

ORDINANCE NO. 27

An ordinance requiring the closing at certain times of saloons and other places where is carried on the business of selling, dispensing or dealing in spirituous, vinous, malt or intoxicating liquor; prohibiting at such times and places the sale, gift, or dispensation of, or dealing in, such liquor; and prescribing penalties for violation of the ordinance.

The Board of Trustees of the City of Lodi do ordain as follows:

Section 1. Every saloon, bar-room, dram-shop, tippling-house, sample-room, winery, ^{brewery,} distillery, room, apartment, stand, counter, booth, place of business, part of place of business, part of house, part of hotel, part of restaurant, place or part of place, within the City of Lodi, wherein or whereat is usually carried on, or carried on, the business of selling, dispensing or dealing in spirituous, vinous, malt or intoxicating liquor, whether such business be exclusive of or in conjunction with other business, shall be closed and kept closed for and during the whole and every part of the first six hours of each, and every calendar day and, also, for and during the whole and every part of each and every Sunday which begins at six o'clock in the morning and ends at twelve o'clock midnight, that is to say, shall be closed and kept closed from and after twelve o'clock midnight of each and every calendar day until six o'clock in the morning of the next following day and, also, from and after six o'clock in the morning of each and every Sunday until twelve o'clock midnight of that day.

Section 2. The sale, gift or dispensation of any spirituous, vinous, malt or intoxicating liquor, at any place within the provisions of Section 1 of this ordinance, is hereby absolutely prohibited for and during the whole and every part of all time or times when such place is, by the provisions of said Section 1, required to be closed and kept closed.

Section 3. But nothing in this ordinance applies to the use or gift of any liquor at or in any place not required to be closed at certain

times by the provisions of Section 1 of this ordinance, nor to any pharmacy or drug-store wherein or whereat spirituous, vinous, malt or intoxicating liquor is dispensed in strict conformity with the provisions of Section 4 of this ordinance,

Section 4. Spirituous, vinous, malt or intoxicating liquor may for medicinal purposes be dispensed, during any of the time when saloons and certain other places are, by the provisions of Section 1 of this ordinance, required to be closed, by registered pharmacists or their registered assistants, at their pharmacies or drug-stores, in the manner following and in no other manner, to wit:

1. Upon the prescription of a regular licensed physician.
2. A public register shall be kept at the pharmacy or drug-store, open to the inspection of all officers and persons interested in the observance of the law, in which shall be entered and preserved a record of each dispensation, made during the times of the closure required by section 1 of this ordinance, of spirituous, vinous, malt or intoxicating liquor.
3. The said record in said register of each such dispensation of any said liquor, shall state the date of the physician's prescription, the name of the physician who signs the prescription, the date when and the name of the person to whom the liquor is dispensed, and the kind and quantity of liquor dispensed.

The sale, gift or dispensation, at any time within the time or times when, by the provisions of Section 1 of this ordinance, saloons and certain other places are required to be closed and kept closed, of any spirituous-, vinous, malt or intoxicating liquor', 'in any manner other than that prescribe6 by this Section 4, shall be within the provisions of Sections 1 and 2 of this ordinance, and subject the pharmacy or drug-store to closure, as provided in said Section 1, and to the penalties in this ordinance provided.

Section 5. Any violation of this ordinance shall be punishable by a fine not to exceed two hundred dollars or by imprisonment in the city jail of the City of Lodi or in the county jail of the County of San Joaquin not

to exceed ninety days, or by both such fine and imprisonment, or by such fine with a direction in the judgment that the defendant be so imprisoned until the fine is satisfied, specifying the extent of such imprisonment which must not exceed one day for each one dollar of the fine, nor in any case exceed ninety days.

Section 6 This ordinance shall be published once in the *Weekly Herald*, a newspaper published in the City of Lodi, and shall take and have effect from and after twelve o'clock meridian on the ^{1st} day of ~~August~~ ^{October}, 1907.

The foregoing ordinance was introduced at an ^{adjourned} regular meeting of the Board of Trustees of the City of Lodi, held on the ~~27th~~ day of July, 1907, and was thereafter at a regular meeting of said Board, held on the ~~27th~~ day of ~~August~~, 1907, duly adopted and passed by the following vote:

Ayes: *G. E. Lawrence, L. Villingier, J. M. Blodgett*
F. O. Hall, and C. A. Rich

Noes: *none*

Absent: *none*

G. E. Lawrence

President of the Board of Trustees of the City of Lodi.

Attest:

J. M. McMahon

City Clerk of the City of Lodi.

By A. J. Weinert, Deputy

