

Ordinance No. 634

An Ordinance governing the traffic in Intoxicating Liquors within the City of Seattle.

The City of Seattle does ordain as follows:

Section 1.

That the words, intoxicating liquor, wherever used in this Ordinance shall be taken to mean and include spirituous, vinous, fermented and malt liquor. The singular number shall include the plural, and masculine pronouns shall include the feminine.

Section 2.

~~Intoxicating~~ liquors, or malt liquors including lager beer, shall not be sold or disposed of in any brewery, grocery, bar-room, saloon, house, or other place within the City of Seattle, unless the proprietor of such brewery, grocery, bar-room, saloon, house, or other place, is licensed to sell and dispose of, in such brewery, grocery, bar-room, saloon, house, or other place, such liquor, in the manner provided for in this Ordinance. Provided, that licenses for the sale of intoxicating liquor, malt liquor, or lager beer heretofore granted by said City shall remain in force for the time for which they were granted, the person holding such license being subject nevertheless, to the fines, penalties, terms, restrictions, limitations, and conditions provided for in this Ordinance touching the sale or disposal of such intoxicating liquor or malt liquor including lager beer and the regulation of the place where the same is sold or disposed of.

Section 3.

License for the sale of intoxicating or malt liquor in quantities of one gallon and upward shall be known as a wholesale license.

License for the sale of intoxicating or malt liquor in quantities less than one gallon shall be known as a retail license.

Section 4.

The license fee for the sale of intoxicating liquor by whole sale shall be at the rate of one hundred dollars per year. The license fee for the sale of intoxicating liquor by retail shall be at the rate of three hundred dollars per year. The license fee for the sale of malt liquor only by wholesale shall be at the rate of one hundred dollars per year. The license fee for the sale of malt liquor only, by retail, shall be at the rate of one hundred dollars per year. The license fees

as above provided before filing the petition as herein after provided, must in each instance be paid to the City Treasurer, and his receipt therefor must accompany said petition. If license is refused the Clerk of the City shall certify such fact, and on presentation of such certificate to the City Treasurer he shall refund to the applicant the money paid on account of such license fee.

Section 5.

No license to sell or dispose of intoxicating or malt liquors shall be granted for less than three months nor more than one year nor until after the ^{filing of the} petition for such license, as herein after provided.

Section 6.

All applications for license to sell or dispose of intoxicating or malt liquors shall be by petition signed by the applicant and filed with the City Clerk, and the same must be presented to the Council, and be referred to a Committee before the granting of such license. And no license shall be granted until the next subsequent meeting of the Council after its reception of the petition there for. Said petition shall set forth the name in full of the person or persons applying there for, the character of license desired, whether for the wholesale or retail of intoxicating liquors, or whether for the wholesale or retail of malt liquors only. The number of the Ward and the place where said license is to be used, giving the exact location of such place, so that the same may be easily identified. The title the applicant has to such place whether as owner or lessee, and the time the applicant has been a resident of the City of Seattle.

Section 7.

If the person applying for license is not the owner of the premises where the intoxicating or malt liquors are to be sold, under the license applied for, he shall also file with his petition the consent in writing of the owner or lessor of the building or premises in which the business is to be conducted consenting to the granting of the license petitioned for. There shall be also filed with said petition a bond, running to the City of Seattle, in the penal sum of One thousand dollars, signed by the petitioner ~~and~~ and not less than two sureties, conditioned that the applicant for said license, will keep the room or place where said liquors are to be sold in a quiet, peaceable and orderly manner, and will fully comply with the provisions and requirements of this Ordinance, and will pay all judgments recovered

against him for any violation of the same. It must appear by the affidavit of the sureties attached to said bond that they are householders in, and residents of, the City of Seattle, and that they each are worth one thousand dollars over and above all debts and liabilities, exclusive of property exempt from execution, and that they have not signed in the year preceding, a similar bond for any person engaged in the sale of intoxicating liquor, and that they are not themselves interested with the applicant in the business to be conducted under said license. There must also be filed with said petition the receipt of the City Treasurer for the full amount of the license fee as herein before provided.

