

Chapter 6

BEER REGULATIONS

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Sec. 6-1. Title.

This Chapter shall be known and designated as "The City Beer Ordinance."
(Ord. 2004-33, 08/16/04)

Sec. 6-2. Definitions.

As used in this Chapter, unless the context otherwise indicates:

- A. *Beer*. Any beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, malt, and/or other ingredients in drinkable water.
- B. *Licensed Premises*. Premises means the building and contiguous property owned, or leased or used under government permit by a licensee as part of the business establishment in the business of sale of beer at retail or any part of or place within such property, which property is improved to include decks, docks, boardwalks, lawns, gardens, golf courses, ski resorts, courtyards, patios, poolside areas or similar improved appurtenances in which the sale of beer at retail is authorized under the provisions of this Chapter.
- C. *Licensee*. Any person(s) to whom a license is issued under the provisions of this Chapter.
- D. *Restaurant*. As used in this Chapter, means any restaurant, cafe, hotel dining room, coffee shop, cafeteria, railroad dining car or other eating establishment having kitchen and cooking facilities for the preparation of food and where hot meals are regularly served to the public.

- E. All other terms used herein shall have the same definitions and meanings as those terms set forth at Chapter 10, of Title 23, Idaho Code.

Ref. Idaho Code § 23-1001; (Ord. 2004-33, 08/16/04)

Sec. 6-3. License Required.

No retailer shall sell or serve beer at any location within the corporate limits of the City unless such retailer shall comply with the terms of this Chapter and without having first obtained a license therefor for each such location in accordance with the terms of this Chapter.

Ref. Idaho Code §§ 23-1009 and 23-1016.

Sec. 6-4. Display of License.

Each licensee shall at all times keep the license issued for each location prominently displayed in a conspicuous location on the licensed premises.

Ref. Idaho Code § 23-1009; (Ord. 2004-33, 08/16/04)

Sec. 6-5. License Status.

There shall be no vested right in any license or the transfer or renewal thereof. It is hereby declared to be the public policy of the City to make the possession of a license to sell beer a personal privilege, revocable or nonrenewable or suspendable upon any violation or conviction of any law set forth in Code Section 9-6-23 which may be suspended, revoked or not renewed upon the violation or conviction of any Federal, State or City ordinance pertaining, regulating, governing or prohibiting the sale, manufacturing, transportation or possession of any alcoholic beverage or intoxicating liquor.

Sec. 6-6. License Fees.

Every person licensed under the provisions of this Chapter shall pay to the City an annual license fee, for each location, as established by rule and regulation of the Clerk, which said rule and regulation shall be in effect upon passage and approval by resolution adopted by the Council. Said rule and regulation shall provide for a prorated fee in the event said license is issued for a

portion of the year.

Ref. Idaho Code § 23-1016

Sec. 6-7. Expiration of License.

Each license issued under the provisions of this Chapter shall be granted for the same period as a beer license issued by the State of Idaho pursuant to Title 23, Chapter 10 of Idaho Code, as amended, and shall be subject to renewal upon proper application with City.

Ref. Idaho Code § 23-1010(6); (Ord. 84-01, 1/19/84; 2002-24, 12/16/2002; 2004-33, 08/16/04)

Sec. 6-8. Sworn Statement Filed by Licensees of Premises Operated as Restaurants; Endorsement Upon License.

- A. Every applicant for a license for the sale of beer for consumption on the premises claiming that the premises for which such license is sought constitute and are operated as a restaurant, as defined in this Chapter, shall, with each application for a license and with each application for renewal of license, file with the City a statement under oath setting forth that such premises constitute and are operated as such restaurant as defined in this Chapter.
- B. Upon issuance of license for the sale of beer for consumption on the premises constituting and operated as a restaurant, the licensee of which has filed the sworn statement herein required, the Clerk shall endorse on the face of the license the fact that it has been issued to a restaurant as herein defined.
- C. Unless such sworn statement shall have been filed and said endorsement shall appear on the face of the license, the premises shall not be deemed to be a restaurant for the purpose of this Chapter and the restrictions contained in Code Section 9-6-15 shall apply, notwithstanding that the premises shall in fact constitute and be operated as a restaurant.
- D. The filing of a false statement sworn to

as herein required shall be grounds for suspension or revocation of license. If premises licensed as a restaurant under this Chapter subsequently cease to meet the qualifications of a restaurant as defined in this Chapter, the premises shall not be deemed to be a restaurant for the purposes of this Chapter and the restrictions contained in Code Section 9-6-15 shall apply, notwithstanding that the premises shall in fact constitute and be operated as a restaurant, and the licensee shall immediately advise the City in writing that the premises no longer constitute a restaurant as defined in this Chapter so that the certificate or endorsement may be recalled.

