AN ORDINANCE PRESCRIBING THE CONDITIONS AND REGULATIONS UNDER WHICH INTOXICATING LIQUORS MAY BE KEPT, SOLD OR OTHERWISE DISPENSED IN THE TOWN OF SAN ANSELMO, AND PROVIDING THE PENALTIES FOR VIOLATION THEREOF.

The Board of Trustees of the Town of San Anselmo do ordain as follows:

Section 1.- For the purpose of construing this ordinance the words "Intoctiscent Liquors" shall be held to mean all malt, vinous, spirituous, or other intoxicating liquors or wines and any admixture thereof; the word "Saloon" shall be held to mean any bar, bar-room, or any place where intoxicating liquors are sold, given away or otherwise dispensed by the glass or in quantities of less than one quart to be served, drunk or used on the premises where dispensed other than hotels, restaurants or eating houses; the word "Person" shall be held to include any firm, company, corporation, social club, or other organization; the singular shall include the plural and the masculine shall include the feminine and neuter.

Section 2.- It shall be unlawful for any person to open, conduct or maintain a saloon within the corporate limits of the Town of San Anselmo.

Section 3.- It shall be unlawful for any person conducting a grocery, merchandise store, restaurant, hotel or other public eating house, to sell or dispense intoxicating liquors at such store or place, without first obtaining a permit and license so to do, and complying with all the provisions of this ordinance; provided that no license shall be granted to any individual who is not a citizen of the United States or who has not declared his intention of becoming a citizen. It shall be unlawful under any circumstances to sell, give away, dispense or deliver any intoxicating liquors to minors, and also unlawful on the part of any minor to accept or receive any intoxicating liquors.

Section 4.- (a) Any person conducting a grocery or merchandise store in the Town of San Anselmo may, in the discretion of the Board of Trustees, be granted a license to sell or dispense intoxicating liquors in sealed packages containing not less than a commercial half pint, in connection with his business of selling groceries or merchandise, upon the conditions imposed by this ordinance.

(b) Any person conducting a restaurant, hotel, or other public eating house in the Town of San Anselmo, may, in the discretion of the Board of Trustees, be granted a license to sell or dispense intoxicating liquors in quantities of one quart or less to be drunk upon the premises in connection with and as part of a bona fide meal, upon the conditions imposed by this ordinance.

Sandwiches, tomatos, enchiladas or such like dishes of the customary size may be served in lieu of a meal, providing that they are actually ordered, delivered, paid for and partaken of in good faith, and not merely as a subterfuge to violate this ordinance.

Section 5.- Any person conducting a grocery or merchandise store, restaurant, hotel, or other public eating place in the Town of San Anselmo and desiring to sell or dispense intoxicating liquors in accordance with the provisions of this ordinance, shall present a petition to the Board of Trustees requesting a permit or license, which petition must set forth the following information:

1. The name and residence (including street and number) of the petitioner and the length of time he has been such a resident.
   If the petition is made by a firm it must show the names and addresses of all the members thereof and how long they have resided at their respective places of residence; if by a corporation, it must show the names, addresses and residences of all the officers and directors of the same.

2. The place where it is proposed to carry on the business for which the permit and license is desired, giving the street and number (if any).
(3) The name of the owner of the premises.
(4) The names any residences of any other persons, if any, who may have an interest in the business for which the permit and license is desired.
(5) Whether or not the petitioner has ever been engaged before in a business involving the sale or dispensation of intoxicating liquors; if so, when, where, and for how long.
(6) That the petitioner never had a license revoked that had been granted to him for the sale or dispensation of intoxicating liquors.
(7) That the petitioner never was convicted of violating any ordinance of the Town of San Anselmo relating to the sale or dispensation of intoxicating liquors.
(8) That the applicant is a sober and otherwise suitable person to conduct the business for which he desires a permit and license, and in case of any individual, that he is a citizen of the United States or has declared his intention of becoming a citizen.
(9) That the place where it is proposed to conduct such business has no serving hoist, elevator or dumb waiter connecting with any private room, place or apartment, alcove, booth or other enclosure excepting such as form a part of and which is open to view from the main room, and which is not obstructed by any curtains, portieres or otherwise from the view of persons who may be present in the main room; provided that such place may have a room for the exclusive use of the proprietor.
(10) That the petitioner will keep and conduct such business in a quiet and orderly manner and will not sell or dispense knowingly or permit to be sold or dispensed, any intoxicating liquors to a habitual drunkard or minor or person already intoxicated.

