

ORDINANCE 62

LICENSING AND REGULATING THE RETAIL SALE OF CIGARETTES AND CIGARETTE WRAPPERS

The Village Council of the Village of Bird Island do ordain as follows:

Section 1. License Required. After December 31, 1941, no person shall directly or indirectly or by means of any device keep for retail sale, sell at retail, or otherwise dispose of any cigarette or cigarette wrapper at any place in the Village of Bird Island unless a license therefore shall first have been obtained as provided in this ordinance.

Section 2. Application and Issuance. Application for such license shall be made to the village clerk on a form by the village. Such application shall state the full name and address of the applicant, the location of the building and the part intended to be used by the applicant under such license, the kind of business conducted at such location, and such other information as shall be required by the application form. Upon the filing of such application with the clerk, it shall be presented to the village council for its consideration, and if granted by the council, a license shall be issued by the village clerk upon payment of the required fee.

Section 3. License Fee. The fee for every such license shall be Twelve Dollars (\$12.00) per annum. Every such license shall expire on December 31 next after its issuance, except that a short term license may be issued for the retail sale of cigarettes at a temporary location and may be made to expire at a date specified in the license, but no later than December 31, following. For any license issued after January 31 in any year, or for any short term license, the fee shall be computed at the rate of One Dollar (\$1.00) for each month or fractional part of a month covered by the license. Licenses shall not be transferable from one person to another.

Section 4. License Shall Be Displayed. Every such license shall be kept conspicuously posted about the place for which the license is issued and shall be exhibited to any person upon request.

Section 5. Restrictions. No license shall be issued except to a person of good moral character. No license shall be issued to an applicant for sale of cigarettes at any place other than his established place of business. No license shall be issued for the sale of cigarettes at a movable place of business; nor shall any license be issued for the sale of cigarettes at more than one place of business. No person shall sell or give away any cigarette, cigarette paper or cigarette wrapper to any person below the age of 18 years. No person shall keep for sale, sell, or dispose of any cigarette containing opium, morphine, jimson weed, bella donna, strychnia, cocaine, marijuana, or any other deleterious or poisonous drug except nicotine.

Section 6. Revocation. Every such license may be revoked by the council for a violation of any provision of this ordinance if the license has been given a reasonable notice and an opportunity to be heard.

Section 7. Penalty. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed One Hundred Dollars (\$100.00) or by imprisonment for not to exceed ninety (90) days.

Section 8. Repeal. Any and all ordinances inconsistent herewith are hereby repealed.

Passed November 6, 1941.

C.H. Doyle, President of Village Council

Gustave Steffen, Village Clerk

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