(Ord. 2004-33, 08/16/04)

Sec. 6-9. Certification Fee.

Every applicant for a restaurant certification under this Chapter shall submit with the application, a fee to be established by the Clerk and approved by resolution adopted by the Council.

Sec. 6-10. Issuance/Renewal of Beer License.

A. All beer licenses as herein provided shall be renewed or issued by the Clerk after written application for issuance or renewal. Such written application shall be filed with the Clerk accompanied by an affidavit of the applicant showing such applicant to be qualified by the provisions of this Chapter and Idaho Code. Said application shall state the place of business with respect to which the license is to be renewed or issued and shall contain a floor plan for the building for which the permit or license is requested and shall be accompanied by a copy of the lease for said building and said lease shall show the consent of the owner of the building. For license renewals, in the event no changes in said matters have occurred since the previous certification or application, then the licensee may so state and need not attach said documents.

- B. Such application shall be accompanied by a copy of the license issued by the Director of the Department of Law Enforcement of the State for the premises and for the time for which the application is made.
- C. The application shall be accompanied by a copy of the license issued by the Board of Latah County Commissioners for the premises and for the time for which the application is made.
- D. The application shall be accompanied by a receipt from the Clerk for the amount of the license fee. In the event a written protest or objection to the renewal of said license or permit is filed with the Clerk, then, and in that event, said application for renewal shall be submitted to the Council and issued only after approval by the Council.
- E. The Council shall grant or deny all applications for issuance or renewal within forty five (45) days of the date of such application as filed with the Clerk.
- F. Whenever the Mayor and Council deny an application, they shall specify in writing:
 1. The Statutes, ordinances and standards used in evaluating the applications;
 2. The reason for the denial; and
 3. The actions, if any, that the applicant could take to obtain the license, transfer or renewal thereof.
- G. In all cases where the Council or its designee is considering applications for licenses, transfers or renewals thereof, a transcribable, verbatim record of the proceeding shall be made and shall be retained for a period of not less than six (6) months after a final decision on the matter, if the request was denied.
Ref. Idaho Code § 23-1016; (Ord. 2002-24, 12/16/2002; 2004-33, 08/16/04)

Sec. 6-11. License for Location.

No more than one beer license shall be issued under this Chapter for any one location.

Sec. 6-12. Issuance by Clerk.

Licenses required under this Chapter shall be issued by the Clerk, but only to qualified licensees.

(Ord. 2004-33, 08/16/04)

Sec. 6-13. License to Sell Beer at Retail; Application Procedure and Form; Showing of Eligibility for License and Disqualifications.

A. Every person who shall apply for a license to sell beer at retail under this Chapter shall tender the license fee to, and file written application for license with the Clerk. The application shall be on a form prescribed by the City which shall require such information concerning the applicant, the premises for which the license is sought and the business to be conducted thereon by the applicant as the City may deem necessary and advisable, and which shall enable the City to determine that the applicant and premises are eligible and have none of the disqualifications for the license for which the application is made, as provided for in this Chapter. Such information shall include the following:

1. The name and residence of the applicant and length of such applicant's residence within the State, and if the applicant is a partnership, the names, residence and lengths of residence within this State of each partner, and, if the applicant is a corporation or association, the date and state of incorporation or organization, the location of its principal business address in Idaho and the names and residence of its officers and directors or members of its governing board, and of the person who manages or will manage the business of selling beer at retail;
2. The particular premises for which the license is desired, designating the same by a street and number, if practicable, or by such other apt

description as definitely locates such place or premises, and the name of the owner of the premises for which license is sought;