Section 6.- The petitioner shall make and annex to such petition as a part thereof his affidavit as follows:

State of California, ) ss.
County of Marin.

being duly sworn deposes and says:
That he is the petitioner applying for the permit and license to sell or dispense intoxicating liquors and that all the declarations made by him in said petition are true.

Subscribed and sworn to before me this ___ day of ___________ 191 __.

Notary Public in and for the County of Marin, State of California.

(SEAL)

Section 7.- To said petition and affidavit there shall also be annexed a certificate signed by not less than five heads of families (as the term "Head of Family" is defined by section 156 of the Civil Code) of the fifteen families who reside nearest the place where such grocery or merchandise store, restaurant, hotel or other public eating house is proposed to be conducted, certifying to the fact that they are personally acquainted with the petitioner and that in their opinion he is of good character, and a fit and proper person to conduct said business; and furthermore, that they have no objection to such business being conducted by him at the place proposed.

Section 8.- When a petition for a permit and license has been presented to the Board of Trustees, endorsed and verified as aforesaid, the Board of Trustees shall hear and consider the same. At least five days prior to any such hearing, whether the petition be for a license or a renewal or transfer of the same, the Town Marshal shall post conspicuously on the place referred to in the petition a copy of such petition, together with the
verification of the same and the names of the endorsers.

Section 9. - When any objection is made on the part of any citizen to the grant of a license, the Board of Trustees shall fix a time for hearing such objection, and the Clerk shall notify both the applicant and the objector of the time and place of hearing testimony for and against the grant of such license. Whether objection be made or not, the Board of Trustees shall hear and consider the petition, and grant or refuse the same as in its judgement may be proper. If the application for a permit be granted, the same shall be good for a period of one year and the Board shall order a license to be issued thereunder for the first quarter year.

Section 10. - Every person to whom a license is granted under the provisions of this ordinance shall pay a license fee of One Hundred ($100.00) Dollars per year in advance. Upon order of the Board and payment of said fee, the Marshal shall issue the license for the first quarter year; thereafter he shall issue a license at the commencement of each quarter year following, until the full term of one year for which the permit was granted has expired; provided, however, that should the permit be revoked by the Board of Trustees in the meantime, for violation of any of the provisions of this ordinance, such permit and license shall become void immediately and all money paid thereon by the licensee shall be forfeited to the Town of San Anselmo. Separate licenses shall be required for each branch establishment and any question as to whether a place is a branch establishment or not shall be determined by the Board of Trustees.

Section 11. - No license issued under this ordinance shall be transferrable or assignable without the consent of the Board of Trustees and not then except to a bona fide purchaser. Such consent may be granted only after an application for transfer or assignment of the same has been filed with the Town Clerk. The application for a transfer or assignment must be made in the same manner as required for an original permit and license and must be accompanied by a verified statement of both the assignor and assignee to the effect that the proposed assignment is made in good faith. Such application for transfer or assignment must also be accompanied by the endorsement of five heads of families as required in the case of an original application.

Section 12. - Any person desiring a renewal of his license must petition for a permit and license in the same manner as required in the first instance, and shall present his petition to the Board of Trustees at least thirty days prior to the expiration of the permit he may then hold.

Section 13. - Any person may make a protest against granting a petition and license or against the transfer or renewal of any existing license, by stating the grounds of his objections in open meeting or in writing to the Board of Trustees. Whenever such a protest has been made the Board of Trustees shall fix a time for hearing same giving the petitioner for a license at least three days' notice thereof either in open meeting or in writing. Upon the hearing of such protest the Board shall consider such evidence as may be offered and grant or refuse the petition as in its judgement may be proper. Upon sufficient cause being shown or proof being furnished to the Board of Trustees that any person holding a license is keeping a disorderly or disreputable Place of Business or has violated any ordinance of the Town or State relative to intoxicating liquors, the Board of Trustees shall revoke such permission, cancel such license, and the money paid thereon shall be forfeited to the Town of San Anselmo.