Section 8.

The petition for license to sell intoxicating or malt liquors shall be substantially in the following form:

To the Mayor and Common Council of the City of Seattle: The undersigned petitioner who has been a resident of the City of Seattle for _____ last past requests a retail (or wholesale) license to sell intoxicating liquor (or malt liquor) in the _____ Ward of said City at (state the exact location of the place where the license is to be used, so that the same may be easily identified) for the period of _____ from the _____ day of _____ 188- until the _____ day of _____ 188-.

I am (here state whether the applicant is the owner or lessee of the place where the liquors are to be sold, and if lessee state the name of the owner or lessor and the period of the applicant's lease and the nature thereof).

Dated Seattle _____ 188-.

A. B. Petitioner

Owner or Lessor Permit

To the Mayor and City Council of the City of Seattle.

I _____ the _____ of the building and premises described in the foregoing petition do hereby give my consent to the granting of the license petitioned for in said petition. In witness whereof I have hereunto set my hand this _____ day of _____ 188-

Section 9.

The license permit to sell intoxicating liquors under this Ordinance

shall be substantially in the following form:

To Whom It May Concern: Know ye, by these presents that the City of Seattle, Washington Territory has licensed _____ to sell by retail (or wholesale) intoxicating (or malt) liquors at (Here insert a description of the place and ward as set out in the petition) for the period of _____ from the _____ day of _____ 188_____ until the _____ day of _____ 188_____. That the said _____ by the acceptance of this license has pledged himself to comply fully with all the provisions of the ordinance under which this license is granted, and that the same is accepted subject to the conditions in said Ordinance provided. In testimony whereof the Clerk of said City has hereunto set his hand and affixed the seal of said City of Seattle this _____ day of _____ 188_____.

Seal

G. H. Clerk etc

The person to whom has been granted license to sell intoxicating liquor or malt liquors or lager beer under the provisions of this Ordinance, or under the provisions of any Ordinance heretofore in force must keep the license permit posted up in a conspicuous place in the room, or on the premises where said liquors are sold, during the whole of the time for which such license has been granted.

Section 10.

Apothecaries and druggists in the line of their business are only authorized to sell intoxicating liquors in the City of Seattle upon the prescription of a practicing physician, and for medicinal purposes.

Section 11.

A license to sell and dispose of intoxicating or malt liquors by wholesale, shall not authorize the holder thereof to sell by retail, unless also licensed to sell said liquors by retail. A license to sell and dispose of intoxicating or malt liquors by retail, authorizes the holder thereof to sell by wholesale. Subject to the provisions of this Ordinance, a license to sell intoxicating liquors, authorizes the holder thereof, in the place only named in his license permit, to sell and dispose of spirituous, vinous, fermented and malt liquors, and subject to the same restrictions, a license to sell malt liquors authorizes the holder thereof in the place only named in his license permit, to sell and dispose of malt liquors only. License permits are not transferable.

Section 12.

In all applications for license to sell intoxicating or malt liquors, the record of the proceedings of the Council shall be kept, so as to show the affirmative and negative votes of the members of the Council on such application.

Section 13.

Notwithstanding that an applicant for license to sell intoxicating or malt liquors may have properly petitioned the Council for such license as herein provided, the Council in its discretion may refuse to grant the license petitioned for if in their opinion the applicant is an unfit person to have such license, or the place where said license is to be used is a locality in which the sale or disposal of intoxicating or malt liquors should not be allowed.

Section 14.

{ Any person selling or disposing of Intoxicating or Malt Liquors within the City of Seattle without being licensed so to do by said City shall for each offense be subject to a fine of not more than One hundred dollars nor less than fifty dollars or to imprisonment not exceeding thirty days or both such fine and imprisonment.

Section 15.

No license granted under this Ordinance or heretofore granted shall be deemed to authorize the sale of ~~Intoxicating~~ liquors, malt liquors or lager beer on Sunday; Any licensee under this Ordinance who shall by himself or his Agent sell ~~Intoxicating~~ liquors, malt liquors or lager beer on Sunday shall pay ~~to the City~~ the sum of One hundred dollars as a penalty for each offense, ~~the same~~ to be recovered in a civil action in the name of the City of Seattle. And the sureties on the bond of such licensee shall be liable to ~~the City~~ on such bond for all judgments recovered against him for penalties under this Section.

