

(b)—“Off Sale” licenses shall permit the licensee of such non-intoxicating malt liquors to sell the same in original packages for consumption off the premises only.

Sec. 3.—Any person desiring either of the licenses as hereintofore described shall first make application therefor to the Common Council of the Village of Lamberton by filing with the Clerk of said Village for presentation by him to the Council, of an application in writing on forms to be supplied by the Village setting forth such information as the Village Council may require from time to time. Such application shall be signed by the applicant, if an individual, and if a corporation, by an officer thereof, and such application shall be accompanied by a deposit with said Clerk of a license fee in the sum of Seventy-five Dollars (\$75.00), if the application is for an “on sale” license, and the sum of Five Dollars (\$5.00) if the application is for an “off sale” license, all such fees shall be paid into the general fund of the Village. Upon the rejection of any application for a license, the amount paid shall be refunded to the applicant.

Sec. 4.—Licenses herein provided for shall run for a period of one year.

Sec. 5.—It shall be unlawful to sell non-intoxicating malt liquor to any person under twenty-one years of age.

Sec. 6.—No person under twenty-one years of age shall sell or serve such non-intoxicating malt liquor for consumption on the premises described in an “on sale” license, and no “on sale” licensee shall cause, suffer, or permit any person under twenty-one years of age to sell or serve such non-intoxicating malt liquor for consumption on the premises described in the license of such licensee.

Sec. 7.—No “on sale” license shall be issued to any restaurant, hotel, or drug store, unless the applicant for such license be the actual owner or proprietor thereof, and no “on sale” license shall be issued to any person who is not an actual resident of the Village of Lamberton or a corporation organized under the laws of the State of Minnesota.

Sec. 8.—No license of the same type shall be granted to a licensee.

Sec. 9.—No “on sale” licensee shall sell such non-intoxicating malt liquor between the hours of 12:01 A. M. and 6 A. M. on any day, except as provided by resolution of the Village Council.

Sec. 10.—The Council may by resolution duly passed change the hours provided herein and make any other temporary regulation it deems advisable and on notice to licensee shall govern as part of this article.

Sec. 11.—No “on sale” license shall be granted to any restaurant or hotel unless applicant thereof shall be licensed by the Hotel Inspector of the State of Minnesota.

Sec. 12.—No manufacturer, distributor, or wholesaler of non-intoxicating malt liquors shall have any ownership in whole or in part, directly or indirectly, in the business of any licensee holding an “on sale” license.

Sec. 13.—It shall be unlawful for any licensee to mix, or sell for the purpose of mixing, any such non-intoxicating malt liquor or to suffer or permit upon the premises named in his license any mixing or spiking of malt liquor, soft drinks, or any other liquor or beverage by adding to or with the same any alcohol or other intoxicating liquor.

Sec. 14.—The Village Council may grant or refuse any application for a license in its discretion, but an opportunity shall be given to any person to be heard for or against the granting of any license. All licensed premises shall have the license therefore posted in a conspicuous place at all times. All licenses granted under this ordinance shall be issued to the applicant only and shall be issued for the premises described in the application. Such license shall not be transferred to another place without the approval of the Village Council. The Village Council may revoke any license at any time without a hearing and without notice to the licensee, and if a license be revoked, no portion of the license fee shall be returned to the licensee.

Sec. 15.—The license of any person who shall be found guilty of any violation of any of the provisions of this ordinance or of any law or ordinance relating to the sale of intoxicating liquor, whether the offense be committed on the premises named in the license or elsewhere, and the license of any person who shall have, keep, sell, manufacture or possess intoxicating liquor at or upon the premises named in the license, contrary to such law or ordinance, shall be automatically revoked upon a conviction of the violation thereof.

Sec. 16.—Any person violating 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, plus the costs of prosecution in any case.

ARTICLE XXXI Repealing Ordinances

Sec. 1.—Every ordinance adopted prior to April 7, 1938, is hereby repealed except all ordinances or resolutions under which any bond issue or public indebtedness has been created, which bonds are now outstanding or under which any indebtedness is now due by said village, or where the village is a party to a contract in operation and unexpired, and the ordinance regulating the sale of intoxicating liquor and amendments

thereto, and an ordinance to establish and regulate the light and power company operating in the Village of Lamberton and amendments thereto, and an ordinance establishing and regulating a public library.

This ordinance shall be in force on and after its publication.

Approved April 7, 1938, by
H. H. WERNER,
President.

(Seal)
Attest:
H. H. Anderson,
Recorder.

ORDINANCE NO. 54

Electric Franchise

An ordinance of the Village of Lamberton, State of Minnesota, granting to the Interstate Power Company, its successors and assigns, permission to erect, install, construct, repair, own, operate, maintain, manage and control an electric light, heat and power plant within the corporate limits of said village, and electric distribution system consisting of poles, wires, conduits, pipes and other fixtures in, under, over, along, and across the streets, sidewalks, alleys, bridges and public grounds of said Village of Lamberton, for the purpose of furnishing electricity for light, heat and power purposes, to said Village and its inhabitants, for a period of ten (10) years from and after the passage, approval and publication of this ordinance according to law.

Sec. 1.—That there is hereby granted unto Interstate Power Company, a Delaware Corporation, with offices at Dubuque, State of Iowa, its successors and assigns, herein called the “grantee,” the right, permission, privilege, and franchise, for a period of ten (10) years from and after the taking effect of this ordinance, subject only to the Laws of the State of Minnesota, as now in force or as may hereafter be in force, and to the conditions and limitations hereinafter contained, to erect, install, construct, reconstruct, repair, own, operate, maintain, manage and control an electric light, heat and power plant, and electric distribution system consisting of poles, wires, conduits, pipes and other fixtures, within the limits of said Village, necessary, convenient, or proper for the production, transmission, distribution and delivery of electricity for light, heat and other purposes, to said Village of Lamberton and its inhabitants.

Sec. 2.—That said grantee, its successors and assigns, are hereby granted the right of way in, under, over, along, and across the streets, sidewalks, alleys, bridges and public grounds of said Village of Lamberton for the purpose of erecting, installing, constructing, reconstructing, repairing, owning, operating, maintaining, managing and controlling said electric light, heat and power plant,