

Chapter 112

ALCOHOLIC BEVERAGES

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ARTICLE I. GENERAL PROVISIONS

Sec. 112.01. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Intoxicating liquor. Any spirits, wine, ale, malt or other liquor, or combination of liquor a part of which is spirituous, vinous, malt or fermented, and all preparation for beverage purposes, which contain in excess of 3.2 percent of alcohol by weight.

Nonintoxicating beer. Any beer manufactured from pure hops or pure extract of hops, and pure barley malt or other wholesome yeast, and pure water, and free from all harmful substances, preservatives and adulterants, and having an alcoholic content of more than 0.5 percent by volume and not exceeding 3.2 percent by weight.

Original package. Any package containing three or more standard bottles of malt liquor or nonintoxicating beer or ½ pint or more of spirituous or vinous liquors in the original package of the manufacturer.

Person. All individuals, firms, partnerships, associations, corporations, club, joint ventures and their trustees or receivers appointed by any court of competent jurisdiction.

Premises. The place within a specified structure where intoxicating liquor is sold and consumed, provided that the premises and the place where intoxicating liquor is sold and consumed shall, at the time of application for any license under this chapter, be fully described in the application.

Sale by drink. The sale of intoxicating liquor by the drink at retail for consumption on the premises where sold. The sale of any intoxicating liquor, except malt liquor in the original package, in any quantity less than one-half pint shall be deemed sale by the drink and may be made only by a holder of a retail liquor dealer license and when made, the container in every instance shall be emptied and the contents of the container served as other intoxicating liquors sold by the drink served.
(Ord. 95-15, passed 11-27-95)

Secs. 112.02—112.09. Reserved.

ARTICLE II. LICENSING

Sec. 112.10. License required.

No person shall manufacture, sell, or expose for sale, intoxicating liquor or nonintoxicating beer, in any quantity, without taking out all licenses made applicable by this chapter to the product or products to be manufactured, sold, or exposed for sale, and applicable to the time, place and manner of such manufacture, sale, or exposure for sale.

(Ord. 95-15, passed 11-27-95)

Cross reference—Penalty, § 112.99.

Sec. 112.11. Issuance of license.

The county clerk, or the appropriate deputy, is directed to issue a proper liquor license when the requirements of this chapter are met.
(Ord. 95-15, passed 11-27-95)

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Sec. 112.12. Application.

An application shall be presented to the county clerk by the holder of a state liquor license or permit for the same type of license and the same location as stated on the permit.
(Ord. 95-15, passed 11-27-95)

Sec. 112.13. Fees for licenses.

(A) License fees shall be charged as provided in the fee schedule set forth as Appendix A to this Code of Ordinances.

(B) Payment shall be made into the county treasurer of the license fee proposed in this chapter. All payments of fees made under this chapter shall be nonrefundable.
(Ord. 95-15, passed 11-27-95)

Sec. 112.14. Deposit of fees.

All fees stated in this chapter shall be paid into the general revenue fund.
(Ord. 95-15, passed 11-27-95)

Sec. 112.15. Charitable organizations; nonintoxicating beer license.

(A) *Issuance.* A license authorizing the sale of nonintoxicating beer for consumption in the premises where sold may be issued to charitable, religious, educational, fraternal, civic, service or other nonprofit organization.

(B) *Duration of license.* A license issued to charitable, religious, educational, fraternal, civic, service or other nonprofit organization shall be for a period of one week.

(C) *Limitation.* Not more than three licenses authorizing the sale of nonintoxicating beer for consumption on the premises where sold may be issued to any one charitable, religious, educational, fraternal, civic, service or other nonprofit organization during any calendar year.

(D) *Fee.* On payment of a license fee as provided in the fee schedule set forth as Appendix A to this code of ordinances, a license authorizing the sale of nonintoxicating beer for consumption

on the premises where sold may be issued to a charitable, religious, educational fraternal, civic service or other nonprofit organization.
(Ord. 95-15, passed 11-27-95)

Sec. 112.16. Unincorporated areas; sales of drinks in.

Nothing in this chapter shall permit sale at retail for consumption in the premises where sold of intoxicating liquor, other than malt liquor containing alcohol not in excess of five percent by weight, in the portion of the county outside the limit of incorporated cities.
(Ord. 95-15, passed 11-27-95)

Cross reference—Penalty, § 112.99.

Sec. 112.17. Railroad.

The annual fee for a license authorizing any railroad company or railway sleeping car company operated in the county to sell all kinds of intoxicating liquor at retail for consumption on its dining cars, buffet cars and observation car shall be as set forth in the fee schedule attached as Appendix A to this code of ordinances. The license shall not permit the sale at retail to be made while the cars are stopped at any station.
(Ord. 95-15, passed 11-27-95)

Cross reference—Penalty, § 112.99.

Secs. 112.18—112.98. Reserved.

Sec. 112.99. Penalty.

Every person who shall violate any if the provisions of this chapter shall on conviction be fined not more than \$1,000.00, or be imprisoned in the county jail for a term not to exceed one year, or both.
(Ord. 95-15, passed 11-27-95)

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