

ORDINANCE NO. 304.

AN ORDINANCE PROHIBITING PUBLIC DRINKING OF BEER AND LIQUOR; PROHIBITING PUBLIC DISPLAY OR EXHIBITION OF BEER AND LIQUOR IN CERTAIN PUBLIC PLACES AND IN ALL VEHICLES IN THE CITY OF POLSON; DEFINING LIQUOR AND BEER; DEFINING PUBLIC PLACES AND PUBLIC DISPLAY OR EXHIBITION; FIXING PENALTY; AND DECLARING IT AN EMERGENCY MEASURE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

6-10-1 For the purpose of this article the following words and phrases shall have the meaning respectively ascribed by this section.

BEER. Beer means any beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt and hops, or of any similar products in drinkable water, containing not more than four per centum (4%) of alcohol by weight.

LIQUOR OR LIQUORS. Liquor or Liquors means and includes any alcoholic, spiritous, vinous, fermented, malt or other liquor which contains more than one per centum (1%) of alcohol by weight but shall not mean or include beer as the term is herein above defined.

PUBLIC DISPLAY OR EXHIBITION OF BEER OR LIQUOR. Public display or exhibition of beer or liquor means the carrying or exhibiting of open cans or bottles of beer or carrying or exhibition of glasses or other types of containers for beer or liquor even though empty to, in, on, or within any vehicle or upon the public places within the City, including streets, Avenues, alleys, parking lots, and any other place customarily used by the public, even though the same may be privately owned, ~~but does not~~ but does not include carrying or transporting such beer or liquor from retail liquor or beer establishments in sacks, cases, boxes, cartons, or other similar containers with unbroken seals.

PUBLIC DRINKING. Public drinking means the drinking or consuming of beer or liquor, in on, within, or upon any vehicle or any public place in the City, public places or vehicles, streets, avenues, alleys, parking lots, and any other place customarily used by the public, even though the same may be privately owned, in the City and does not include the premises licensed for sale of liquor or beer at retail by the State Liquor Control Board.

VEHICLE. Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway.

6-10-2 UNLAWFUL WITHIN CITY LIMITS. Public drinking and public display and exhibition of beer or liquor as defined herein are hereby prohibited and it shall be unlawful for any person to ~~engage~~ engage in public drinking public display or exhibition of beer or liquor within the City Limits.

6-10-3 PENALTY. Any person convicted of violating any provision of this Ordinance shall be fined not less than ten and no/100th Dollars (\$10.00) nor more than Three Hundred and no/100th Dollars (\$300.00) for each offense.

EMERGENCY. An emergency is hereby declared to exist and this Ordinance is hereby declared to be necessary for the immediate preservation of public peace, health and safety, and therefore this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 10th day of April, 1967.

/s/ Don Corrigan
Mayor.

att st;

/s/ Walter E. Maddy,
City Clerk. By A.E. Morton. Dep. Clerk.