

AN ORDINANCE.

AN ORDINANCE OF LOGAN CITY PROVIDING FOR THE LICENSING OF THE SALE OF LIGHT BEER AT RETAIL IN BOTTLES AND ON DRAFT, FIXING THE FEES THEREFOR AND REGULATING THE SAME.

Be it ordained by the Board of Commissioners of Logan City, Utah, as follows:-

SECTION I. There is hereby enacted a new Chapter in the Revised Ordinances of Logan City, 1937, to be known as Chapter 27-A, providing for the licensing of the sale of light beer at retail in bottles and on draft, fixing the fee therefor and regulating the same, which shall read as follows:

Sec. 1. LICENSE TO SELL LIGHT BEER AT RETAIL.

It shall be unlawful for any person to engage in the business of the sale of light beer at retail, in bottles or draft within the corporate limits of Logan City, without first having procured a license therefor from the said City as hereinafter provided. A separate license shall be required for each place of sale and the license shall at all times be conspicuously displayed in the place to which it shall refer or for which it shall be issued. All licenses shall comply with the Liquor Control Act of Utah and the regulations of the Liquor Control Commission.

Sec. 2. DEFINITIONS. The following words and phrases used in this ordinance shall have the following meaning unless a different meaning clearly appears from the context.

"BEER," means any beverage containing not less than one-half of one percentum of alcohol by weight and obtained by the alcoholic fermentation of an infusion, or decoction, or of any malted grain, or similar products, and which contains not more than 3.2 percentum of alcohol by weight and may or may not contain hops or other vegetable products and includes ale, stout, or porter.

"RETAILER," means any person engaged in the sale of distribution of beer to the consumer.

"SELL" or "TO SELL" when used in this act in any prohibition shall be construed to include, to solicit, or to receive an order for, to keep or expose for sale, to deliver for value or gratuitously, to peddle, to possess with intent to sell, to traffic in. For any consideration promised or obtained directly or indirectly or under any pretext or by any means whatsoever to procure or allow, to be procured for any other person, and "sale" when so used shall include every act of selling as above defined.

"WHOLESALER," means any person other than a brewer or retailer engaged in the importation for sale or in the sale of beer in wholesale or jobbing quantities.

Sec. 3. LICENSE FEES SET FOR WHOLESALER. It shall be unlawful for any person to engage in the business of selling beer at wholesale within the corporate limits of Logan City without first obtaining a license therefor from the Liquor Control Commission of Utah and paying a fee therefor in the sum of \$100.00

Section. 4. LICENSE PRIVILEGES. Retail licenses issued hereunder shall be of the following kinds and shall carry the following privileges and be numbered numerically commencing from the number one.

CLASS "A", retail license shall entitle the licensee to sell beer on the premises licensed in original containers for consumption off the premises in accordance with the Liquor Control Act of Utah.

CLASS "B", Retail license shall entitle the licensee to sell beer in the original containers on the premises for consumption on the premises and to all of the privileges granted to the holder of a Class "A" retail license and in accordance with the Liquor Control Act of Utah.

CLASS "C", retail license shall entitle the licensee to sell beer on

draft for consumption on or off the premises and to all the privileges granted the holders of Class "A" and "B" retail licensee in accordance with the Liquor Control Act of Utah.

"SEASONAL LICENSE," shall carry the privileges of Class "C" retail license and shall be for a period less than one year.

It shall be unlawful for any licensee to purchase or acquire, or to have or possess for the purpose of sale or distribution, any beer except that which he shall have lawfully purchased from a brewer or wholesaler licensed under the privileges of the Liquor Control Act of Utah.

Sec. 5. APPLICATION. All applications for licenses authorized by this Chapter shall be verified and filed with the City Commissioners of Logan City, and shall state the applicant's name in full, that he has complied with the requirements and possesses the qualifications specified in the Liquor Control Act, and if the applicant is a co-partnership, the names and addresses of all partners, and if a corporation, the names and addresses of all officers and directors, and must be subscribed by the applicant who must state under oath that the facts stated therein are true. Applicants must furnish such other information, including a certificate of at least five resident free holders, of Logan City, to the effect that the licensee bears a good moral character and is a fit and proper person to be granted a license, as and when the Board of City Commissioners shall require.

Sec. 6. QUALIFICATIONS OF LICENSEE. No person shall be granted a retail license unless he shall be qualified as provided in the Liquor Control Act and under the privileges of Section 86 thereof.

SEC. 7. BOND REQUIRED. No license shall be granted until the applicant shall have filed with the Auditor of Logan City, a bond as provided by Section 76 of the Liquor Control Act, and which bond shall be made in the favor of Logan City and the Liquor Control Commission of Utah.

