

An Ordinance amending section 4 of ordinance number 98, entitled "An ordinance to license, tax, regulate and restrain bar-rooms, houses, drinking shops or other places where spirituous, malt liquors are sold, or kept for sale, or in any manner disposed of, and to regulate the disposal of the same; to define the duties and responsibilities of saloon-keepers, bartenders and all persons in spirituous, malt or vinous liquors, and for the repeal of Ordinance No. 98, and providing a punishment for the violation of the provisions of this ordinance"; repealing Ordinance Number 100 and all ordinances and/or parts of ordinances in conflict herewith, and providing a penalty for the violation of the provisions of this ordinance.

The Town of Milwaukie does ordain as follows:

Section 1. That Section 4 of Ordinance Number 98 be and the same is hereby amended to read as follows:

Section 4 (a). Every person to whom a license is granted, and the same shall be issued, shall pay unto the treasurer of the Town of Milwaukie, Oregon, at the date when the said license is granted, and on the first day of each quarter of the year thereafter, the sum of two hundred fifty dollars (\$250.00) per quarter; provided, that if the said license is issued between the first and last day of the year the original payment shall be computed on a pro-rata basis of the total number of days remaining in the particular quarter as they bear to the total number of days in the quarter. The first quarter shall begin on the first day of January and end with the thirty-first day of March; the second quarter shall begin on the first day of April and end on the thirtieth day of June; the third quarter shall begin on the first day of July and end on the thirtieth day of September; and the fourth quarter shall begin on the first day of October and end on the thirty-first day of December.

(b). Provided, however, that any grocer, storekeeper, or other person or persons selling or in any manner disposing of intoxicating liquor or liquors in the original packages and not to be drunk on the premises shall pay to the Treasurer of the Town of Milwaukie, Oregon, an annual license fee of four hundred dollars (\$400) per annum, to be paid in the same manner set forth in sub-section 4 (a) hereof.

(c). Provided further, however, that a registered bona-fide druggist and/or pharmacist permitted under the laws and/or regulations of the State of Oregon shall be exempt from the provisions of this section.

ORDINANCE NO. 320.  
(Cont'd)

State of Oregon and/or of the United States of America to sell  
hereby in any manner dispose of intoxicating liquor or liquors for medicin-  
and, the person who has complied with and is complying with each and  
ement of said laws and regulations now existing or which may hereafter  
be sold by any person who shall sell or in any manner dispose of intoxicating liquor  
or liquors for medicinal purposes pursuant to the prescription  
of a physician or surgeon or other person permitted to issue pre-  
scriptions under the laws of the State of Oregon and/or of the United  
States of America, shall not be affected by or shall not come under  
the provisions and provisions of sub-sections (a) or (b) hereof, but such  
physician and/or pharmacist shall, before he shall sell or in any  
manner dispose of intoxicating liquor or liquors pursuant to the  
prescription of a physician or surgeon, pay unto the Treasurer of  
the Town of Milwaukie, Oregon, the sum of five dollars (\$5.00) semi-  
annually, payable respectively on the first days of January and July  
of each year, and have issued to him by the Recorder of the Town of  
Milwaukie a license certifying payment of the same.

If any of the licensees hereinabove described shall be convicted  
of a violation of any of the provisions of this ordinance, or if the  
Council shall find upon examination that such licensee has violated any  
of the provisions of this ordinance or of the ordinances of which this  
ordinance is amendatory, the Council may in its discretion, and in  
addition to the penalties herein prescribed, revoke such license, or  
suspend the same for a period of not more than three (3) months.

Any person who shall sell intoxicating liquor or liquors without  
having secured a license according to the terms of this ordinance or  
who shall violate any of the provisions of this ordinance, whether he  
be a licensee herein, or otherwise, shall upon conviction therefor  
be punished by imprisonment for a period not to exceed sixty (60)  
days, or by a fine of not more than one hundred fifty dollars (\$150.00),  
or both such imprisonment and fine. Each unlicensed sale of intox-  
icating liquor or liquors shall constitute a violation of this ordin-

2. Ordinance number 106 and all ordinances and parts of or-  
dinances in conflict herewith are hereby expressly repealed.

3. Inasmuch as there is no ordinance regulating the licens-  
ing of pharmacists and/or druggists selling or disposing of intoxi-  
cating liquor or liquors for medicinal purposes, it is hereby adjudged  
and declared that existing conditions are such that the passage of  
this ordinance is necessary for the immediate preservation of the pub-  
lic health, safety and welfare; and an emergency hereby is declared to  
exist and this ordinance shall take effect and be in full force and  
effect from and after its passage.

Witness my hand and seal of the Town of Milwaukie, Oregon, this 30th day of January, 1933.

Attest: William B. Adams, Recorder

Attest: William B. Adams, Recorder

Attest: Mayor.

Attest: William B. Adams, Recorder