating liquor.

SEC. 7 It shall be unlawful for
any person to do any drinking of
beer or non-intoxicating liquors, on
walks, streets, or alleys within the
corporate limits of the Village.

SEC. 8 Any person violating the
provisions of this ordinance, or any
or either of said provisions, shall be
guilty of a misdemeanor and upon
conviction before a court of compe-
tent jurisdiction shall pay a fine of
not more than One Hundred Dollars
(\$100.00), or in lieu of such fine may
be committed to the Common Jail of
Norman County for a period not ex-
ceeding ninety (90) days.

SEC. 9 All ordinances of said Vil-
lage, or parts of ordinances, in con-
flict with the provisions herein con-
tained, are hereby Repealed.

SEC. 10 The Council reserves the
right to repeal or amend any part of
this ordinance at any time or from
time to time.

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

Passed and adopted this 8th day of
May, 1933.

By order of the Common Council
of the Village of Shelly, Minn.

FRED PEERSON, President
(Village Seal)
Attest, Wm. T. REDLAND, Recorder.