SEC. 8. BOARD OF HEALTH. No licensee shall be issued until the applicant therefor shall have first procured from the Board of Health a permit therefor, which permit shall show that the premises to be licensed are in a sanitary condition and that the equipment used in the storage or distribution, or sale of such beer, complies with all health regulations of Logan City and of the State of Utah.

SEC. 9. TRANSFER OF LICENSE. Licenses issued under this ordinance shall not be transferable, and upon revocation thereof by the Board of City Commissioners of Logan City, the fee paid by the licensee to the City for said license shall be forfeited to the City.

SEC. 10. FEES. Applications provided for in this chapter shall be accompanied by the fees hereinafter provided, which fee shall be deposited in the City Treasury if the license is granted, and returned to the applicant if denied.

For Class "A" retail license per annum \$75.00 or any part thereof.  
For Class "B" retail license per annum \$175.00 or any part thereof.  
For Class "C" retail license per annum \$350.00 or any part thereof.  
For Seasonal License at the rate of \$10.00 per day for the season or period for which it is issued.

All licenses issued hereunder shall expire on the 31st day of December of each year, unless sooner cancelled, and shall be issued for one year, except seasonal licenses, which shall be issued for any number of days, as the Board of City Commissioners may determine.

SEC. 11. RESTRICTIONS. No person shall sell beer at any public dance or to any person intoxicated, or under the influence of an intoxicating beverage. No license shall be granted to sell beer in any dance hall, theater, or in the proximity of any church or school. No person shall sell beer to any person under the age of twenty-one years, and it shall be unlawful to sell beer between the hours of 11 P.M. and 6 o'clock A.M. It shall be unlawful to advertise the sale of light beer except under such regulation as is made by the Liquor Control Commission of Utah; provided, that a simple designation of the fact that beer is sold under City license, may be placed in or upon the window or front of the licensed premises.

No licensee shall violate the terms of the license issued, nor unless he shall be so licensed shall he sell bottled or draft beer for consumption on the premises, or permit any beer to be consumed on the premises.

SEC. 12. LICENSES REVOCABLE. The Board of City Commissioners may with or without a hearing, at its discretion, refuse to grant any license applied for, and may revoke any license at any time, and in no such case need any cause be stated. No license shall be issued, and any license issued, shall be revoked if the applicant or licensee shall not possess, or shall cease to possess, all of the qualifications required by the Liquor Control Act, or fails to comply with the ordinances of Logan City, or rules, regulations and orders of the Board of Health, relating to health matters.

SEC. 13. NO BEER LICENSES TO BE ISSUED UNTIL OTHER LICENSES PAID. No licenses herein provided for shall be issued to any applicant who is in arrears in the payment to Logan City of his merchant license or other license fees.





ATTEST:

A. G. Lundstrom, Mayor.

H. R. Pedersen - City Recorder.

PROOF OF PUBLICATION.

COUNTY OF CACHE, )  
STATE OF UTAH. ) ss.

On this 20th day of August, A. D. 1937, personally appeared before me L. A. Ripplinger, who being first duly sworn, deposes and says that he is the Principal Clerk of the Cache Valley Newspaper Company, publishers of the Herald Journal, a daily newspaper published in Logan City, Cache County, Utah, and that the advertisement, Ordinance fixing salary of Mayor and City Commission of Logan City, a copy of which is hereto attached, was published one day, in said newspaper for August 18, 1937.

Signed L. A. Ripplinger.

Subscribed and sworn to before me, the day and year above written.

Signed Gunnar Resaussen. Notary Public.

My Commission expires January 6th, 1941.

AN ORDINANCE AMENDING CHAPTER EIGHT OF THE REVISED ORDINANCES OF LOGAN CITY, 1927, BY AMENDING SECTIONS 90 and 91, as AMENDED BY ORDINANCE PASSED THE 25th DAY OF JULY 1933, and ADDING SECTION 91 A .

Section 1. Sections Amended. That Sections 90 and 91 of Revised Ordinances of Logan City, 1927, as amended by Ordinance passed on the 25th day of July, 1933, be and the same are hereby amended to read as follows:

90. Restrictions in Residence District. It shall be unlawful for any person to conduct or erect any building for the purpose of carrying on or conducting, in the residence district, including both the residence fire district and the urban fire district, a livery stable, public garage, service station, tourist camp, gas reservoir, grocery store, blacksmith shop, laundry or any other business, on the corner of a block in such residence district; provided, however, where the written consent of 60 per cent. of all the frontage extending 400 feet from and along both sides of such street intersecting at said corner, also the full consent of the frontage 75 feet immediately adjoining on either side is presented to the building inspector, a permit to erect such prohibited building, may be issued. Any of the above buildings constructed within 75 feet of the corner will be considered as being on the corner.