B. The application shall affirmatively show:

1. That the applicant is the bona fide owner of the business which will be engaged in the sale of beer at retail and with respect to which such license is sought;
2. That the condition and location of the premises where it is proposed to sell beer at retail conforms to all laws and regulations of the State and to the ordinances of the County of Latah, Idaho, and the City applicable thereto relating to public health and safety and to the zoning ordinances of the City;
3. That there is no stamp or permit outstanding and in force which has been issued to any person by the United States government for the premises for which license to sell beer at retail is sought which stamp or permit denotes payment of any special tax imposed by the United States government on a retail dealer in liquor or wines unless said premises are premises for which a retail license for sale of liquor by the drink issued under the provisions of chapter 9, title 23, Idaho Code, is in force and effect;
4. That the individual applicant, each partner of a partnership applicant, is qualified to do business within the State and further, that such individual applicant, at least one of the partners of the partnership, manager of a corporation or manager of an association shall have been a bona fide resident of the State for at least thirty (30) days prior to the date of application;
5. That the applicant, if an individual, is not less than nineteen (19) years of age;
6. That within three (3) years immediately preceding the date of filing the application, the applicant has not been convicted of the violation of

any law of the State, or any other State, or of the United States, or of any ordinance of any county or of the City, regulating, governing or prohibiting the sale, manufacture, transportation or possession of alcoholic beverages, intoxicating liquors, narcotic drugs or controlled substances, or within said time, suffered the forfeiture of a bond for failure to appear in answer to charges of any such violation;

7. That within five (5) years immediately preceding the date of filing the application, the applicant has not been convicted of any felony or paid any fine or completed any sentence of confinement therefore within said time;

8. That within three (3) years next preceding the date of filing said application, the applicant has not had any license provided for herein, or any license or permit issued to the applicant pursuant to the law or ordinance of the State, or any other state, or of the United States, or of the City, to sell, manufacture, transport or possess alcoholic beverages or intoxicating liquors revoked.

- C. The affirmative showing required with respect to an applicant under Chapter Subsections B, 5 through 8 shall also be required to be made with respect:
1. To each partner of a partnership applicant;
 2. To each incumbent officer, director and member of the governing board of a corporation or association applicant;
 3. To each person employed by an applicant whose duties include the serving or dispensing of beer.
- D. The applicant shall be subscribed and sworn to by the individual applicant, or by a partner of a partnership applicant, or by an officer of a corporation or association applicant, before a notary public or other person authorized by law to administer oaths.
- E. If an applicant shall be unable to make any affirmative showing required in

this Code Section or if an application shall contain a false material statement, knowingly made, the same shall constitute a disqualification for license and license shall be refused. If a license is issued to any applicant on any application containing a false material statement, knowingly made, such license shall be revoked. The licensee and licensed premises shall at all times during the period for which the license is issued continue to have all of the qualifications and none of the disqualifications set forth in this Section. If at any time during the period for which license is issued, a licensee becomes unable to make the affirmative showings as required in this Code Section, the license shall be revoked, or, if the disqualification can be removed, the license shall be suspended until the same shall be removed. The procedure to be followed upon refusal, revocation or suspension of license as herein provided for shall be in accordance with the procedures set forth in this Chapter.

Ref. Idaho Code § 23-1010, (Ord. 2002-06, 03/04/2002; Ord. 2004-33, 08/16/04)

Sec. 6-14. Diagram.

Each application submitted under Code Section 9-6-13 shall be accompanied by a diagram of the place and premises sought to be licensed. Such diagram shall contain the following information:

- A. The dimensions of the premises sought to be licensed.
- B. The location of each and every entrance and exit to and from the premises .
- C. The location of each and every wall and interior partition of the premises .
- D. The location of the bar or bars from which beer will be dispensed.
- E. The location of the kitchen and kitchen facilities, if any.
- F. The location of the area wherein food and/or meals, if any, will be served to the public.
- G. The location of the lavatories and washrooms.

- H. The seating arrangement including the location of the tables, chairs and stools in the areas where beer, food and meals, and each of them will be served.
- I. The dimensions of each such area and room within the licensed premises.
- J. The location and dimensions of the access to the premises from the public street or streets of the City.
- K. The location and dimensions of the fire lane or lanes, if any, adjacent to the premises.
- L. The location and dimensions of the parking area, if any, to be provided by the applicant for the parking of motor vehicles of persons desiring to patronize the premises sought to be licensed.
(Ord. 2004-33, 08/16/04)

Sec. 6-15. Changes in Qualification of Licensees and Licensed Premises.