Notwithstanding any other provision of this ordinance it is specifically ordained and declared that all licenses granted hereunder, though apparently for a nominal term, are held at the pleasure of the Board of Trustees and may be summarily revoked by said Board in case of contumacious or especially grievous conduct on the part of any licensee.
Section 14.- It shall be unlawful for any person conducting a hotel, restaurant or other public eating place, and having a license authorizing the sale or dispensation of intoxicating liquors with bona fide meals to serve or dispense such liquors unless the meal has first been ordered by the party to whom such liquors are served or dispensed. It shall be unlawful to serve or dispense intoxicating liquors in any hotel, restaurant or other public eating place, except between the hours of six o'clock A. M. and eleven o'clock P. M. At the hour last mentioned the dining room or such place must be closed, all lights extinguished and all patrons excluded therefrom until six o'clock A. M. of the following morning.

Section 15.- If any person having a license hereunder or his agents, servants or employees shall violate any of the provisions of this ordinance or any other ordinances or laws relating to intoxicating liquors which may be now or hereafter adopted, the Board of Trustees may summarily revoke the license held by such person, whereupon all money paid for and on account of said license shall be forfeited to said town, and said person shall never again be granted a license in the Town of San Anselmo for the sale or dispensation of intoxicating liquors.

Section 16.- It shall be unlawful for any person to sell or deliver intoxicating liquors to any house or premises occupied by habitual drunksards; any person dispensing intoxicating liquors to such parties after being warned by the marshal not to do so, shall be liable to have his license summarily revoked.

Section 17.- The marshal is hereby expressly ordered to see that all the provisions of this and other ordinances and laws relating to intoxicating liquors are strictly observed. He is hereby authorized and expressly instructed by and with the consent of the President of the Board of Trustees to employ detectives in order to secure competent evidence, whenever he has any reason to believe that any of the provisions of this or other ordinances or laws relating to intoxicating liquors are being violated. It shall be the duty of the marshal to cause complaint to be filed against all persons violating this ordinance, but this provision shall not prohibit any other citizen from filing such complaint.

Section 18.- It shall be unlawful for any person to sell or give intoxicating liquors to any person already intoxicated. In case any intoxicated person or persons should enter the place of business conducted by any licensee hereunder, it shall be the duty of such licensee, his agents, servants or employees to immediately notify the marshal of the presence of such intoxicated person or persons on his premises.

Section 19.- Nothing in this ordinance shall be applicable to druggists or apothecaries who furnish intoxicating liquors upon the written prescription of a regularly licensed and registered physician where the same is to be used for medicinal purposes.

Section 20.- All persons guilty of a breach of this ordinance or any of its provisions, shall be liable to a fine, penalty or forfeiture of not more than Fifty ($50.00) Dollars which amount may be recovered by a civil action.

Section 21.- Ordinance No. 6, Ordinance No. 11, Ordinance No. 28, Ordinance No. 32, Ordinance No. 44, Ordinance No. 48, Ordinance No. 59, Ordinance No. 76 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 22.- This ordinance shall take effect January 1st, 1925.

[Signature]
President of the Board of Trustees of the Town of San Anselmo.

[Signature]
Clery of the Town of San Anselmo.
State of California
County of Marin } ss.
Town of San Anselmo

I, the undersigned, Clerk of the Town of San Anselmo, hereby certify that the foregoing ordinance was introduced at the regular adjourned meeting of the Board of Trustees of said Town held on the 29th day of September, 1914 and was finally passed at the Regular meeting of said Board, held on October 5th, 1914, by the following vote:
Ayes, Trustees Atthowe, Crisp, Hall and Kemp.
Noes, None. Absent, Trustee Schrader.

I further certify that said ordinance was duly signed by the President of the Board of Trustees of said Town, and that I thereafter on October 12th, 1914 posted printed copies of the same on bulletin boards at each of the following three (3) places in said Town: One on the Bulletin Board in front of the Town Hall; One on the Bulletin Board at the Corner of Ross Avenue and the Red Hill and Ross Landing Road, and one on the Bulletin Board at the entrance to Ross Valley Park.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Town, this 10th day of October, 1914.

[Signature]

Clerk of the Town of San Anselmo.