91. Id. It shall be unlawful for any person to conduct or erect any building for the purpose of carrying on or conducting any business as enumerated in Section 90, in the residence district, including both the residence fire district and the urban fire district, at any point other than at the corner in such residence district; provided, however, where the written consent of 60 per cent. of the frontage extending to the adjoining corners of the block, on both sides of the street, and also the full consent of the 75 feet immediately adjoining on either side is presented to the building inspector, a permit to erect such prohibited building, may be issued.

Section 2. Section Added. That Section 91A relative to Trailer Camps be added to said chapter to read as follows:

91A. Trailer Camps. It shall be unlawful for any person to stop and camp over night in a trailer camp at any place within the corporated limits of Logan City, other than in the regular tourist camps.

Section 3. Emergency. An emergency is hereby deemed to exist, and it is hereby ordered that this Ordinance shall take effect immediately upon its publication.

Passed by the Board of City Commissioners this 28th day of September, A.D. 1937.

A. G. Lundstrom, Mayor

ATTEST:

H. R. Pedersen, City Recorder.

PROOF OF PUBLICATION.

COUNTY OF CACHE, )  
STATE OF UTAH. ) ss.

On this 30th day of September, A.D. 1937, personally appeared before me L.S. Ripplinger, who being first duly sworn, deposes and says that he is the Principal Clerk of the Cache Valley Newspaper Company, publishers of the Herald Journal, a daily newspaper published in Logan City, Cache County, Utah, and that the advertisement, ORDINANCE, a copy of which is hereto attached, was published in said newspaper for one day, Sept. 29, 1937.

Signed, L. A. Hipplinger.

Subscribed and sworn to before me, the day and year above written.

Signed Gunnar Resmussen, Notary Public.

My Commission expires January 6th, 1941.

ORDINANCE.

An Ordinance making additional appropriations for the support of the City government for the year 1937 and also making appropriations for the support of the City government for the year 1938.

Be it ordained by the Board of Commissioners of Logan City, Utah.

Section 1. That the following sums of money or as much thereof as may be necessary be and the same are hereby appropriated out of any money in the City Treasury not otherwise appropriated for the support of the various departments indicated for the calendar year ending December 31st 1937, said appropriations are further itemized in the requests on file for such appropriations and are in addition to those heretofore made by ordinance passed by the Board of Commissioners of Logan City, Utah, December 28th 1936 to wit:

|                                 |            |
|---------------------------------|------------|
| Building Inspector .....        | 727.00     |
| Engineering department .....    | 500.00     |
| Street Department .....         | 17,000.00  |
| Electric Light Department ..... | 120,000.00 |
| Sewer department .....          | 860.00     |

Section 2. That the following sums of money or as much thereof as may be necessary be and the same are hereby appropriated for the support of the various departments indicated for the year 1938.

|                                 |            |
|---------------------------------|------------|
| Statutory and General .....     | 20,415.50  |
| Auditor and Recorder .....      | 1,675.00   |
| Treasurer .....                 | 825.00     |
| Estrey Pound .....              | 780.00     |
| Building Inspector .....        | 1,480.00   |
| City Attorney .....             | 1,170.00   |
| City Court .....                | 4,850.00   |
| Fire Department .....           | 12,105.00  |
| Garage Department .....         | 1,625.00   |
| Police Department .....         | 17,850.00  |
| Health Department .....         | 4,440.00   |
| Municipal Abattoir .....        | 8,010.00   |
| Engineering Department .....    | 3,480.00   |
| Street Department .....         | 31,680.00  |
| Cemetery Department .....       | 7,553.00   |
| Water Works Department .....    | 28,273.00  |
| Sewer Department .....          | 2,514.00   |
| Electric Light Department ..... | 157,000.00 |

Section 3. In the opinion of the Board of Commissioners it is necessary to the peace, health and safety of the inhabitants of Logan City, Utah; that this ordinance becomes effective immediately.

Section 4. This Ordinance shall take effect at once upon its publication.

Passed by the Board of City Commissioners of Logan City, Utah, this 28th day of December A. D. 1937.

ATTEST:

H. R. Pedersen - Recorder.

A. G. Lundstrom - Mayor.  
 Olof I. Pedersen, Commissioner,  
 C. A. Sonne - Commissioner.