If at any time during the period for which a license is issued under this Chapter, a licensee becomes unable to make the affirmative showings required under the provisions of Code Section 9-6-8, or if there should be any change or changes in the information submitted under Code Sections 9-6-13 or 9-6-14, such licensee shall immediately notify the City, in writing, of the inability of the licensee to make such showing, or of such change or changes, as the case may be, specifying in such notice in ordinary and concise language the showing or showings which the licensee is unable to make, or the changes or change in the information submitted under Code Sections 9-6-13 or 9-6-14, as the case may be. Such notification shall be filed with the Clerk.

Sec. 6-16. Alcohol Catering Permit.

- A. Any person holding a retail alcohol license may serve and sell beer, retail by the drink at a party, festival, or convention in accordance with Title 9, Chapter 7, Section 11, of this Code.
- B. Any person licensed as a brewer under Idaho Code Section 23-1003, and who holds a County alcohol retailers’

license, as required under Idaho Code Section 23-1015, may apply for an alcohol catering permit in accordance with Title 9, Chapter 7, Section 11 of this Code.
(Ord. 2016-10, 08/01/2016; 2017-14, 12/04/2017)

Sec. 6-17. Zoning.

- A. No license shall be issued for the sale of beer for consumption on the premises located outside the boundaries of a Neighborhood Business Zoning District (NB), Central Business Zoning District (CB), General Business Zoning District (GB), Motor Business Zoning District (MB), Industrial Zoning District (I), and University Zoning District (U) as set forth in the Zoning Code and Moscow Zoning Map except one day catering permits as allowed by State law and this Chapter; provided that any license existing at the time of the adoption of this Chapter may be renewed for the premises for which the license was issued at the time of the adoption of this Chapter without regard to the location of such licensed premises.
- B. No license shall be issued for any location where beer is sold or dispensed to be consumed on the premises, whether conducted for pleasure or profit, that is within three hundred (300) feet of any public school, church, or any other place of worship measured in a straight line to the nearest entrance to the licensed premises, except with the approval of the Council; provided that this limitation shall not apply to any duly licensed premises that at the time of licensing did not come within the restricted area but subsequent to licensing came therein.
(Ord. 2004-33, 08/16/04; 2008-25, 12/01/2008)
(I.C. § 23-1011B)

Sec. 6-18. Lighting.

Each room of a licensed premises wherein beer is sold or consumed shall be sufficiently lighted with sufficient

illumination and to the extent that objects and persons are clearly distinguishable from one end of the room to the other.

Sec. 6-19. Entrances.

The main entrance of each licensed premises shall be accessible to entrance by law enforcement officers of the City, Latah County, Idaho and State of Idaho at all times during which beer is sold or consumed on the licensed premises.

Sec. 6-20. Transferability.

Licenses issued under this Chapter shall not be transferred from one person to another, either by contract or operation of law, or otherwise, or from one location to another location, without the prior approval of the Clerk. Application to transfer any license issued hereunder shall be made to the Clerk. Upon receipt of such application, together with a transfer fee established by duly adopted resolution of the Council, the Clerk shall thereafter and within thirty (30) days grant or deny the transfer of said license. In the event the Clerk grants the transfer of said license, the license shall be endorsed over to the proposed transferee by said licensee for the remainder of the period for which said license has been issued and the Clerk shall note the approval thereof upon such license.

Ref. Idaho Code § 23-1005A; (Ord. 2004-33, 08/16/04)

Sec. 6-21. Revocation, Suspension or Nonrenewal of Licenses.

A. In the event of the conviction or violation of the licensee licensed under the provisions of this Chapter or this Code or any law of the United States of America, or of the State of Idaho, or any ordinance of Latah County, Idaho, regulating, governing or prohibiting the sale, manufacture, transportation, consumption of any alcoholic beverage or intoxicating liquor, or if the licensee licensed under the provisions of this Chapter shall violate any of the provisions of this Chapter, the Clerk may seek the revocation, suspension or

nonrenewal of said license.

B. If the Fire Chief or designee, upon inspection of the licensed premises, has reason to believe that occupancy load limits have been exceeded, or that any other violation of health and safety regulations has occurred, such Fire Chief or designee shall have the authority to demand immediate compliance. If such compliance is not obtained, the Fire Chief or designee may issue a citation for such violation to said licensee and may immediately revoke said licensee's license to sell beer.

