

ORDINANCE NO. 932

AN ORDINANCE RELATING TO THE SALE OF 3.2% BEER, PROHIBITING THE SALE TO OR PURCHASE OF BEER BY MINORS, PROVIDING PENALTIES FOR VIOLATIONS AND PROVIDING FOR THE REVOCATION OR SUSPENSION OF BEER LICENSES FOR THE VIOLATION OF STATE LAWS OR CITY ORDINANCES REGULATING THE SALE OF BEER AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. The following provisions are hereby enacted to be known, respectively, as Sections 3 and 4 of Chapter 35 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado:

Section 3. UNLAWFUL ACTS - PENALTIES.

- (1) No person shall sell, serve, give away, dispose of, exchange or deliver or permit the sale, serving, giving or procuring of any fermented malt beverage as defined by Section 1 of Chapter 35 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, to or for any person under the age of 18 years, or to a visibly intoxicated person, or to a known habitual drunkard.
- (2) No person under 18 years of age shall obtain or attempt to obtain, fermented malt beverage by misrepresentation of age, or by any other method in any place where fermented malt beverages are sold.
- (3) No person under 18 years of age may have in his possession fermented malt beverages in any store, in any public place, including public streets, alleys, roads, or highways, or inside vehicles while upon the public streets, alleys, roads or highways.
- (4) No parent or guardian shall knowingly or under conditions which an average parent or guardian should have knowledge of, suffer or permit any person under 18 years of age of whom he or she may be a parent or guardian, to violate the provisions of subsections (2) or (3) of this section.
- (5) Any person violating any of the provisions of Subsections (1), (2), (3), or (4) of this section shall be guilty of misdemeanor and shall, upon conviction thereof, be fined not less than \$10.00 nor more than \$300.00.

Section 4. REVOCATION OR SUSPENSION OF LICENSES. In addition to any other penalties prescribed by this ordinance, the City Council shall have the power, upon its own motion, or by complaint, after investigation and hearing, at which time the

licensee shall be afforded an opportunity to be heard, to suspend or revoke any fermented malt beverage license issued by said Council for any violation by the licensee or by any of his agents, servants or employees of the provisions of this ordinance or the provisions of the Laws of the State of Colorado pertaining to fermented malt beverages, or of any of the terms, conditions or provisions of the license issued by said City Council.

Section 2. Section 3 of Chapter 36 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, is hereby repealed.

Section 3. EMERGENCY CLAUSE. A special emergency exists and the passage of the foregoing ordinance is necessary for the preservation of public peace, health and safety.

PASSED AND ADOPTED this 21st day of September, 1955.

/s/ Herbert M. Wright
President of the City Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY THAT the foregoing emergency ordinance, entitled AN ORDINANCE RELATING TO THE SALE OF 3.2% BEER, PROHIBITING THE SALE TO OR PURCHASE OF BEER BY MINORS, PROVIDING PENALTIES FOR VIOLATIONS AND PROVIDING FOR THE REVOCATION OR SUSPENSION OF BEER LICENSES FOR THE VIOLATION OF STATE LAWS OR CITY ORDINANCES REGULATING THE SALE OF BEER AND DECLARING AN EMERGENCY, was introduced, read, passed, numbered 932 and ordered published by the unanimous vote of the members of the City Council of the City of Grand Junction at a regular meeting of said Council held on the 21st day of September, 1955.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 22nd day of September, 1955.

/s/ Helen C. Tomlinson
City Clerk

Published Sept 23, 1955