

ORDINANCE NO. 12

AN ORDINANCE DECLARING THE BUSINESS OF STORING, TRANSPORTING AND SELLING OF LIQUORS AT RETAIL AND WHOLESALE IN THE CITY OF CLINTON, ARKANSAS, TO BE A PRIVILEGE: PROVIDING FOR THE ISSUANCE OF PERMITS: FIXING THE PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

Be it ordained by the City Council of the City of Clinton, Arkansas, that:

SECTION 1. That the business of storing, transporting and selling of spirituous, vinous and malt liquors at wholesale within the City of Clinton, Arkansas, is hereby declared to be a privilege; and for the right of any person, firm or corporation to exercise such privileges there is hereby levied an annual tax in the sum of \$400.00 for each and every such business conducted.

SECTION 2. That the business of storing, transporting, selling and dispensing at retail of any vinous, spirituous and malt liquors within the City of Clinton, Arkansas, is hereby declared to be a privilege and for the right of any person, firm or corporation to exercise such business there is hereby levied an annual privilege tax in the sum of \$100.00 for every such retail store.

SECTION 3. Any person, firm or corporation engaging in the business herein declared to be a privilege without first having paid the license fees as provided in Sections 1 & 2 hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$25.00 and not more than \$100.00; and each day of such operation without the payment of said license fees shall constitute a separate offense.

SECTION 4. That the city marshal of Clinton is hereby authorized by this act to collect all fees hereinbefore mentioned and remit same to the duly elected city Treasurer, which shall be held by him subject to withdrawal in the manner as provided by law.

SECTION 5. Before any person, firm or corporation shall engage in the wholesale or retail liquor business in the City of

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Clinton, Arkansas, an application shall be made to the City Recorder for a permit.

Said application shall contain a sworn statement of the name of the business sought to be licensed, the names and addresses of the persons owning or holding any interest in said business and the proposed location of said business, the owner or owners of the building or premises in which store is to be located, and said applicant's state license shall accompany said application.

Upon compliance with the above provisions said license shall be issued by the City Recorder, upon the approval of the City Council.

Any person, firm or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof may be fined in any sum not less than \$25.00 nor more than \$100.00.

SECTION 6. The City Council shall have the right to refuse to grant a permit to any person, firm or corporation in which a person or persons owning an interest have been convicted of an infamous crime or for violation of liquor laws subsequent to the passage of this ordinance.

SECTION 7. If any section or portion of a section of this ordinance is adjudged to be unconstitutional such adjudication shall not affect the validity and constitutionality of the remainder of this ordinance.

SECTION 8. It is hereby declared to be the intent of the city in order to avoid confusion to issue such license as are herein provided for in such a manner that they will run for such length of time as will be concurrent with licenses issued by the State Government. It is therefore ordained that the city collector shall have the right to accept installment payments of the license fees due the city for such periods of time as the State Commissioner of Revenue grant for the payment of State licenses or fees.

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SECTION 9. Whereas, the general enforcement of the liquor laws has entailed a great expense to the City, and Whereas, it is very necessary that revenue be raised to pay for same, and the absence of such funds will be detrimental to the general peace, health and safety of the public; therefore, an emergency is declared to exist and this ordinance shall be in full force and effect immediately from and after its passage and approval.

This ordinance was approved and passed June 20, 1938.

HENRY ROWE, Mayor.

BURT BRADLEY, Recorder.

REPEALED by Ordinance No. 37 dated May 24, 1948.