Ref. Idaho Code § 23-1037; (Ord. 2004-33, 08/16/04)

Sec. 6-22. Procedure for Revocation.

Whenever any person shall make complaint, in writing and under oath, and shall file such complaint with the Clerk setting forth facts showing that grounds exist to revoke, to suspend, or to refuse grant of a renewal of a license issued to a licensee under the provisions of this Chapter, the procedure set forth herein shall be followed. Ref. Idaho Code § 23-1038; (Ord. 2004-33, 08/16/04)

Sec. 6-23. Procedure.

The determination of the Clerk to revoke, suspend, or to refuse grant of renewal of any retailer's license, shall be upon the grounds that the licensee has violated any ordinance validly enacted by the Council and regulating, governing or prohibiting the sale, manufacture, transportation or possession of alcoholic beverages or intoxicating liquor, and notice thereof shall be given, and proceedings to contest said determination allowed, as provided for in this Chapter.

Ref. Idaho Code § 23-1042; (Ord. 2004-33, 08/16/04)

Sec. 6-24. Notice of Revocation or Suspension to Other Licensing Authorities.

When revocation or suspension of any licensed retailer's license shall become effective by reason of the determination made by the Clerk as provided for herein, or

by reason of the judgment of any district court on proceedings to contest any such determination, the Council which made such determination shall forthwith give notice thereof in writing to the other licensing authorities from whom license was obtained by the licensee involved.

Ref. Idaho Code § 23-1043; (Ord. 2004-33, 08/16/04)

Sec. 6-25. Procedure on Refusal to Grant License.

Upon a determination by the Clerk to refuse issuance of a license to an applicant upon original application, the same procedure herein provided for in cases involving refusal to grant renewal of license for notice and for proceedings to contest determination shall govern insofar as the same are applicable, except that issuance of temporary license shall not be required pending proceedings to contest determination.

Ref. Idaho Code § 23-1044; (Ord. 2004-33, 08/16/04)

Sec. 6-26. Appeals.

- A. Any person aggrieved by the action of denial, suspension or revocation of the license by the Clerk shall have the right of appeal to the Council.
- B. Such appeal shall be taken by filing with the Clerk written notice thereof within five (5) business days after the denial or the entry of the order of suspension or revocation. The notice of appeal shall specify an address at which the person appealing may be given notice of hearing on the appeal.
- C. At the appeal hearing before the Council, the applicant or person appealing shall be entitled to appear in person and offer evidence pertinent to the denial, suspension or revocation or may appear through legal counsel. The Clerk, Chief of Police, and/or legal counsel for the City shall likewise be entitled to appear at the hearing and offer evidence in support of the denial, order of suspension or revocation. Failure by applicant, person appealing, or their representative to appear before Council at the time scheduled to hear

such an appeal shall result in the automatic denial of such appeal.

- D. The Council shall determine whether the denial, suspension or revocation shall be sustained and shall make a final reasoned statement in writing within fifteen (15) business days following the close of the hearing.

Ref. Idaho Code § 23-1045; (Ord. 2004-33, 08/16/04)

Sec. 6-27. Certified Analysis is Prima Facie Evidence of Alcoholic Content.

A certificate, signed by any State agency in writing as an analyst, as to the percentage of alcohol contained in any liquid, drink beverage, or liquors, when produced in any court shall be prima facie evidence of the percentage of alcohol contained therein.

(Ord. 2004-33, 08/16/04)

Sec. 6-28. Sale Off Licensed Premises.

Except when otherwise expressly permitted under the laws of the State, it shall be unlawful for any licensee to sell or serve beer except on the licensed premises of the licensee.

(Ord. 2004-33, 08/16/04)

Sec. 6-29. Violation by Employees.

A violation of any of the provisions of this Chapter by an employee, agent, servant, or other person in any way acting on behalf of the licensee shall be deemed to be a violation by the licensee.

(Ord. 2004-33, 08/16/04)

Sec. 6-30. Law Enforcement Officers.

Any law enforcement officer of the City, or of Latah County, Idaho, or of the State, shall have the right to at any time enter and make an inspection of any premises licensed under the provisions of this Chapter for the purpose of determining whether the laws and ordinances of the State, Latah County, Idaho and the City relating to the sale of beer are being complied with. Under the terms of this Chapter, the licensee shall be deemed to have consented to such entry

and inspection; and any refusal of any licensee to permit any such entry or inspection shall be a violation of this Chapter.