Section 16.

No lewd men or women, or minors shall be allowed to loiter in, or remain about places where intoxicating or malt liquors are licensed to be sold. To allow the persons forbidden by this Section to loiter in, or remain about, the place where intoxicating or malt liquors are licensed to be sold, shall be sufficient grounds for the revocation of such license. Any licensee under this Ordinance who shall by himself or his Agent knowingly sell, give, or dispose of intoxicating liquors to

Any minor, intoxicated person or common drunkard, shall for so doing pay to the City of Seattle as a penalty the sum of one hundred dollars for each offense, the same to be recovered by civil action in the name of the City, and the sureties on the bond of such licensee shall be liable on such bond, for all judgments recovered for violations of this section.

Section 17.

For the violation of any of the provisions of this Ordinance or for the violation of any law of the Territory governing the sale of intoxicating liquor operating in said City, the City Council may, in addition to the penalty provided for, revoke the license granted heretofore or hereunder. Before such revocation the person holding the license permit must be notified at least five days before action thereon, that the City Council has under consideration the revocation of his license to sell intoxicating or malt liquors and the cause therefor; and if he so desires he shall be heard in opposition to said revocation before the said license is declared revoked.

On declaring revoked the license to sell intoxicating liquor or malt liquor, the person holding the same must be notified in writing, and after such notification the privilege to sell under said license shall be at an end.

Section 18.

Breweries, groceries, bar-rooms, saloons, houses and other places where intoxicating liquors, malt liquors, or beer are authorized to be sold under this Ordinance or heretofore by said City of Seattle, must not be open to the public for the purpose of traffic in such liquors either directly or indirectly, on the days when it is unlawful to sell such liquors under this Ordinance. The proprietor of any of the aforesaid places, who by him self or his Agents, shall violate this section shall be subject to pay the sum of one hundred dollars as a penalty for so doing, the same to be recovered in a civil action in the name of said City. And the sureties on the bond of such proprietor shall be liable to the City on such bond for all judgments recovered against him for penalties under this section.

Section 19.

It is made the duty of the police officers of the City of Seattle to visit on the days of any general or special election and on Sundays the places where intoxicating or malt liquors are licensed to be sold, for the purpose of noting any violation of this Ordinance, and they are required to report any violation of the same to

the city attorney of Seattle, and it is made the duty of such attorney to diligently prosecute all persons offending against this Ordinance when the same is brought to his knowledge in any way. Any police officer knowing of the violation of this Ordinance and failing to inform against the violator thereof shall be removed from his office. Failure or neglect by the Attorney of said City to discharge the duties imposed upon him by this Ordinance shall be sufficient grounds for the removal of said Attorney from his office.

Section 20.

The Clerk of the City shall prepare and have printed all necessary blanks under this Ordinance and he shall furnish said blanks to persons petitioning for license under this Ordinance on demand. He shall also furnish to each person licensed under this Ordinance a printed copy of the same, at the time of issuing the license permit. The Council must approve all bonds given under this Ordinance. Said printed copy may be printed on the license permit.

Section 21.

The Treasurer shall hold all money paid by applicants for license under this Ordinance as on deposit until the final action of the Council on such application, and if the application be denied he shall without further action of the Council refund the license fee deposited therefor to the applicant, and if the license be granted he shall then place the license fee paid therefor in the proper fund of the City.

Section 22.

Section 8 of Division 3 of Ordinance No 531, and the whole of Ordinances No 204 and 607 are hereby repealed; Provided that, the repeal of said Ordinances shall not invalidate any license heretofore granted or affect any accrued rights under said Ordinances.

Section 23.

This Ordinance shall take effect and be in force from and after the expiration of five days after the same shall have been published.

Passed by the Common Council of the City of Seattle January 16, 1885

Approved January 17, 1885
John Leary Mayor
C. J. Osborne Clerk
Published January 21, 1885