

ORDINANCE NUMBER 1094

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 5, CHAPTER 5.04, ALCOHOLIC BEVERAGE SALES, BY ADDING A NEW SECTION 5.04.130, HOURS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A CODIFICATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City of Ketchum is a municipal corporation operating under the laws of the State of Idaho; and

WHEREAS, Idaho Code §23-927(2) authorizes cities to regulate by ordinance the sale of liquor by the drink; and

WHEREAS, the Mayor and City Council of the City of Ketchum deem it to be in the public interest to amend its ordinance regulating the retail sale of liquor by the drink to incorporate the hours of sale of liquor by the drink set forth in Idaho Code §23-927(2).

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM, Blaine County, Idaho:

Section 1: That Title 5, Chapter 5.04, Ketchum City Code be, and hereby is, amended by adding a new section 130, as follows:

5.04.130 HOURS OF SALE:

A. No liquor shall be sold, offered for sale, or given away upon any licensed premises, and all liquor not in sealed bottles must be locked in a separate room or cabinet, except during the hours of sale authorized by this ordinance. Hours of sale are 10:00 a.m. to 2:00 a.m. No sale or gift of liquor may be made by a license holder or employee upon a licensed premises on Christmas day.

B. Any patron present on the licensed premises after the sale of liquor has stopped as provided above shall have a reasonable time, not to exceed thirty (30) minutes, to consume any beverages already served.

C. Any person who consumes or intentionally permits the consumption of any alcoholic beverage upon licensed premises after the time provided for above shall be guilty of a misdemeanor.

D. It shall be the duty of every person who is employed at or upon a licensed premises or who owns or manages a licensed premises and is present upon the licensed premises during the hours and at the time set forth in this section to lock up and keep locked up in a locked room or locked cabinet all unsealed containers of liquor during the hours and at the times set forth in this section, and any such person who fails to perform the duty provided herein shall be guilty of a misdemeanor.

Section 2: If any part of this ordinance shall be held unconstitutional or void, such part shall be deemed separable and its invalidity shall not affect the remaining parts of the ordinance.

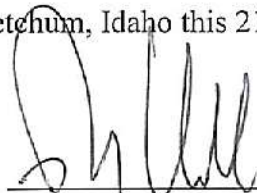
Section 3: All provisions of any City of Ketchum ordinance or resolution not consistent with this ordinance are hereby repealed as of the effective date of this ordinance.

Section 4: The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

Section 5: This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

PASSED AND ADOPTED by the Council of the City of Ketchum, Idaho this 21st day of February, 2012.

APPROVED by the Mayor of the City of Ketchum, Idaho this 21st day of February, 2012.



Randy Hall,
Mayor

ATTEST:



Sandra E. Cady, CMC
City Clerk

(SEAL)

Publish: Idaho Mountain Express
February 15, 2012

