

## AN ORDINANCE ESTABLISHING A MUNICIPAL LIQUOR DISPENSARY

The Village Council of the Village of Moose Lake, Minnesota, does ordain as follows:

Section 1. Dispensary Established. A Municipal liquor dispensary is hereby established to be operated within this municipality for the sale of liquor potable as a beverage and containing more than 3.2 per cent of alcohol by weight in the sealed or closed receptacle or container for removal from the premises. No person shall sell, barter, or otherwise dispose of intoxicating liquor outside of such dispensary, except that which a registered druggist having an established place of business within such village may sell intoxicating liquor for medicinal purposes upon presentation of a prescription signed by a physician duly registered in the State of Minnesota, in quantity not to exceed one pint and a prescription being required for each purchase. No liquor shall be consumed on a public highway, in a public place, or in an automobile within the village of Moose Lake. The meaning of the terms used in this ordinance shall be given in the Statutes of the State of Minnesota.

Section 2. Location and Operation. The said dispensary shall be at such place as the Council of the Village shall determine by motion and may be leased, rented, or owned by the municipality. It shall be in charge of an operator who shall be selected by the Village Council, paid such compensation as determined by the council and hold his position at the pleasure of the council. The council shall purchase all liquor sold in the dispensary and it shall be unlawful for any persons or person to introduce, in the dispensary, for the purpose of sale, any liquor not purchased by the council.

Section 3. Dispensary Fund Created. A liquor dispensary fund is hereby created into which all revenues received from the operation of the dispensary shall be paid, and from which all operating expenses shall be paid, provided that the initial costs of rent, fixtures and stock, or other necessary expenses may be paid for out of general fund of the municipality, but such amounts shall be reimbursed in full to the said general fund out of the first moneys coming into the liquor dispensary ~~in this~~ fund not needed for conducting the business. Any surplus accumulating in this fund may be transferred to the general fund by resolution of the council and extended for any municipal purpose.

Section 4. Hours of Operation. No sale of intoxicating liquor shall be made on Sunday nor before three o'clock P.M. on any Memorial Day, nor before five o'clock P.M. on any village election day, nor before nine o'clock P.M. on any primary or general election day. No sale shall be made before eight o'clock A.M. or after eight o'clock P.M. of any day except Saturday, on which day sales may be made until ten o'clock P.M.

Section 5. Conditions of Operation and Restrictions on Consumption. No sale shall be made to any person in an intoxicated condition nor to any person who habitually becomes intoxicated, nor to a minor. No person shall be permitted to loiter about the premises.

Section 6. Repeal. All ordinances of the village or any provisions thereof in conflict with this ordinance or any of its provisions are hereby repealed. No provision hereof shall affect Ordinance No. 24, licensing and regulation the sale of non-intoxicating malt liquor adopted pursuant to Chapter 116, Laws of Minnesota,

1933, or any license granted thereunder.

Section 7. Enforcement and Penalty. It shall be the duty of all police officers and constables of the village to enforce the provisions of this ordinance and to search premises and seize evidence of law violation and preserve the same as evidence against any person alledged to be violating this ordinance, and to prepare the necessary processes and papers therefor. Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100.00) or in default of such payment shall be imprisoned in the County Jail for not more than ninety (90) days, plus ~~the~~ the costs of prosecution in any case.

Section 8. Effective Time. This ordinance shall take effect and be in force from the time of, and after its passage and publication.

Passed by the Village Council of the Village of Moose Lake, Minnesota this 17th day of December, 1935.

Attest:

Village of Moose Lake, Minn.

By

Norman L. Swanson, Clerk

A.E. Dahms, President