Ref. Idaho Code § 23-1011A; (Ord. 2004-33, 08/16/04)

Sec. 6-31. Procuring For or Selling to Person Under Twenty One Years of Age a Misdemeanor.

Any person who shall procure beer for any person under twenty one (21) years of age or any person under twenty one (21) years of age who shall purchase, attempt to purchase or otherwise procure, consume or possess beer, shall be guilty of a misdemeanor. This section does not apply to possession by a person under the age of twenty one (21) years making a delivery of beer in pursuance of the order of a parent or in pursuance of his or her employment, or when such person under the age of twenty one (21) years is in a private residence accompanied by a parent or guardian and with such parent's or guardian's consent.

Ref. Idaho Code § 23-1023
(Ord. 2004-33, 08/16/04)

Sec. 6-32. Hours of Sale of Beer.

No beer shall be sold, dispensed, or served in any licensed premises whether for profit or pleasure between the hours of two o'clock (2:00) A. M. and six o'clock (6:00) A.M. on each day of the week local time. It shall be unlawful during such period of time to consume any beer or other alcoholic beverage on the premises at any time after two o'clock (2:00) A.M. local time until the authorized time to sell beer in accordance with this Code Section.

Ref. Idaho Code § 23-1012
(Ord. 89-08, 4/17/89; 2004-33, 08/16/04)

Sec. 6-33. Restrictions Concerning Age.

Any person who is nineteen (19) years of age or older may sell, serve, possess or dispense beer in the course of his employment, otherwise it shall be unlawful for any person to sell, serve or dispense beer to or by any person under twenty one (21)

years of age, proof of which, shall be a validly issued state, district, territorial, possession, provincial, national or other equivalent government driver's license, identification card or military identification card bearing a photograph and date of birth, or a valid passport.

Ref. Idaho Code § 23-1013; (Ord. 2004-33, 08/16/04)

Sec. 6-34. Restrictions on Sales.

It shall be unlawful for any licensee to sell, dispense, or serve beer to any person actually, apparently or obviously intoxicated.

(Ord. 2004-33, 08/16/04)

Sec. 6-35. Public Places.

It shall be unlawful for any person to sell, serve, give away, dispense, consume or carry any beer in open containers on or in any public street, highway, alley, lane, sidewalk, public or private parking lot, conveyance, primary and secondary school facilities, except on the premises of a licensed retail beer establishment or licensed sidewalk café or is otherwise authorized or permitted by City. It shall be unlawful for any person to sell, serve, give away, dispense, consume or carry any beer in open containers except on or in public parks, events in City rights-of-way or City buildings and University of Idaho facilities in accordance with specific regulations, including any permit fee, adopted by the Council by resolution.

(Ord. 2004-33, 08/16/04; 2007-09, 08/20/2007; 2021-11, 08/16/2021)

Sec. 6-36. Gambling.

It shall be unlawful for any licensee to conduct or permit to be conducted, played or carried on any game of faro, monte, roulette, lansquenent, rouge et noir, rondo, Indian stick game, poker or any game played with cards, dice or other device for money, checks, credit or other representative of value upon any licensed premises.

(Ord. 912, 12/10/51; 2004-33, 08/16/04)

Sec. 6-37. Liquor.

No licensee of any licensed premises, any employee or customer thereof, shall

bring or keep any alcoholic beverage for purposes of consumption, other than beer in the licensed premises, unless such licensee also has a valid license for the sale of liquor or wine.

(Ord. 2004-33, 08/16/04)

Sec. 6-38. Penalties.

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof in a court of competent jurisdiction, shall be punished pursuant to this Code and the Idaho Code.

(Ord. 2004-33, 08/16/04)

Sec. 6-39. Repeal.

All ordinances and parts of ordinances of the City insofar only as they are in conflict with the provisions of this Chapter are hereby repealed, provided that the repeal of ordinances as provided herein shall not affect any right which has accrued, any duty imposed, any penalty incurred, or any action or proceedings commenced under or by virtue of any ordinance hereby repealed.

(Ord. 2004-33, 08/16/04)

Sec. 6-40. Validity of Existing Licenses.

All beer licenses heretofore issued by the City for the year 1996 are hereby validated subject to the provisions of this Chapter.

(Ord. 2004-33, 08/16/04)