

HB 77
Amended HB #895

AN ORDINANCE PROVIDING FOR A LICENSE FOR THE MANUFACTURE, SALE AND DISTRIBUTION OF BEER CONTAINING ONE-HALF ($\frac{1}{2}$) OF ONE PER CENT (1%) OR MORE OF ALCOHOL BY VOLUME AND NO MORE THAN FOUR PER CENTUM (4%) OF ALCOHOL BY WEIGHT WITHIN THE CORPORATE LIMITS OF THE CITY OF RAYMONDVILLE, TEXAS; PROVIDING FOR THE PAYMENT OF AN OCCUPATION TAX OR LICENSE FEE AND PRESCRIBING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RAYMONDVILLE, TEXAS:

Section 1. No person, firm partnership, association of persons or corporation shall engage in the manufacture, sale or distribution of beer containing one-half ($\frac{1}{2}$) of one per cent (1%) or more of alcohol by volume and no more than four per centum (4%) of alcohol by weight within the corporate limits of the City of Raymondville, Texas, without first having applied for and secured a license as required by this ordinance.

Section 2. The definitions set forth in House Bill No. 77, designated as "Texas Liquor Control Act," adopted by the forty-fourth legislature of the State of Texas at its second called session are hereby adopted in this ordinance and shall govern the provisions of this ordinance for all purposes.

Section 3. Before any license required by this ordinance shall be issued, the applicant shall be required to show a license issued by the State of Texas, authorizing him, them or it to engage in such manufacture, sale or distribution of beer within the County of Willacy and shall pay to the City Tax Collector of Raymondville, Texas, for the use and benefit of the General Fund of such city, the following license fees:

- (a) For a license authorizing the manufacture and sale by a manufacturer \$250.00
- (b) For a general distribution 100.00
- (c) For a local distributor 25.00
- (d) For a license authorizing the sale of beer by retail dealer for consumption on or off the premises 12.50

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15.00

(e) For a license authorizing the sale of beer by retail dealer in the original container direct to consumer, but not for resale, and not to be consumed on the premises where sold 5.00

Section 4. All licenses issued under the terms of this ordinance shall terminate at midnight on the 31st day of December each year and no license shall be issued for a longer term than one year. On or before the first day of January A. D. 1936, and annually thereafter, each and every person, firm, partnership, association of persons or corporations owning a license issued under the terms of this ordinance shall renew such license so held by him, them or it. If such license so sought is for a portion of a year only, then the fee required to be paid for the issuance of such license shall cover the period of time from the date of such license to midnight of the 31st day of December following and only such proportionate part of such annual license fee required under the terms of this ordinance as the period of time between the date of such license and the 31st day of December following bears to the calendar year shall be required to be paid by such applicant.

Section 5. No license or permit shall be issued to any person, firm, partnership, association of persons or corporation or agent thereof, whose principal business is the sale of beer, where the place of business is within three hundred (300') feet of any church, school or other educational institution - such measurement to be along the property line of the street fronts and from front door to front door and in a direct line across intersections where they occur.

Section 6. The conduct of business of the holder of any license hereunder shall be governed by and subject to all general laws, civil or penal upon the Statute Books of the State of Texas

or ordinances of the City of Raymondville, now in force or hereafter enacted.

Section 7. If any person, firm, partnership, association of persons or corporation or agent thereof shall manufacture, sell or distribute beer within the corporate limits of the City of Raymondville, Texas, without having first applied for and obtained the license as herein provided for, he shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine in the sum of not less than Ten (\$10.00) Dollars and not more than One Hundred (\$100.00) Dollars, and it is hereby specially provided that each day's violation hereof shall be and constitute a separate offense.

Section 8. If any holder of a license from and under the City of Raymondville, Texas, shall, after having obtained such license, open, maintain or operate a place for the sale of beer in violation of Section 5 hereof, the City Council shall revoke such city license or permit so issued and said holder of license shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine in the sum of not less than Ten (\$10.00) Dollars and not more than One Hundred (\$100.00) Dollars, and it is hereby specially provided that each day's violation of said Section 5 of this ordinance shall be and constitute a separate offense.

Section 9. If any part or portion, section, paragraph, sentence or phrase of this ordinance be invalid, then such invalid portion shall not in any way affect the remainder of this ordinance and it is hereby declared the intention of the City Council of the City of Raymondville, Texas, to adopt this ordinance under the provisions of House Bill No. 77, designated as "Texas Liquor Control

Act", adopted by the forty-fourth legislature of the State of Texas at its second called session.

Section 10. This ordinance shall become effective upon its ~~due publication as prescribed by the charter of the City of~~ ^{Passage, approval and publication} Raymondville, Texas.

~~Introduced this _____ day of December, 1935.~~

Passed this 6th day of ~~December, 1935.~~ ^{JANUARY, 1936}

Approved this 6th day of ~~December, 1935.~~ ^{JANUARY, 1936}

O. D. Campbell
Mayor, City of Raymondville, Texas.

ATTEST:

[Signature]
City Secretary.