

ORDINANCE NO. 140-85

AN ORDINANCE PROVIDING FOR THE LICENSING, REGULATION AND CONTROL OF BEER AND OTHER ALCOHOLIC BEVERAGES SOLD WITHIN MANTUA TOWN AND PROVIDING PENALTIES AND REPEALING INCONSISTENT EXISTING ORDINANCES

BE IT ORDAINED BY THE TOWN COUNCIL OF MANTUA TOWN, UTAH AS FOLLOWS:

Section 1. It shall be unlawful for any person to engage in the business of wholesaler or retailer of beer within the corporate limits of Mantua Town without first having procured a license therefor from the Town of Mantua as hereinafter provided.

Section 2. The words "light beer", "person", "retailer", "wholesaler" and "intoxicating liquor" as used in this ordinance, are defined by the laws of the State of Utah and such definitions are hereby adopted and made a part of this Ordinance.

Section 3. The words "alcoholic beverages", "beer", "minor" and "liquor" as used in this ordinance, are defined by the laws of the State of Utah and such definitions are hereby adopted and made a part of this Ordinance.

Section 4. It shall be unlawful for any person to sell or supply alcoholic beverages to any minor, and it shall be unlawful for any minor to purchase, consume or possess any alcoholic beverage, but this shall not apply to the supplying of liquor to such persons for medicinal purposes only by the parent or guardian of such persons or to the administering of liquor to such persons by a physician.

Section 5. Licenses issued hereunder shall be of the following kinds and shall have the following privileges.

Class A retail license entitles the licensee to sell beer in the original containers for consumption off the premises.

Class B retail license entitles the licensee to sell beer in the original containers for consumption on or off the premises.

Class C retail license entitles the licensee to sell beer in the original containers or on draft for consumption on or off the premises.

Class D wholesale license entitles the licensee to sell beer to retailers for resale but shall not entitle him

to any of the privileges granted to the holder of any retail license, provided the licensee shall first obtain a license from the Utah Liquor Control Commission.

Section 6. Any license issued pursuant to this ordinance shall be available only to the person specified therein, and only for the premises described in the license, and shall not be transferable to any other person or to any other premises.

Section 7. All applications shall be in writing and shall contain such information as may be required by the Town Council, shall be accompanied by such bonds as may be required by this Ordinance and the State of Utah, and shall be accompanied by the fees hereinafter provided.

Section 8. All fees paid under this Ordinance shall be paid in addition to all other license fees required by the Town of Mantua, and shall only be for one year or any part thereof. All licenses shall expire on the 31st day of December of the year in which the same are issued.

Section 9. The power to grant or revoke retail licenses shall be held solely by the Town Council and the power to revoke may be exercised without cause. The power to grant or revoke wholesale licenses shall be held solely by the Utah Liquor Control Commission. All licensed premises shall be open to inspection by officers and agents of the Town of Mantua.

Section 10. All applicants for licenses class A, B, C shall furnish bond in the sum of \$1,000.00, and pay all other license fees as required by the Town of Mantua. The fees for licenses to sell beer shall be according to the following schedule.

License Class	Fees
A	\$100.00
B	100.00
C	500.00
D	100.00

Section 11. No license shall be granted in any class for the sale, service or dispensing of said beer to be consumed on or off the premises where such service or dispensing is in the opinion of the Town Council contrary to State law and the public welfare.

Section 12. It shall be unlawful for a licensee holding a beer license for beer to be consumed on or off the premises to sell beer or serve beer on or off the premises or to permit beer to be consumed in his place of business or to keep the premises open to the public or to permit members of the public to remain on such premises or consume beer on such premises between the hours of 1:00 A.M. and 6:00 A.M. of each business day and between the hours of 12:00 Midnight Saturday and 6:00 A.M. the Monday following. The provisions of this section shall apply to restaurants and cafes holding beer licenses, except only as follows: That it shall be lawful for cafes and restaurants to be open to the public after the closing times provided for in this section for the purpose of sale of food and drink other than beer and liquor only. It shall be unlawful for any one holding a license for the sale of beer to sell beer between the hours of 12:00 Midnight Saturday and 6:00 A.M. the Monday following.

Section 13. Any person engaged in the sale of beer within the corporate limits of Mantua Town without first having acquired an appropriate license therefor from Mantua Town, or whose license issued under this Ordinance has been revoked, suspended or cancelled, or whose license issued by the Utah Liquor Control Commission has been revoked, suspended or cancelled, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed \$299.00 or by imprisonment for a term not to exceed ninety (90) days or by both such fine and imprisonment.

Section 14. All ordinances or parts of ordinances of Mantua Town in conflict with this ordinance are hereby repealed or modified.

Section 15. In the opinion of the Mayor and Town Council of Mantua Town, it is necessary for the peace, health and safety of the inhabitants of the Mantua Town that this Ordinance shall become effective immediately upon posting. This Ordinance shall be deposited in the office of the Clerk of Mantua Town and posted in three public places within said Town and shall take effect immediately upon its first such posting.

PASSED AND ADOPTED by the Town Council of Mantua Town,
Utah this 7th day of March, 1985.

Arvid Alfred

Mayor

Dayle Hansen

Councilman

James J. Wilson

Councilman

Richard L. Jeppson

Councilman

R. Gardner Jeppson

Councilman

Attest

Alma Ferguson

Town Recorder